

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 120**

TO BE ANSWERED ON MONDAY, DECEMBER 01, 2025

AMENDMENTS TO COMPETITION ACT, 2002

QUESTION

120. Shri P C Mohan

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Government has proposed or notified any amendments to the Competition Act, 2002 to address challenges arising from digital markets, and if so, the details thereof;**
- (b) whether the Competition Commission of India (CCI) has specific provisions or powers to regulate the collection, processing, and use of user data by firms, especially large digital platforms, if so, the details thereof;**
- (c) whether the Government has any provisions or proposed measures to prevent misuse of user data for anti-competitive practices such as data dominance or exclusionary conduct, if so, the details thereof; and**
- (d) the steps taken/being taken by the Government to strengthen the legal framework to promote fair competition and protect consumer interests in digital markets in view of the growing digital economy and startup ecosystem in Bengaluru and other major cities?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS AND
MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND
HIGHWAYS.**

(SHRI HARSH MALHOTRA)

(a): To address challenges in digital markets, the Competition (Amendment) Act, 2023 introduced key reforms that empower the Competition Commission of India (CCI) to effectively regulate such markets by: introducing a ₹2,000 crore Deal Value Threshold along with the Substantial Business Operations in India (SBOI) criterion to capture high-value digital market transactions that previously were not within the purview; settlement and commitment mechanisms for faster case resolution; inclusion of hub-and-spoke facilitators within cartel provisions; global-turnover-based proportional penalties. The Act also expands the scope of Section 3, which governs anti-competitive agreements, by enabling the inclusion of 'any other' categories of agreements within its ambit.

(b)&(c): The Competition Act does not have any specific provisions relating to collection, processing, and use of user data. While access to data enables businesses to engage in data-driven innovations and helps them to better assess consumer demand, habits, needs and preferences, lower data protection standards can harm consumers by reducing the quality of services, creating entry barriers for potential competitors, entrenching dominant firms and distorting competition across various markets. CCI's role comes into play when usage of data as a non-price parameter leads to anti-competitive practices.

Further, the enactment of the Digital Personal Data Protection Act, 2023 ('the Act') by Ministry of Electronics and Information Technology (MeitY), establishes a robust framework governing the processing of digital personal data in India. The Act is now fully in force and is operationalised through the Digital Personal Data Protection Rules, 2025, notified on 14 November 2025. The above framework encourage responsible, transparent and purpose-bound use of personal data, naturally supporting a fair and trusted digital ecosystem.

(d): In addition to what has been mentioned in Para (b) & (C), the Department of Consumer Affairs has notified the Consumer Protection (E-Commerce) Rules, 2020 on 23rd July, 2020 under the Consumer Protection Act, 2019, to prevent unfair trade practices and protect

consumers in the e-commerce sector. The Rules inter-alia mandate e-commerce entities to integrate with the National Consumer Helpline, appoint a grievance officer, and ensure complaints are acknowledged within 48 hours and resolved within one month. Marketplace e-commerce entity must ensure accuracy of product information, display complete seller details including GSTIN and PAN details etc, provide clear information on returns, refunds, warranties and delivery, and disclose ranking parameters and any differentiated treatment of sellers. No e-commerce entity shall manipulate the price of goods or services to gain unreasonable profit or impose unjustified prices, nor shall it discriminate between consumers of the same class or make arbitrary classifications that affect consumer rights under the Act.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA), an executive agency, came into existence on 24.07.2020. It is designed to intervene, to prevent consumer detriment arising from unfair trade practices and to initiate class action(s), including the enforcement of recalls, refunds and return of products.

The CCPA, in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, has issued “Guidelines for Prevention and Regulation of Dark Patterns, 2023” on 30th November, 2023 for prevention and regulation of dark patterns listing 13 specified dark patterns identified in e-Commerce sector. These dark patterns include false urgency, Basket Sneaking, Confirm shaming, forced action, Subscription trap, Interface Interference, Bait and switch, Drip Pricing, Disguised Advertisements, Nagging, Trick Wording, Saas Billing and Rogue Malwares. Further, an “Advisory in terms of Consumer Protection Act, 2019 on Self-Audit by E-Commerce Platforms for detecting the Dark Patterns on their platforms to create a fair, ethical and consumer centric digital ecosystem” was issued by the CCPA on 5th June, 2025.
