

India's Amended E-commerce Rules: Key Changes and Questions for Implementation

The Central Government has notified the Consumer Protection (E-Commerce) (Amendment) Rules, 2026 ("**Amendment Rules**") to amend the Consumer Protection (E-Commerce) Rules, 2020 ("**E-commerce Rules**"). The amendments will come into effect on 1 January 2027 and introduce additional requirements relating to pricing, sponsored listings, search results, use of information, dark patterns, seller disclosures and grievance redressal.

The Government proposed amendments to the E-commerce Rules in June 2021 on the lines similar to the Amendment Rules. These included restrictions concerning related parties and associated enterprises, fallback liability for marketplace e-commerce entities where sellers failed to fulfil their obligations, and additional compliance requirements. The draft amendments were met with significant objections from industry, including concerns regarding their impact on marketplace business models and overlap with other laws and policies.

The Amendment Rules introduce some of the changes contemplated in the 2021 draft, including restrictions on misleading manipulation of search results and specified uses of information collected by marketplaces. However, several broader proposals, including restrictions on related parties and associated enterprises being listed as sellers, and marketplace fallback liability, have not been included. The Amendment Rules also introduce requirements concerning annual dark-pattern self-audits, sponsored listings and disclosure of prior prices. While some amendments expand existing disclosure obligations, others will require e-commerce entities to review their pricing practices, use of information and platform design.

Several of the new requirements address practices that would previously have been examined under the Guidelines for Prevention and Regulation of Dark Patterns, 2023 ("**Dark Patterns Guidelines**") issued by the Central Consumer Protection Authority ("**CCPA**"). Under the Guidelines, a practice constitutes a dark pattern only where it is designed to mislead or trick users and amounts to a misleading advertisement, an unfair trade practice or a violation of consumer rights. By contrast, obligations such as the disclosure of prior prices, the labelling of sponsored listings and the restriction on bundled fees are now framed as specific requirements under the E-commerce Rules as well.

The key amendments and certain issues that businesses may need to consider when implementing them are set out below.

1. DARK PATTERNS AND ANNUAL SELF-AUDITS

Under Rule 4(15), an express obligation has been inserted requiring all e-commerce entities to comply with the Dark Patterns Guidelines, conduct an annual self-audit to ensure that its platform is free from dark patterns and prominently display a certificate to that effect.

The requirement builds on the CCPA's advisory of June 2025,¹ which had encouraged e-commerce platforms to conduct self-audits for dark patterns and submit self-declarations. What was previously a voluntary exercise is now a binding obligation under the E-commerce Rules, to be repeated annually.

The Amendment Rules do not specify how the audit must be conducted. As a general practice, the audit should cover the entire consumer journey to identify any dark patterns. Where personalisation results in materially different consumer interfaces, the scope of the audit should account for those variations.

2. PRICE REDUCTIONS AND DISCLOSURE OF PRIOR PRICES

The newly inserted Rule 4(13) requires the prior price to be indicated alongside the reduced price where a price reduction is announced by an e-commerce entity or a seller on its platform. The explanation defines "prior price" as the lowest price of the goods or services thirty days prior to the announcement.

Accordingly, displaying a discount against the maximum retail price alone may not satisfy this requirement where the goods were offered at a lower price during the relevant period. The requirement appears intended to improve the transparency of discount claims by enabling consumers to assess the announced reduction against the price at which the goods or services were recently available.

3. SEARCH RESULTS AND SPONSORED LISTINGS

Rule 4(11)(c) now prohibits e-commerce entities from misleading users by manipulating search results or search indexes having regard to the user's search query.

Separately, a new obligation has been brought in under Rule 4(12) requiring sponsored listings of products and services to be distinctly identified through clear and prominent disclosures. The provision does not define "sponsored". Given the purpose of the provision, "sponsored" is likely to be interpreted to include any placement where prominence results from a commercial arrangement rather than relevance alone.

¹ See <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2134765®=48&lang=2>

4. RANKINGS

The Amendment Rules substitute the definition of “ranking” under Rule 3(1)(j). Previously, the definition covered the relative prominence or relevance given to goods or services offered on a marketplace. It now also covers the prominence or relevance given to sellers, irrespective of the technological means used to present, organise or communicate them.

Notably, Rule 5(3)(f) prior to the amendments already required marketplaces to explain the main parameters determining the ranking of goods *or sellers*, even though the definition of ranking referred only to goods and services. Therefore, the change in the definition of “ranking” appears to be a clarificatory change. However, the substituted Rule 5(3)(f) now requires the main ranking parameters to be explained in descending order of significance, which is a substantive addition to the existing transparency obligation.

5. RESTRICTIONS ON THE USE OF INFORMATION COLLECTED BY MARKETPLACES

Rule 5(6) now restricts the use of information collected by marketplace e-commerce entities for the following purposes: (a) the sale of goods, directly or indirectly, by any seller, whether related or unrelated, where the goods bear a brand or name common with that of the marketplace; or (b) the promotion or advertising of a seller as being associated with the marketplace unless express and affirmative consent has been obtained from the consumers to whom the information pertains.

The restriction appears intended to address self-preferencing by limiting the use of information collected by a marketplace to support sales of common-brand goods or promote associated sellers. The draft Digital Competition Bill, 2024 also sought to address similar concerns regarding self-preferencing and the use of data by digital platforms.

The scope of clause (a) raises some questions. It is not clear what constitutes use of information “for” the sale of common-brand goods. On a broad reading, this could extend beyond use in the sale transaction itself to using information to promote, advertise, rank or recommend such goods. If such an interpretation is adopted, clause (a) may overlap with clause (b), which permits promotion of a seller as associated with the marketplace with the consumer’s express and affirmative consent.

6. BUNDLED FEES FOR UNRELATED SERVICES

Rule 5(7) has been inserted prohibiting marketplace e-commerce entities from collecting bundled fees from users for services unrelated to the e-commerce platform in connection with services provided on the platform. The proviso excludes loyalty or membership programmes and benefits, services, offers or incentives provided in connection with, or pursuant to, such programmes.

It therefore permits loyalty and membership programmes to include benefits or services that might otherwise fall within the restriction on unrelated bundled services. However, it should not be read as permitting enrolment or the collection of membership fees without the consumer's consent. Rule 4(9), which requires explicit and affirmative consent to a purchase, and the prohibitions on dark patterns, including basket sneaking and forced action, would continue to apply.

7. ENTITY, SELLER AND PRODUCT DISCLOSURES

The Amendment Rules also bring in certain changes in relation to disclosure requirements for e-commerce entities. These include the following:

- a) Rule 4(2) has been substituted to require all e-commerce entities to display the prescribed entity and contact information prominently at an appropriate place on the platform.
- b) As per the substituted Rule 4(6), in addition to the existing importer-information requirement, it now expressly requires all e-commerce entities to display the full name of their country of origin, as provided under the Legal Metrology (Packaged Commodities) Rules, 2011.
- c) The newly inserted Rule 4(14) requires every e-commerce entity to display the seller's name clearly and prominently on its invoice, in the same font size as the e-commerce entity's name.
- d) The newly inserted Rule 6(5)(j) requires sellers on marketplace e-commerce platforms to provide government-issued identification numbers, including GST identification or MSME registration numbers, for display on the platform. This is in addition to the existing obligation under Rule 6(4)(d) to provide applicable GSTIN and PAN details to the marketplace.
- e) Rules 5(3)(c), 6(5)(d) and 7(1)(a) have been substituted to expressly include best-before or use-before dates in the relevant disclosure requirements for marketplaces, sellers and inventory e-commerce entities. For food products, these requirements are subject to the Food Safety and Standards Act, 2006 and the regulations made under it.

8. GRIEVANCE REDRESSAL AND THE NATIONAL CONSUMER HELPLINE

The substituted Rule 4(5) requires the complainant to receive a copy of the complaint as recorded by the grievance officer.

The substituted Rule 4(7) makes participation in the convergence process of the National Consumer Helpline mandatory for every e-commerce entity. The earlier provision required entities to endeavour to participate on a best-efforts basis.

CONCLUSION

The Amendment Rules require e-commerce entities to review both their disclosures and the entire consumer journey. Businesses should assess their pricing and promotional practices, sponsored listings, ranking disclosures and use of marketplace-collected information, and make corresponding changes to platform functionality where required. CCPA has been very actively issuing orders against businesses violating provisions of the Consumer Protection Act, 2019 and rules and guidelines issued thereunder.² Therefore, platforms should ensure compliance with the amendments by January 1, 2027.

² <https://www.tracelawpartners.com/post/ccpa-s-dark-patterns-decision-what-it-means-for-digital-businesses-and-sign-up-flows>