

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 2669
ANSWERED ON MONDAY, MARCH 17, 2025/ PHALGUNA 26, 1946 (SAKA)**

Monopoly of Food Delivery Eco-system

QUESTION

2669. Shri Raja Ram Singh:

Will the Minister of CORPORATE AFFAIRS

be pleased to state:

- (a) whether the Government has taken any cognizance of the news item titled "NRAI to sue Zomato and Swiggy for attempting to monopolise the food delivery market" appeared in the Times of India dated 9th January, 2025 and if so, the details thereof;**
- (b) whether the Government has taken any action in the matter;**
- (c) if so, the details thereof and if not, the reasons therefor;**
- (d) whether the Government intends to introduce regulatory measures to control such practices and if so, the details thereof;**
- (e) whether the Government considered the dangers this data collection provides for competitiveness of business and partners listed on these platforms;**
- (f) if so, the action taken by the Government to protect the data collected by these gig platform apps; and**
- (g) whether the Government intends to take action against the companies like Swiggy and Zomato which have adopted anti-competitive practices and violated the regulations of Competition Act, 2002, if so, the details thereof and if not, the reasons therefor?**

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 (c): As per the provisions of Section 19 of the Competition Act, 2002, (the 'Act') the Competition Commission of India (CCI) may inquire into any alleged contravention of Section 3 (prohibition of anti-competitive agreements) or Section 4 (prohibition of abuse of dominant position) either on its own motion or on-

- (i) receipt of any information, in such manner and accompanied by such fee as may be determined by regulations, from any person, consumer or their association or trade association; or**
- (ii) a reference made to it by the Central Government or a State Government or a statutory authority.**

The CCI examines information(s) received alleging anti-competitive practices or abuse of dominance under the Act and wherever a prima facie case is found, the matter is investigated. Where after inquiry, the CCI finds that any agreement referred to in Section 3 or an action of an enterprise in a dominant position, is in contravention of Section 3 or Section 4 as the case may be, it may pass orders including imposition of monetary penalty in terms of the provision of Section 27 of the Act.

An information with regard to Quick-Commerce has been filed before Competition Commission of India (CCI) by an individual regarding Bundl Technologies Pvt. Ltd, Blink Commerce Pvt. Ltd and Zepto Marketplace Pvt. Ltd for their alleged involvement in Anti-Competitive activities.

(d): The CCI takes action to prevent practices having adverse effect on competition, to promote and sustain competition in markets, to protect the interests of consumers and to ensure freedom of trade carried on by other participants in markets under the various provisions of the Competition Act, 2002.

The Department of Consumer Affairs has notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019 to safeguard consumers from unfair trade practices in e-commerce. These rules, inter-alia, outline the responsibilities of e-commerce entities and specify the liabilities of marketplace and inventory e-commerce entities, including provisions for customer grievance redressal.

In terms of the provisions of these rules, no e-commerce entity shall

(i) manipulate the price of the goods or services offered on its platform in such a manner as to gain unreasonable profit by imposing on consumers any unjustified price having regard to the prevailing market conditions, the essential nature of the good or service, any extraordinary circumstances under which the good or service is offered, and any other relevant consideration in determining whether the price charged is justified.

(ii) discriminate between the consumers of the same class or make any arbitrary classification of consumers affecting their rights under the Act.

These rules also provide that no e-commerce entity shall adopt any unfair trade practice, whether in the course of business on its platform or otherwise.

In order to strengthen consumer protection, the Central Consumer Protection Authority (CCPA) issued the “Guidelines for Prevention and Regulation of Dark Patterns, 2023” on 30th November 2023. These guidelines address and regulate 13 specific dark patterns identified in the e-commerce sector, aiming to prevent deceptive practices that mislead consumers.

(e) & (f): The Digital Personal Data Protection Act, 2023 (DPDP Act) casts obligations on Data Fiduciaries to protect the digital personal data in their possession or under their control, including in respect of any processing undertaken by them or on their behalf by a data processor, by taking reasonable security safeguards and implementing appropriate technical and organizational measures to ensure effective observance of the provisions of the Act. The DPDP Act cast additional obligations like conducting impact assessments, periodic audits and appointment of data protection officers on Significant Data Fiduciaries only. The DPDP Act holds the data fiduciaries accountable for any personal data breach or any other contravention of this law. The accountability of the Data Fiduciaries is ensured through the adjudication of data breaches and breaches of the provisions of the Act and imposition of financial penalties by the Data Protection Board.

(g): An information with regard to Quick-Commerce has been filed before Competition Commission of India (CCI) by an individual regarding Bundl Technologies Pvt. Ltd, Blink Commerce Pvt. Ltd and Zepto Marketplace Pvt. Ltd for their alleged involvement in Anti-Competitive activities.
