

CONSUMER PROTECTION AGAINST MISLEADING ADVERTISEMENT ON E-COMMERCE PLATFORMS: A STUDY WITH SPECIAL REFERENCE TO AMAZON

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ABSTRACT

As online shopping expands, buyers increasingly rely on digital advertisements, product pages, star ratings, customer reviews, price reductions and special offers to decide what to buy, and this same reliance makes it easier for false or Misleading details that affect consumers' buying choices. The study analyses the legal framework available in India to protect consumers from such practices, particularly the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020, The 2022 Guidelines on Preventing Deceptive Advertising and Misleading Endorsements. It focuses on the responsibilities of e-commerce platforms such as Amazon in ensuring that advertisements and product information are accurate, transparent, and not deceptive. The research further explores the functions of regulatory bodies, the legal remedies available to consumers, and the difficulties in detecting and preventing misleading advertisements in online markets. By examining the existing legal framework and its implementation in relation to Amazon, the study aims to evaluate how effectively current consumer protection laws address such practices. It also intends to recommend suitable measures to improve transparency, ensure accountability, and strengthen consumer trust in online shopping. The research aims to contribute to a stronger and more effective legal framework capable of protecting consumer rights while promoting fair competition and responsible digital commerce in India.

KEYWORDS: Consumer welfare, deceptive marketing, online marketplaces, buyer protection, and consumer entitlements.

INTRODUCTION

The spread of e-commerce has changed how people buy goods and services. Marketplaces such as Amazon offer an enormous range of products, competitive pricing, ratings, discounts and promotions, all accessible without visiting a shop. The same online setting, however, opens the door to misleading advertising: untrue product claims, inflated discounts, inaccurate descriptions, manipulated reviews, concealed terms, and statements that leave a wrong impression of a product's quality, quantity or genuineness. In India, consumer protection against such practices is primarily governed by the Consumer Protection Act, 2019, which specifically recognises transactions conducted through electronic means and provides mechanisms to address unfair trade practices and misleading advertisements. It also created the Central Consumer Protection Authority (CCPA), tasked with defending consumer interests and acting against false or misleading advertising. The Consumer Protection (E-Commerce) Rules, 2020 add to this by setting out the obligations and liabilities of e-commerce entities, marketplace platforms and sellers. In addition, the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 seek to prevent advertisements containing unsubstantiated claims, exaggerated promises, misinformation and false representations. Against this background, Amazon provides an important case study because its marketplace model involves numerous sellers, product listings, sponsored advertisements, customer reviews and promotional claims. The CCPA's recent action against Amazon concerning products falsely advertised as authentic Shri Ram Mandir Ayodhya Prasad demonstrates the practical challenges involved in ensuring accurate representations on large e-commerce platforms.

REVIEW OF LITERATURE

P. Viswanathan and K. Pongiannan – Misleading Online Advertising in the New Business Era in India (2018) In their study, Viswanathan and Pongiannan discuss the expansion of internet-based advertising in India and the legal concerns arising from deceptive promotional practices in online markets. Their work refers to e-commerce platforms such as Amazon, Flipkart, Shop Clues, and eBay to illustrate the changing nature of online commercial activities and the challenges associated with misleading advertisements in the digital environment. The study highlights problems arising from the absence of face-to-face interaction between consumers

and sellers and examines whether existing Indian laws adequately address misleading online advertising¹.

Neelam Chawla and Kumar examine the legal safeguards available to online consumers under the Consumer Protection Act, 2019, and the Consumer Protection (E-Commerce) Rules, 2020, highlighting their role in protecting consumer interests in digital transactions. Their study, which included 290 online consumers, identifies information asymmetry, inaccurate information, deceptive advertisements, privacy concerns, payment security and grievance redressal as significant issues².

Aswin S – Protecting Consumers from Misleading Advertisements: A Study of Section 21 of the Consumer Protection Act, 2019 In this research, Aswin S analyses the provisions of Section 21 of the Consumer Protection Act, 2019, focusing on the legal authority granted to the Central Consumer Protection Authority to address deceptive advertising practices. which authorises the Central Consumer Protection Authority to act against deceptive advertising. The research further examines how modern marketing strategies affect consumer choices and highlights the need for stronger legal safeguards to address deceptive advertising practices and protect the rights of buyers.

Sreeja B. G. and Dr. B. Venugopal – The Evolving Legal Landscape of Misleading Advertising in E-Commerce (2022) and B. Venugopal examine the effectiveness and limitations of the legal framework governing misleading advertisements in India's e-commerce sector. The research also explores issues associated with misleading customer feedback, personalised online promotions, the protection of users' personal information, the regulation of international online transactions, and the importance of increasing consumer awareness. They also suggest the use of technology, including AI, to detect deceptive advertisements³.

Abdul Subhan D. and Dr Vennila Fathima Rani S. – Assessing Consumer Awareness and Protection in Online Shopping Platforms: Evidence from Chennai City (2026) The authors study consumer awareness and protection in online shopping platforms using data from 200 respondents in Chennai. The study identifies fake goods, fraudulent transactions, privacy

¹ P Viswanathan and K Pongiannan, 'Misleading Online Advertising in the New Business Era in India' (2018) 1(1) Asian Journal of Interdisciplinary Research 12–19

² Neelam Chawla and Basanta Kumar, 'E-Commerce and Consumer Protection in India: The Emerging Trend' (2022) 180(2) Journal of Business Ethics 581–604.

³ Sreeja B G and B Venugopal, 'The Evolving Legal Landscape of Misleading Advertising in E-Commerce' (2022) 11(5) International Journal of Food and Nutritional Sciences 147–165.

concerns, delivery problems and inadequate grievance redressal as important consumer-protection concerns. It concludes that consumer awareness, platform accountability and grievance-redressal mechanisms significantly influence consumer trust⁴.

RESEARCH GAP

Existing research has largely concentrated on consumer rights in online shopping and the legal measures used to regulate deceptive advertising. However, comparatively little attention has been given to examining the legal obligations of a particular e-commerce platform, such as Amazon, regarding misleading product information, paid promotional content, customer feedback, and representations made by sellers. This study seeks to address this research gap by investigating consumer protection against deceptive advertising in the e-commerce sector, with special emphasis on Amazon. Regulatory concerns relating to misleading information on online marketplaces further demonstrate the practical importance of examining this issue.

RESEARCH PROBLEM

The growing popularity of digital shopping websites, such as Amazon, has created several concerns regarding the accuracy and reliability of advertisements displayed to consumers. Misleading product descriptions, unsubstantiated claims, unrealistic price reductions, and fraudulent customer reviews may influence purchasing decisions and affect consumer interests. In India, consumer interests in the digital marketplace are safeguarded through various legal instruments, including the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020, and the 2022 guidelines governing deceptive advertisements and misleading endorsements. to address such practices. Nevertheless, difficulties in monitoring online content and ensuring compliance with these legal requirements continue to exist. Accordingly, this research evaluates how effectively the current consumer protection laws address deceptive advertising practices on online shopping platforms, with particular attention to Amazon.

OBJECTIVES OF THE STUDY

- To examine the existing legal provisions in India that safeguard consumers against deceptive and misleading advertisements in the e-commerce sector.

⁴ Abdul Subhan D and S Vennila Fathima Rani, 'Assessing Consumer Awareness and Protection in Online Shopping Platforms: Evidence from Chennai City' (2026) 16(3) International Journal of Drug Delivery Technology 282–285.

- To study the responsibilities and liabilities of Amazon and sellers regarding misleading advertisements and product information.
- To evaluate the effectiveness of the Consumer Protection Act, 2019, E-Commerce Rules, 2020, and Misleading Advertisement Guidelines, 2022.
- To identify the major challenges faced by consumers due to misleading advertisements on e-commerce platforms.

RESEARCH METHODOLOGY

The study is primarily based on secondary sources such as the Consumer Protection Act, 2019, Consumer Protection (E-Commerce) Rules, 2020, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, judicial decisions, government reports, research articles, books, journals and relevant online legal resources. The study analyses the existing legal framework, the responsibilities of e-commerce platforms and sellers, and the remedies available to consumers. It also pinpoints the practical obstacles to regulating misleading advertising and judges how well the present legal mechanisms protect consumers.

LIMITATION OF THE STUDY

The study is confined mainly to misleading advertisements on Amazon in India, so its conclusions may not hold for every e-commerce platform. It does not look at every kind of online advertisement or every consumer complaint. Because e-commerce and digital advertising evolve quickly, some issues may emerge after the study is finished. Dependable information on individual sellers' practices, advertising algorithms and internal platform policies is also scarce. Finally, the study concentrates on legal and regulatory matters and does not deeply analyse the technical or commercial side of online advertising.

CONSUMER RIGHTS AND LEGAL REMEDIES AGAINST MISLEADING ADVERTISEMENTS IN ONLINE MARKETPLACES.

The legal framework in India for protecting consumers from misleading advertisements on e-commerce platforms is mainly based on the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020, and These legal provisions are especially important for e-commerce websites like Amazon, as buyers generally depend on the product details,

promotional offers, price reductions, customer ratings, feedback, and information provided by Seller-provided information when making purchasing decisions⁵.

1. Consumer Protection Act, 2019

The Consumer Protection Act, 2019 is the principal legislation governing consumer protection in India. It replaced the Consumer Protection Act, 1986 and expanded consumer protection to transactions conducted through electronic means and online platforms. The legislation extends consumer protection to individuals who obtain goods or services through online transactions. It also covers promotional content circulated through digital media, websites, and the internet. Therefore, the Act serves as an important legal instrument for regulating advertising practices on e-commerce platforms such as Amazon⁶.

2. Section 2(28) – Misleading Advertisement

Section 2(28) of the Consumer Protection Act, 2019 defines a “misleading advertisement”. An advertisement may be considered misleading where it falsely describes a product or service, gives a false guarantee, is likely to mislead consumers regarding the nature, substance, quantity or quality of a product or service, makes a representation that would amount to an unfair trade practice, or deliberately conceals important information. Therefore, false product descriptions, exaggerated claims, incorrect quality representations or concealment of essential conditions on Amazon may potentially fall within this provision⁷.

3. Section 10 – Central Consumer Protection Authority (CCPA)

The CCPA is responsible for protecting and enforcing the rights of consumers as a class and for dealing with unfair trade practices and false or misleading advertisements that are prejudicial to consumer interests. This authority is particularly important in e-commerce because misleading advertisements may affect many consumers simultaneously⁸.

4. Section 18 – Powers of the CCPA

It can conduct investigations into violations of consumer rights and unfair trade practices and take appropriate measures against misleading advertisements. Section 18 empowers the Central Consumer Protection Authority (CCPA) to take measures for consumer welfare and provides

⁵ Consumer Protection Act 2019, ss 2(7), 2(28), 10, 18 and 21.

⁶ Consumer Protection Act 2019, s 2(7)(ii), which recognises transactions conducted through electronic means and online transactions.

⁷ Consumer Protection Act 2019, s 2(28).

⁸ Consumer Protection Act 2019, s 10.

the statutory foundation for issuing guidelines to prevent misleading advertisements. Therefore, it establishes the legal basis for regulating misleading promotional activities across conventional markets and online commercial platforms⁹.

5. Section 21 – Legal Measures to Address Misleading Advertisements

Section 21 of the Consumer Protection Act, 2019 specifically deals with the power of the CCPA to act against false or misleading advertisements. Where an advertisement is found to be misleading or prejudicial to consumers, the CCPA may direct the concerned advertiser to discontinue or modify the advertisement. The provision also enables penalties to be imposed in appropriate circumstances. This is significant for Amazon-related advertising because misleading advertisements can reach consumers on a very large scale through online listings, sponsored advertisements and promotional campaigns¹⁰.

6. Consumer Protection (E-Commerce) Rules, 2020

The Consumer Protection (E-Commerce) Rules, 2020 were introduced specifically to protect consumers in online transactions. The Rules apply to e-commerce entities and establish duties and responsibilities for both marketplace e-commerce entities and sellers. These rules also establish requirements for maintaining openness, providing essential information, preventing unfair commercial practices, and resolving consumer complaints. For Amazon, these Rules are particularly important because Amazon operates as an online marketplace where multiple sellers offer products to consumers. The Rules require marketplace entities to provide relevant information about sellers and products and establish mechanisms for addressing consumer complaints. They also impose duties on sellers relating to the accuracy of information provided about goods and services¹¹.

7. Duties of E-Commerce Entities – Rule 4

Rule 4 lays down the duties of e-commerce entities. These include providing information necessary for consumers to make informed decisions and maintaining transparency in their operations. E-commerce entities must also establish an adequate grievance-redressal mechanism. This provision is relevant to Amazon because consumers should be able to obtain

⁹ Consumer Protection Act 2019, s 18(1).

¹⁰ Consumer Protection Act 2019, s 21.

¹¹ Consumer Protection (E-Commerce) Rules 2020, rr 4–6.

accurate information about products and have an accessible mechanism for complaining about misleading advertisements or product representations¹².

8. Liabilities of Marketplace E-Commerce Entities – Rule 5

Rule 5 deals with the liabilities of marketplace e-commerce entities. A marketplace must provide important information relating to sellers and facilitate transparency in online transactions. It must also provide mechanisms through which consumers can raise complaints. About Amazon, this provision is significant when third-party sellers publish inaccurate or misleading product information, which may make it difficult for buyers to determine the responsible party from whom they can claim legal relief¹³.

9. Duties of Sellers – Rule 6

Rule 6 imposes specific duties on sellers operating through marketplace platforms. Sellers are expected to provide accurate information regarding their goods and services and must not engage in unfair trade practices. They must also comply with applicable consumer-protection requirements. Therefore, if a seller on Amazon provides a false product description, misleading quality claim or inaccurate representation, such conduct may attract liability under the applicable consumer-protection framework¹⁴.

10. Guidelines for Prevention of Misleading Advertisements, 2022

The Central Consumer Protection Authority (CCPA) introduced the 2022 Guidelines for Prevention of Misleading Advertisements and Endorsements under Section 18 of the Consumer Protection Act, 2019. These guidelines aim to restrict advertisements that contain unsupported claims, unrealistic assurances, inaccurate information, or deceptive statements. They also address contemporary forms of advertising, making them applicable to promotional activities conducted through online shopping platforms¹⁵.

The Guidelines also establish conditions for advertisements to be considered non-misleading and valid and prescribe responsibilities for manufacturers, service providers, advertisers and advertising agencies. This provision is particularly relevant to Amazon, where promotional

¹² Consumer Protection (E-Commerce) Rules 2020, r 4.

¹³ Consumer Protection (E-Commerce) Rules 2020, r 5.

¹⁴ Consumer Protection (E-Commerce) Rules 2020, r 6.

¹⁵ Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 (Department of Consumer Affairs, 9 June 2022).

messages can be presented through product pages, paid advertising placements, marketing materials, and endorsements.

11. Guidelines on Endorsements and Influencer Advertising

The 2022 Guidelines also regulate endorsements. An endorser should possess adequate information or experience regarding the product, and the representation should reflect the genuine and reasonably current opinion of the endorser. Where there is a material connection between the endorser and the advertiser that consumers may not reasonably expect, that connection must be disclosed. This is relevant to influencer marketing and promotional content used to attract consumers to products sold through e-commerce platforms¹⁶.

12. Guidelines for Prevention and Regulation of Dark Patterns, 2023

The Department of Consumer Affairs also lists the Guidelines for Prevention and Regulation of Dark Patterns, 2023 under the consumer-protection framework. Dark patterns involve deceptive or manipulative interface practices that can influence consumers into making decisions they might not otherwise make. In online shopping, these practices may involve artificial time limits, pressure-inducing sales tactics, undisclosed fees, and complicated procedures for cancelling orders. These guidelines therefore complement the legal framework dealing with misleading advertisements¹⁷.

13. Consumer Dispute Redressal Commissions

The Consumer Protection Act provides a three-tier consumer dispute redressal mechanism consisting of the District, State and National Consumer Commissions. These bodies provide remedies to consumers for consumer disputes, including matters involving unfair trade practices. Consumers affected by misleading representations in online transactions can therefore seek appropriate remedies through the consumer-protection mechanism¹⁸.

14. Application to Amazon

Collectively, these legal requirements impose duties on Amazon, third-party vendors, promotional service providers, and endorsers involved in marketing products through the

¹⁶ Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, r 4–8.

¹⁷ Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, r 13–15.

¹⁸ Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023 (Department of Consumer Affairs, 30 November 2023).

platform. Amazon must operate within the requirements applicable to marketplace e-commerce entities, while sellers must ensure that product information and claims are accurate and not misleading. The CCPA can intervene where misleading advertisements affect consumers as a class. Accordingly, the scope of these laws extends beyond controlling misleading advertisements and includes the duties of sellers, disclosure obligations of online platforms, access to accurate product information, mechanisms for resolving consumer complaints, and enforcement by regulatory authorities¹⁹.

FUNCTIONS AND STATUTORY POWERS OF THE CENTRAL CONSUMER PROTECTION AUTHORITY (CCPA)

The Central Consumer Protection Authority (CCPA) plays an important role in protecting consumers from unfair trade practices and misleading advertisements in India. In the context of e-commerce platforms such as Amazon, the CCPA is particularly important because online advertisements can reach many consumers quickly. The CCPA can examine misleading advertisements relating to products and services sold or promoted through digital platforms and take action to protect consumer interests.

1. Investigation of Unfair Trade Practices

The CCPA has the authority to examine complaints and investigate breaches of consumer rights and practices that violate fair trade principles. It may inquire into complaints and obtain information necessary for determining whether a business or advertiser has violated consumer-protection requirements. This power enables the Authority to investigate misleading advertisements appearing on e-commerce platforms.

2. Penalties for Misleading Advertisements

Under Section 21 of the Consumer Protection Act, 2019, the CCPA is empowered to impose monetary penalties for misleading advertisements. The fine may reach ₹10 lakh for the initial violation and ₹50 lakh for subsequent violations. These penalties are intended to discourage businesses from engaging in deceptive advertising and prevent repeated breaches of consumer protection laws.

3. Action Against Endorsers

¹⁹ Consumer Protection Act 2019, ss 34, 47 and 58.

Consumer Protection Act 2019, ss 2(47), 10, 18 and 21; Consumer Protection (E-Commerce) Rules 2020, r 4–6.

The CCPA may also prohibit an endorser from endorsing a product or service for a specified period where the endorser has participated in a misleading advertisement. This is relevant to e-commerce because products sold through platforms such as Amazon may be promoted through celebrities, influencers and social-media personalities.

4. Power to Investigate Through the Investigation Wing

The CCPA operates an investigative division under the supervision of a Director-General. This division is responsible for examining alleged infringements of consumer rights, unfair commercial activities, and deceptive advertisements whenever the Authority instructs it to investigate. This provides an institutional mechanism for examining complaints and collecting evidence.

5. Authority to Order Product Recalls and Discontinue Services

Where necessary, the CCPA can order the recall of dangerous or unsafe goods, withdrawal of unsafe services and reimbursement of the price paid by consumers. Although this power is broader than misleading advertising alone, it can become relevant where misleading representations result in consumers purchasing unsafe or defective products.

6. Power to Issue Guidelines

The CCPA is authorised to introduce directions and regulatory guidelines to curb unfair commercial practices and safeguard consumer interests. Exercising this authority, the Authority introduced the 2022 guidelines addressing misleading advertisements and deceptive endorsements. These guidelines establish standards for advertisements and endorsements and are applicable to modern advertising practices, including digital advertising²⁰.

7. Application to Amazon

In relation to Amazon, the CCPA's powers are important because the platform contains many product listings and advertisements from different sellers. Misleading information may arise through false product claims, exaggerated discounts, inaccurate descriptions, endorsements or other promotional representations. The CCPA is authorised to examine these activities and,

²⁰Consumer Protection Act 2019, s 18(2)(l).

Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 (Department of Consumer Affairs, 9 June 2022).

when the legal conditions are met, order the withdrawal or alteration of deceptive advertisements and levy fines against the parties held responsible²¹.

LIABILITY OF E-COMMERCE PLATFORMS AND THIRD-PARTY SELLERS

E-commerce platforms such as Amazon generally operate through a marketplace model, where the platform provides an online space for independent sellers to offer goods to consumers. Under the Consumer Protection Act, 2019 and the Consumer Protection (E-Commerce) Rules, 2020, both the platform and third-party sellers have certain responsibilities towards consumers. Third-party sellers must provide accurate information regarding the products, including their description, quality, quantity, price and other relevant details. They should not make false representations or engage in unfair trade practices. If a seller publishes misleading product information or makes false claims, the seller may be held responsible under consumer-protection law²².

The e-commerce platform also has responsibilities relating to transparency, disclosure of seller information and grievance redressal. Under the E-Commerce Rules, marketplace entities are required to provide consumers with relevant information about sellers and establish mechanisms for dealing with consumer complaints. Therefore, Amazon cannot simply be viewed as a passive website where consumers have no protection. Its statutory responsibilities must be examined when misleading information is displayed through its marketplace. However, the precise liability of Amazon depends on the facts of each case, including who made the representation, the platform's role in the transaction and whether applicable statutory duties were complied with²³.

The distinction between platform liability and seller liability is therefore an important issue in this research. For example, if a third-party seller falsely advertises a product as having a particular quality or benefit, the primary responsibility may arise from the seller's representation. On the other hand, where the platform itself creates, promotes or facilitates a misleading representation, or fails to comply with its statutory obligations, questions regarding the platform's responsibility may arise. This creates a significant legal challenge because

²¹ Consumer Protection Act 2019, ss 18 and 21; Consumer Protection (E-Commerce) Rules 2020, r 4–6.

²² Consumer Protection Act 2019, ss 2(28) and 2(47).

Consumer Protection (E-Commerce) Rules 2020, r 4(3), 5 and 6.

²³ Consumer Protection (E-Commerce) Rules 2020, r 6(5), which requires sellers to ensure that the descriptions, images and other content pertaining to goods or services on the platform are accurate and correspond directly with the actual characteristics of such goods or services.

consumers may find it difficult to identify whether the misleading representation originated from Amazon, the seller, an advertiser or another intermediary²⁴.

MISLEADING DISCOUNTS AND PRICING PRACTICES ON AMAZON

Misleading discounts and pricing practices are important forms of deceptive advertising in e-commerce. Online platforms may display advertisements such as “50% OFF”, “70% OFF”, “limited-time offer”, “deal of the day” or “lowest price”, which can create an impression that consumers are receiving a significant financial benefit. If the original or reference price is artificially inflated before applying the discount, the consumer may be misled about the actual saving. Similarly, additional charges, conditions attached to an offer or limitations on availability may not always be sufficiently clear to consumers²⁵.

Under Section 2(28) of the Consumer Protection Act, 2019, an advertisement can be misleading where it contains a false or misleading representation or is likely to mislead consumers regarding the nature, substance, quantity or quality of goods or services. Pricing claims can therefore become a consumer-protection issue where the representation gives consumers an inaccurate impression about the actual price or benefit of the offer.

The Consumer Protection (E-Commerce) Rules, 2020 also seek to prevent unfair trade practices in online transactions. E-commerce entities and sellers are expected to provide consumers with adequate and accurate information so that purchasing decisions can be made on an informed basis. In the case of Amazon, pricing information, discounts, promotional offers and conditions attached to those offers should therefore be presented transparently²⁶.

Misleading pricing can influence consumer behaviour because consumers often compare the “original price” and “discounted price” displayed on the website rather than independently determining the actual market price. Techniques such as countdown timers, “only a few left” messages and repeated limited-period sales can further create a sense of urgency. Such practices

²⁴ Consumer Protection (E-Commerce) Rules 2020, r 5(3), concerning the information that marketplace e-commerce entities are required to provide to consumers regarding sellers.

Consumer Protection Act 2019, s 21; Consumer Protection (E-Commerce) Rules 2020, r 4–6.

²⁵ Consumer Protection Act 2019, s 2(28).

Consumer Protection Act 2019, s 2(47).

Consumer Protection (E-Commerce) Rules 2020, r 6(5).

²⁶ Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, especially provisions concerning bait advertising, misleading advertisements and conditions for advertisements to be non-misleading.

Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023, particularly the provisions relating to false urgency and deceptive user-interface practices.

may overlap with the regulation of dark patterns, particularly where the design or presentation of information manipulates consumers into making decisions they might not otherwise make²⁷.

Example

Suppose a product is displayed on Amazon as “₹2,000 → ₹999 – 50% OFF “If the product was not genuinely sold or offered at ₹2,000 and that figure is used mainly Presenting a price reduction as a substantial discount without a genuine basis may mislead consumers. The important question is whether the reference price and claimed saving are genuine and capable of being substantiated.

FINDINGS

- Misleading advertisements influence consumer decisions Consumers often depend on product descriptions, ratings, reviews and discount claims when purchasing products online.
- Fake reviews and ratings create consumer confusion Manipulated reviews can give consumers an incorrect impression about the quality and reliability of products.
- Misleading discounts affect consumer choice Inflated reference prices and exaggerated discount claims may make consumers believe that they are receiving greater savings than they are.
- Existing laws provide substantial protection The Consumer Protection Act, 2019, E-Commerce Rules, 2020 and CCPA guidelines provide a legal framework to address misleading advertisements and unfair trade practices.
- Enforcement remains challenging the large number of sellers, advertisements and product listings makes continuous monitoring difficult, particularly in identifying the responsibility of Amazon and third-party sellers.
- Consumer awareness is still important Consumers who are unaware of their legal rights and complaint mechanisms may find it difficult to challenge misleading advertisements and obtain effective redressal.

SUGGESTIONS

²⁷Consumer Protection Act 2019, s 18(2)(l); Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023.

Consumer Protection Act 2019, s 2(28); Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022.

- Improve the supervision of online advertising Amazon, along with the relevant regulatory bodies, should conduct periodic reviews of product descriptions, paid promotions, and marketing statements to detect and address deceptive information promptly.
- Improve verification of reviews and ratings Stronger verification mechanisms should be adopted to identify and remove fake, paid or manipulated reviews and ratings.
- Ensure genuine discount claims E-commerce platforms should clearly disclose the actual reference price, discounted price and conditions attached to promotional offers.
- Increase platform accountability Amazon should have stronger mechanisms for identifying sellers who repeatedly provide false or misleading information and take appropriate corrective action.
- Promote consumer awareness Government authorities and e-commerce platforms should conduct awareness programmes explaining consumer rights, misleading advertisements and available grievance-redressal mechanisms.
- Adopt Digital Tools for Regulatory Oversight Artificial intelligence and automated detection systems can help identify questionable promotional content, recurring inaccurate product claims, irregularities in customer reviews, and misleading price offers on e-commerce platforms.

CONCLUSION

The study concludes that the rapid growth of e-commerce platforms such as Amazon has provided consumers with convenience and greater choice, but it has also increased the risk of misleading advertisements, fake reviews, inaccurate product information, deceptive discounts and manipulative online practices. Although the Consumer Protection Act, 2019, Consumer Protection (E-Commerce) Rules, 2020, and CCPA Guidelines provide a strong legal framework for protecting consumers, effective enforcement remains a major challenge. The study further finds that consumer protection cannot depend only on legislation. Amazon and third-party sellers must ensure transparency and accuracy, while regulatory authorities should strengthen monitoring and enforcement. Consumers should also be made aware of their rights and available remedies. Therefore, a combination of stronger platform accountability, effective regulation, technological monitoring and consumer awareness is necessary to create a safer and more trustworthy e-commerce environment.

REFERENCES

1. P Viswanathan and K Pongiannan, 'Misleading Online Advertising in the New Business Era in India' (2018) 1(1) Asian Journal of Interdisciplinary Research.
2. Neelam Chawla and Basanta Kumar, 'E-Commerce and Consumer Protection in India: The Emerging Trend' (2022) 180(2) Journal of Business Ethics.
3. Aswin S, 'Protecting Consumers from Misleading Advertisements: A Study of Section 21 of the Consumer Protection Act, 2019' (2023) 6(2) International Journal of Law Management & Humanities.
4. Sreeja BG and B Venugopal, 'The Evolving Legal Landscape of Misleading Advertising in E-Commerce' (2022) 11(5) International Journal of Food and Nutritional Sciences.
5. Abdul Subhan D and S Vennila Fathima Rani, 'Assessing Consumer Awareness and Protection in Online Shopping Platforms: Evidence from Chennai City' (2026) 16(3) International Journal of Drug Delivery Technology.
6. Consumer Protection Act 2019.
7. Consumer Protection (E-Commerce) Rules 2020.
8. Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 (Department of Consumer Affairs, 9 June 2022).
9. Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, Consumer Protection Act, 2019.
10. Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022.
11. Consumer Protection (E-Commerce) Rules 2020.
12. Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023 (Department of Consumer Affairs, 30 November 2023).
13. Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, Consumer Protection Act, 2019.
14. Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, Consumer Protection (E-Commerce) Rules, 2020.
15. Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022.
16. Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023.

17. Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, Consumer Protection (E-Commerce) Rules, 2020.
18. Central Consumer Protection Authority, Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022.
19. Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns, 2023.

