

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION No. 2322

TO BE ANSWERED ON 05.08.2022

OVERCHARGING ON DELIVERY OF ONLINE FOOD ITEMS

2322. SHRI DHANANJAY BHIMRAO MAHADIK:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether it is a fact that online food delivery platforms are charging delivery and packaging charges and get it included in the bills and having disparity between the price and quantity of food items shown on the platform and actually offered by the restaurant;
- (b) if so, the details thereof; and
- (c) the action Government has taken in the interest of consumers?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(SHRI ASHWINI KUMAR CHOUBEY)

(a) & (b) : The Consumer Protection (E-Commerce) Rules, 2020 were notified by the Central Government under the provisions of Consumer Protection Act, 2019.

Rule 5(3)(e) of the said rules stipulates that every marketplace e-commerce entity shall provide all information provided to it by sellers under Rule 6(5) in a clear and accessible manner, displayed prominently to its users at an appropriate place on its platform. This includes the total price in single figure of any good or service, along with the breakup price for the good or service, showing all the compulsory and voluntary charges such as delivery charges, postage and handling charges, conveyance charges and the applicable tax.

Further, as per Rule 7(1)(e), every inventory e-commerce entity shall provide the total price in single figure of any good or service along with the breakup price for the good or service, showing all the compulsory and voluntary charges, such as delivery charges, postage and handling charges, conveyance charges and the applicable tax in a clear and accessible manner, displayed prominently to its users.

(c) : A three tier quasi-judicial mechanism namely District Consumer Disputes Redressal Commissions (DCDRCs), State Consumer Disputes Redressal Commissions (SCDRCs) and National Consumer Disputes Redressal Commission (NCDRC), has been setup under the provisions of the Consumer Protection Act, 2019, where consumers can file complaints for redressal.

The Consumer Protection (Consumer Disputes Redressal Commissions) Rules, 2020 notified under the ibid Act provide that no fees is required for registering cases in the District Consumer Disputes Redressal Commissions involving value of goods or services paid as consideration upto Rupees 5 lakhs. In order to facilitate all consumers in filing consumer cases online, e-daakhil portal has been introduced in the Consumer Commissions.

The National Consumer Helpline (NCH), as a pre-litigation mechanism, receives grievances of consumers through telephone (short code 1915), web portal, letters, SMS, emails etc. and Mobile App. These grievances are taken up with the concerned entities for resolution.

For prevention of unfair trade practices in e-commerce and direct selling sector, the Government has notified the Consumer Protection (E-commerce) Rules, 2020 and the Consumer Protection (Direct Selling) Rules, 2021 to safeguard the interests of consumers.

The Government has also set up a Central Consumer Protection Authority to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers and to promote, protect and enforce the rights of consumers as a class.
