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Title : Consumer Protection and Liability in Online Marketplaces: The Role of Platform Neutrality under the Indian Competition Law

Abstract

India is a socialist, secular, democratic, republic, nation that places civil liberties and socio-economic justice as the core of its constitutional framework. Article 38 and 39 of the Indian constitution focuses on the state's duty to promote economic justice and prevent the concentration of wealth which does provide the constitutional basis for the competition act, 2002. The main purpose of the act is to maintain balance between the economic freedom of business and the protection of consumer welfare by demolishing anti competitive practises and encouraging fair competition in the market.

India's competition law is in a crucial juncture with a major objective of protecting the significant growth witnessed in the digital media. The major surge in the digital markets has not only

been a positive for the Indian economy but it also helped in unprecedented growth for business and it helped in financing consumer convenience as well but presently the Indian digital market is marked by huge competition making significant rights in the digital domain. Therefore the rapid growth of the digital economy has significantly tried to alter the market structures, thereby creating new regulatory challenges for competition law .

This paper explores the growing issue of platform neutrality. Neutrality means that all the dominant digital platforms should treat users, business partners, competitors and people who are in similar situations fairly and without discrimination. When platform neutrality is not maintained by the dominant platforms ,it shows practices which can distort competition, limit innovation and negatively affect consumer welfare.

The study focuses on the Indian digital market where rapid technological growth has been caused by increasing market concentration and allegations of unfair practices by major digital platforms .

The aim of the research is to analyse how adequate is the Indian Competition Act, 2002 in addressing platform neutrality concerns using doctrinal and empirical research methods with the help of reviewing statutory provisions, regulatory reports and relevant competition. Law risk prudence with comparative insights from international regulatory frameworks.

The paper argues that while the existing framework addresses abuse of dominance, it remains largely reactive and insufficient to tackle the market. It also examines the big tech companies influence in shaping the global digital ecosystem by strengthening platform neutrality principles and adopting proactive regulatory mechanisms to achieve fair competition, protect consumer interest and promote innovation in the digital economy.

Keywords : Platform Neutrality, Digital Markets, Competition Act 2002, Big Tech Regulation, and Consumer Welfare.