

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

RAJYA SABHA
UNSTARRED QUESTION No. 865
TO BE ANSWERED ON 09.02.2024

PROTECTING CONSUMERS INTERESTS ON E-COMMERCE PLATFORM

865. SHRI HARBHAJAN SINGH

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

- (a) whether Government is taking specific measures to protect consumers interests engaged in purchase of products through E-Commerce platforms;
- (b) if so, the details thereof;
- (c) the details of progress made in this respect; and
- (d) the proposed measures to be taken thereon?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS,
FOOD AND PUBLIC DISTRIBUTION
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (d) : Department of Consumer Affairs is continuously working for consumer protection and empowerment of consumers by enactment of progressive legislations. With a view to modernize the framework governing the consumer protection in the new era of globalization, technologies, e-commerce markets etc Consumer Protection Act, 1986 was repealed and Consumer Protection Act 2019 was enacted.

The Department 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.

A Consumer Commission online application portal named “edaakhil.nic.in” has been developed to facilitate the consumers/advocates to file consumer complaints online through the e-Daakhil portal from home or anywhere at their own comfort for speedy and hassle-free resolution of cases. E-daakhil has been implemented in 35 States/UTs of the Country.

The Central Consumer Protection Authority (CCPA) has notified the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June, 2022. These guidelines inter-alia provide for; (a) conditions for an advertisement to be non-misleading and valid; (b) certain stipulations in respect of bait advertisements and free claim advertisements; and (c) duties of manufacturer, service provider, advertiser and advertising agency.

Dark patterns involve using design and choice architecture to deceive, coerce, or influence consumers into making choices that are not in their best interest. Dark patterns encompass a wide range of manipulative practices such as drip pricing, disguised advertisement, bait and switch, false urgency etc. Such practices fall under the category of "unfair trade practices" as defined under the Consumer Protection Act, 2019.

The CCPA, in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, has issued “Guidelines for Prevention and Regulation of Dark Patterns, 2023” on 30th November, 2023 for prevention and regulation of dark patterns listing 13 specified dark patterns.

The Bureau of Indian Standards (BIS) has notified framework on ‘Online Consumer Reviews — Principles and Requirements for their Collection, Moderation and Publication’ on 23.11.2022 for safeguarding and protecting consumer interest from fake and deceptive reviews in e-commerce. The standards are voluntary and are applicable to every online platform which publishes consumer reviews. The guiding principles of the standard are integrity, accuracy, privacy, security, transparency, accessibility and responsiveness.
