

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

RAJYA SABHA
UNSTARRED QUESTION No. 1635
TO BE ANSWERED ON 06.08.2024

E-COMMERCE SCAM IN THE COUNTRY

1635. SHRI A. A. RAHIM

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

- (a) whether Government has noticed the increasing number of e-commerce scams in the country;
- (b) if so, the number of cases that have been reported in the last five years;
- (c) the steps taken to prevent e-commerce scams; and
- (d) whether Government is ready to establish a body to regulate e-commerce?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS,
FOOD AND PUBLIC DISTRIBUTION
(SHRI B.L VERMA)

(a) to (d) : 'Police' and 'Public Order' are State subjects as per the Seventh Schedule of the Constitution of India. States/UTs are primarily responsible for the prevention, detection, investigation and prosecution of crimes including cyber frauds through their Law Enforcement Agencies (LEAs). The Central Government supplements the initiatives of the States/UTs through advisories and financial assistance under various schemes for their capacity building.

To strengthen the mechanism to deal with cyber crimes in a comprehensive and coordinated manner, the Central Government has taken steps for spreading awareness about cyber crimes; issuance of alerts/ advisories; capacity building/training of law enforcement personnel/ prosecutors/judicial officers; improving cyber forensic facilities, etc. The Government has established the Indian Cyber Crime Coordination Centre (I4C) as an attached office to provide a framework and eco-system for Law Enforcement Agencies to deal with cyber crimes in a comprehensive and coordinated manner. The Government has launched the National Cyber Crime Reporting Portal (<https://cybercrime.gov.in>) to enable the public to report all types of cyber crimes. Cyber crime incidents reported on this portal are routed automatically to the respective State/UT law enforcement agency for further handling as per the provisions of law. The 'Citizen Financial Cyber Fraud Reporting and Management System' has been launched for immediate reporting of financial frauds and to stop siphoning off fund by the fraudsters. So far, financial amount of more than Rs. 2400 crore has been saved in more than 7.6 lakh complaints. A toll-free Helpline number '1930' has been operationalized to provide assistance in lodging online cyber complaints.

The Ministry of Home Affairs has taken many steps to spread awareness on cyber crime that inter-alia include; issuance of alerts/advisories, dissemination of messages through SMS, I4C social media account i.e. Twitter handle (@Cyberdost), Facebook (CyberDostI4C), Instagram (cyberdosti4c), Telegram (cyberdosti4c), Radio campaign, engaged MyGov for publicity in multiple media, publishing of Handbook for Adolescents/Students, organizing of Cyber Safety and Security Awareness week, in association with police department in different States/UTs etc. The Ministry of Home Affairs has issued advisory to all the State/UT Governments to carry out publicity of National Cyber Crime Reporting Portal (<https://cybercrime.gov.in>) and Toll-free helpline number '1930' to create mass awareness.

Ministry of Electronics and Information Technology ("MeitY") in exercise of the powers given under the Information Technology Act ("IT Act") and after extensive public consultations with relevant stakeholders, has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021"). The IT Rules, 2021 cast specific legal obligations on intermediaries, including social media intermediaries and platforms, to ensure their accountability towards safe & trusted Internet including their expeditious action towards removal of the unlawful information under Rule 3(1)(b) or on the basis of grievances received against any information prohibited under Rule 3(2). Further, there are various legal provisions in the IT Act that deal with cybercrimes, violation of privacy, cybersecurity, cyberattacks and cyber terrorism, etc.

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 consumer grievance redressal.

The Central Consumer Protection Authority, 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 identified in e-Commerce sector.
