

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs
LOK SABHA
UNSTARRED QUESTION NO. 2133
TO BE ANSWERED ON 02.08.2023

ONLINE DARK PATTERNS

2133. SHRI VISHNU DATT SHARMA:

Will the Minister of **CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether the Government has taken cognizance and adopted measures to stop dark patterns that is rendering online consumers more vulnerable to financial data exploitation, through malpractices such as drip pricing, bait and switch, false urgency, nagging and disguised advertising by e-commerce and other big tech companies;
- (b) if so, whether the Government has taken note of the fact that US federal trade commission has also identified around thirty kinds of dark patterns in Indian scenario;
- (c) if so, whether the collaboration and coregulation by the Government and Advertising Standards Council of India has not been effective enough;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री अश्विनी कुमार चौबे)

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

(a) to (e) : The Department of Consumer Affairs has taken a proactive approach in tackling the challenges presented by the ever-evolving online sector. Recently, the Department has noticed emergence of unfair trade practices known as “dark patterns” which involve using design and choice architecture in online interfaces 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 advertising, bait and click, choice manipulation, false urgency and privacy concerns.

The Department is keeping abreast of the initiatives undertaken by various regulators around the globe in other jurisdictions against dark patterns involving unfair and deceptive practices in online interfaces. The Department of Consumer Affairs (DoCA) conducted an interactive consultation in Mumbai on June 13, 2023 with various stakeholders including Advertising Standards Council of India (ASCI), e-commerce companies, industry associations etc.

The Department of Consumer Affairs, Government of India, has urged the e-commerce companies, industry associations to refrain from indulging in any design or pattern in the online interfaces of their platform that may deceive or manipulate consumer choices and fall into the category of dark patterns.
