

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 806
TO BE ANSWERED ON 07.02.2024

DARK PATTERN CASES

806. SHRI P.P. CHAUDHARY:

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 of increasing dark pattern cases with online consumers;
- (b) if so, the details thereof;
- (c) the details of the data of consumers who were defrauded along with the complaints raised by consumers due to dark patterns;
- (d) whether the Government has started any educational or digital awareness programmes to spread awareness about such dark patterns; and
- (e) if so, the details thereof along with the amount sanctioned and spent for this purpose?

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 (c) : 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 Central Consumer Protection Authority, in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019 has, following consultations with relevant stakeholders, 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.

To safeguard consumers from unfair trade practices in e-commerce, the Department of Consumer Affairs has also notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019. 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.

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.

(d) & (e) : Department of Consumer Affairs is already implementing a scheme namely “Consumer Awareness” for generating awareness amongst the consumers on various consumer related issues including dark patterns through various media. Under this scheme, sanction of Rs. 20.77 Cr. issued against the budget allocation of Rs.25.00 Cr. for the current Financial Year i.e. 2023-24.
