

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

LOK SABHA
UNSTARRED QUESTION NO. 2973
TO BE ANSWERED ON 20.12.2023

FAKE REVIEWS ON E-COMMERCE PLATFORMS

2973. SHRIMATI POONAM MAHAJAN: SHRI G.M. SIDDESHWAR:

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 is bringing out a standard for publishing product reviews on e-commerce platforms in the country;
- (b) if so, the details thereof;
- (c) the number of complaints related to forgery, unfair trade practices and misleading advertisements received from consumers using such platforms, if so, the action taken thereon;
- (d) the manner in which the Government intends to safeguard and protect consumer interest from fake and deceptive reviews on e-commerce and other social media platforms;
- (e) whether the Government is also ready to make legislation for punishment for unfair trade practice or violation of consumer rights; and
- (f) if so, the details thereof?

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 (f) : 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protection in the new era of globalization, technologies, e-commerce markets etc Consumer Protection Act, 1986 was repealed and Consumer Protection Act 2019 was enacted.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 Consumer Protection Act, 2019 provides for redressal of the grievances of consumer through specialized three-tier quasi-judicial agencies, now commonly known as 'National Consumer Disputes Redressal Commissions (NCDRC)' at National level, 'State Consumer Disputes Redressal Commission (SCDRC)' at State level, and 'District Consumer Disputes Redressal Commission(DCDRC)' at District level.

The Act also provides for, inter-alia, simplification of the adjudication process in the Consumer Commissions; filing of a complaint by a consumer in the Consumer Commission having jurisdiction with respect to his place of work/residence irrespective of place of transaction and place of business or residence of the opposite parties, e-filing and e-payment, video conferencing for hearing, deemed admissibility of complaints if admissibility is not decided within 21 days of filing; mediation to facilitate early disposal of cases; provision of product liability.

Provision for filing cases online through e-Daakhil has been introduced in NCDRC and Consumer Commissions of 35 States/UTs at the district and state level for speedy and hassle-free resolution of cases.

Department of Consumer Affairs has notified 17 Rules and 6 Regulations under the Consumer Protection Act, 2019 for the protection of rights and interests of consumers which, inter-alia, includes E-Commerce Rules, Direct Selling) Rules, Mediation Rules, Search and Seizure and Compounding of offences by the Central Authority and Crediting of Penalty Rules etc. Government has also taken several initiatives recently for the protection of consumers from misleading and deceptive advertisements, fake reviews, and unfair trade practices.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has been established w.e.f 24.07.2020 to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers as a class.

The 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.

The Central Consumer Protection Authority has also issued Guidelines for Prevention and Regulation of Dark Patterns, 2023 recently 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.

All the grievances received in NCH during the last three years have been disposed of.
