

Department of Consumer Affairs participates in interactive session on “dark patterns and strategies to implement the guidelines” to raise awareness

E-commerce platforms using deceptive designs falls under “unfair trade practice” of Consumer Protection Act, 2019: Secretary, Department of Consumer Affairs

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The Department of Consumer Affairs participated in an interactive session on “Dark Patterns and Strategies to implement the guidelines”, here today. The objective was to discuss in detail the issues related to dark patterns, persisting practice of using deceptive designs on online platforms and effective ways to implement the guidelines on dark patterns.

Smt. Nidhi Khare, Secretary, Department of Consumer Affairs, Government of India, cautioned e-commerce platforms against using dark patterns as it is a practice in the nature of “unfair trade practice” and violates consumer rights. Various ways to refrain from using such deceptive designs or improving user interface were suggested such as relying upon consumer feedback, consumer satisfaction, repeat user rate, using in-built app/features to identify patterns that are in non-conformity with the guidelines and self-auditing of such specified dark patterns by the e-commerce platforms.

The Department had notified Guidelines for Prevention and Regulation of Dark Patterns 2023 in November 2023. The Guideline specify 13 dark patterns namely; False urgency, Basket Sneaking, Confirm shaming, forced action, Subscription trap, Interface Interference, Bait and switch, Drip Pricing, Disguised Advertisements and Nagging, Trick Wording, Saas Billing and Rogue Malwares.

Dark Patterns Buster Hackathon (DPBH-2023), a pioneering initiative, in collaboration with IIT, BHU was successfully concluded by Department of Consumer Affairs on 15th March 2024. The 4 rounds Hackathon was launched by DoCA on 26th October 2023 as its continued effort towards combating deceptive online practices. The Hackathon was aimed towards designing & prototyping innovative app or software based solutions such as; browser extensions, plugins, add-ons, mobile applications etc. that can detect the use, type and scale of dark patterns for e-Commerce platforms. The DPBH-2023 saw remarkable participation from across the country, with over 150 colleges joining the initiative.

The sessions were organized in hybrid mode and was attended by various stakeholders such as IIT, BHU and industry representatives from All India Gaming Federation, Zomato, Easemytrip, Urban Company, Uber, CRED amongst others

In its remarkable achievement, today’s interactive session saw a demonstrative video from a team of students from IIT, BHU highlighting the use-case of their extension tool under development phase. The detailed presentation demonstrated the ways the tool identifies dark patterns on e-commerce platforms and alert users, using Large Language Models (LLMs), Generative AI and other complex models.

The efforts of the Department and IIT, BHU were lauded by all and industry stakeholders promised to cooperate in identifying such patterns by providing assistance and access to their data set in order to distinguish deceptive designs from genuine designs on their platforms.

Nidhi Sharma

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