

WHERE PERSUASION TURNS INTO MANIPULATION: AN ANALYTICAL STUDY OF ETHICS IN ADVERTISING FROM THE INDIAN CONTEXT

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ABSTRACT:

Persuasion is an essential and valid function of advertising within a free-market system. However, the line between persuasion and manipulation has grown fuzzier in the era of digital advertising. This chapter conceptualises "over-persuasion" (persuasion that does not inform but exploits decision-making biases, emotional triggers, or information asymmetry to overpower consumers' autonomous choice). Drawing from existing literature around advertising ethics published between 2020 and 2026, this chapter anchors this debate in India's rapidly digitising landscape with a growing influencer economy and evolving regulatory framework, asking if advertising within India has crossed the line from persuasion to manipulation. Bringing together four contemporary flashpoints – Misleading and surrogate advertising, personalised algorithmic and AI-generated persuasion, greenwashing and exaggerated sustainability claims, and "dark patterns" in ecommerce and quick-commerce interfaces – illustrate that how over-persuasion manifests in these examples and interrogate how the Indian regulatory framework has responded through acts and guidelines such as the Consumer Protection Act, 2019; Guidelines for Prevention of Misleading Advertisements and Endorsements, 2022; Guidelines for Influencer Advertising in Digital Media; Guidelines for Prevention and Regulation of Dark Patterns, 2023 and more. The study concludes that though Indian regulators have moved quickly towards a hybrid system of statutory and self-regulation, ambiguity around definitions, limited enforcement mechanisms, and rapid shifts in technology mean advertising ethics will remain a moving target, necessitating continuous academic engagement.

Keywords: Advertising Ethics; Manipulation; Greenwashing; Influencer Marketing; Indian Advertising

INTRODUCTION:

The ethics of advertising are a fraught and frequently debated topic. At base, advertising is persuasive communication: the process of shifting a target audience's disposition toward some idea, product, or service from reluctant or indifferent to interested or positive (Friestad & Wright, 1994). Viewed this way, advertising is both informationally valuable and economically necessary. By signalling the quality of their offerings, incentivising competitive pricing, and allowing firms to recover the high fixed costs of producing informational media, advertising fills a crucial function in a free-market economy (Stigler, G. J., 1961). Yet advertising's persuasive elements easily become distorting as well. Worse than mere deception, advertisements that manufacture false urgency, exploit insecurities, and exaggerate claims do not merely mislead consumers — they undermine the consumer trust that advertising itself depends on to function. This chapter refers to these phenomena as over-persuasion (Nelson, P. (1974).

India has recently witnessed a growing debate around ethics in advertising, in part because so many combustible trends are colliding at once. Rapid digitalisation; a burgeoning influencer

economy; products and platforms that deploy first-party behavioural data to target consumers like never before; heightened awareness of climate change and sustainability in marketing claims; multiple amendments to India's consumer protection regulatory environment (Central Consumer Protection Authority, 2023; public attention to the nexus between social media platforms and alcohol brands — all these factors create a perfect storm of persuasive practices clamouring for regulators' and scholars' attention (Exchange4media, 2024). This chapter surveys select topics from the burgeoning discourse around advertising ethics to diagnose over-persuasion wherever it occurs and chart how Indian regulators have grappled with similar questions thus far.

The study reviews how persuasion and manipulation have been defined in communication ethics scholarship, as well as introduces a theory frequently drawn on to assess advertising practitioners' ethical obligations to their consumers: the Persuasion Knowledge Model. Additionally, the study reviews recent scholarship in advertising ethics, emphasising studies focused on Indian markets where available. Followed on, it builds upon that literature review by summarising India's extant regulatory structure around advertising ethics, noting important gaps and measures still pending before Indian lawmakers. The study also examines four “flashpoint” topics where recent scholarship has highlighted ethical concerns about over-persuasion across Indian advertising more generally.

RESEARCH OBJECTIVES:

- To analyse how honest persuasion can be differentiated from “over-persuasion” conceptually mapping the persuasion– manipulation continuum against established ethical lenses [Persuasion Knowledge Model (“PKM”), utilitarian, deontological, virtue].
- To analyse how pervasive cases of over-persuasive advertising are in Indian advertising today across four broad areas: Misleading/health-related claims, algorithmic/influencer persuasion, greenwashing, and Dark Patterns/User Interface Manipulation.
- To identify potential gaps in how extant regulation and self-regulation in India cover these dimensions of over-persuasion.

DEFINITIONS OF PERSUASION AND MANIPULATION:

- a. Persuasion vs. Manipulation:** Scholars of communication have long distinguished persuasion from manipulation. The former involves offering arguments, evidence, and legitimate emotional appeals that respect the audience's rational autonomy (Rudinow, 1978; Crisp, 1987). The latter attempts to short-circuit autonomous decision-making through an appeal to psychological “pressure points” — from social proof to fear/anxiety to ethical obligation — that trigger unconscious behaviour change (Cialdini, 1984/2021). Manipulation treats consumers as objects to be acted upon; persuasion treats consumers as agents capable of accepting or rejecting a claim after considering reasons.
- b. Persuasion Knowledge Model (PKM):** One widely cited theory for distinguishing between advertising that informs and advertising that manipulates is the Persuasion Knowledge Model (PKM), initially proposed by Friestad and Wright (1994) and recently updated to incorporate empirical developments from the past five years. The PKM contends that consumers have “persuasion knowledge”: a mental schema developed through experience that they use to interpret and resist the influence attempts of marketers (Friestad & Wright, 1994). The authors of a major theoretical update to the PKM review much of the intervening literature and conclude that when consumers detect

persuasion attempts that trigger their persuasion knowledge, they experience negative reactions that become stronger the more their self-esteem feels threatened; furthermore, these authors argue, companies have a rational long-term incentive to avoid manipulative persuasive techniques because consumers are unlikely to forget or forgive detection (Eisend & Tarrahi, 2022). Supporting this theory, a recent meta-analysis of research into persuasion knowledge finds consumers' ability to identify persuasive attempts varies by disclosures, format, and channel among other variables; future studies might explore how disclosure and format effects differ by manipulative advertising category, such as personalised online advertising or influencer content (Eisend & Tarrahi, 2022).

- c. **Advertising Ethics Frameworks:** Broadly speaking, scholars dissect advertising ethics along three lines. Consequentialist (or utilitarian) approaches attempt to measure how persuasive techniques move consumers toward better or worse decision-making on net (Hyman & Tansey, 1990). Deontological approaches ask whether advertising treats consumers as ends rather than means: is the advertisement transparent and honest, and does it preserve users' autonomy to the greatest extent possible? Virtue ethics asks what the practice of creating or disseminating an advertisement says about the individual practitioners creating them, and what widespread adoption of that technique at scale implies about the profession's culture and values (Crisp, 1987). Over-persuasive advertising is damaging from all three perspectives: manipulative marketing will eventually damage consumer welfare through eroding trust; it treats consumers as means to sales targets rather than rational agents; and normalising manipulative practices in advertising signals the industry does not value trust or ethical behaviour for its own sake (Journal of the Management Sciences, 2024).

LITERATURE REVIEW:

The scholarship reviewed for this chapter falls loosely into five overlapping categories: (i) general and theoretical treatments of advertising ethics; (ii) empirical research on misleading and deceptive advertising in India; (iii) persuasive technology and AI-generated advertising; (iv) greenwashing; and (v) regulation of influencer marketing and dark patterns.

General and Theoretical Works : A morphology of advertising ethics scholarship reviews 174 articles published in Scopus and Web of Science databases between the mid-2010s and 2025, delineates five major dimensions of advertising ethics inquiry (means, content, targeting, product honesty & social responsibility, regulatory response), and argues that research on deception, vulnerable populations, and regulation is relatively developed compared to the understudied ethics of algorithm-driven and AI-generated persuasion—a gap which the current chapter addresses in part by applying its framework to Indian AI advertising (Indian Journal of Marketing, 2025). Another pertinent Indian study critiques ethical lapses in advertising across FMCGs, durables, and services sectors, and posits that unethical advertising practice has been turbocharged by the increasing competition to maximise profits, leading to growing concerns about misleading advertisements, the cultural/spiritual implications of advertising messages, and weaknesses in industry self-regulation vis-a-vis advertisements targeting children (Journal of the Management Sciences, 2024).

Indian advertising commentary from 2024 highlights that persuasion itself is not unethical—in fact, ethical persuasion is required to help consumers identify quality and make informed purchasing decisions in markets characterised by healthy competition. Ethical concerns arise when persuasion exceeds into manipulation/deception, coalescing into a formulation similar to this chapter's concept of over-persuasion (Exchange4media, 2024).

Persuasive Technology and AI-generated Ads: Academic research on artificial intelligence increasingly describes how AI is enabling machines to persuade at scale. Indian research on AI and advertising has shown how leading firms are leveraging AI-based consumer insights, programmatic ad-serving systems, and festive season activations to pioneer next-generation human-machine interfaces in persuasive design (*Reassessing Persuasion: How AI is Transforming the Soul of Indian Advertising*, 2024/2025). International studies of consumers' persuasion knowledge in relation to algorithms show that while a subset of online consumers are unable or unwilling to resist algorithmic persuasion even when they are aware of it, a slightly smaller subset of digital media users is "skilled and critical" enough to offer nontrivial resistance, with most consumers situated somewhere in between the helpless and skilled camps such that only some of their attempted resistance to algorithmic targeting will succeed (Journal of Marketing Communications and related outlets, 2023–2024). This literature may map onto India, given widespread reliance on programmatic channels for digital advertising, alongside concerns about uneven digital literacy levels in India.

Greenwashing: Greenwashing has become one of the most widely studied manifestations of over-persuasion since 2020 (Devireddy, 2024). Indian marketing faculty have theorised how greenwashing harms not only in the short-term by misleading consumers, but also in the long-term by diminishing brand trust and discouraging pro-environmental consumer decisions, findings which are echoed by Indian consumers with higher levels of environmental literacy (Khatttri, & Tomar, 2024). Empirical analysis of Indian consumers found that greenwashing knowledge mediates the impact of exposure to green advertising on those consumers' own green buying behaviour, suggesting that scepticism can temper greenwashing but doesn't fully neutralise it (Kavitha, & Senthil Kumar, 2023). In another recent study, students at an Indian university were found to have low awareness of greenwashing practices and low confidence in the current law's ability to deter greenwashing. Self-regulatory bodies in India have reportedly noticed an increase in consumer complaints regarding green advertising since ASCI updated its Guidelines on Green Advertising in 2023. Since ASCI's directives are voluntary unless brought into COPRA pursuant to Section 10, scholars have compared international legal treatments of greenwashing and concluded that in India and most developing economies, greenwashing is only punishable under vague unfair trade practice clauses, while most developed markets like the United States and the European Union (after the New Deal on Climate proposal went into effect) have specific laws governing false environmental claims.

Influencer Marketing: India's influencer marketing industry has been projected to grow to over INR 1,275 crore in 2023 from an already substantial baseline, inspiring commentary on ASCI's recently updated Influencer Marketing Guidelines. The legal analysis of those Guidelines explains how influencer-brand connections ("material connection") must always be disclosed by influencers irrespective of whether they have been paid to give their genuine opinion on a product, because disclosure of paid partnerships helps consumers more accurately assess how much trust to place in that influencer's endorsements (Advertising Standards Council of India, 2021/2023/2025; Legal and policy commentary, 2023–2026).. A legal analysis of the 2025 addendum regarding influencers in health & nutrition, food products, and financial services explains how influencers affecting transactions in these sectors were given stricter guidelines because false or negligent recommendations have a direct negative impact on consumers' finances and bodies (Advertising Standards Council of India, 2021/2023/2025). Digital media reports cited in these articles note that fake reviews and recommendations contributed to a 5-fold increase in e-commerce complaints to India's National Consumer Helpline from 2018 to 2023 (Legal and policy commentary, 2023–2026).

Dark Patterns: Advertising as a design discipline overlaps with concerns about dark patterns. ASCI's preliminary 2022 discussion paper on dark patterns in advertising reported that about one-fourth of the ads ASCI reviewed in that year were labelled as dark patterns because they were disguised influencer endorsements (Advertising Standards Council of India, 2022). Policy analysis of the Prevention and Regulation of "Dark Patterns" was first issued by India in 2023 explains that the Central Consumer Protection Authority discovered 13 specific dark patterns and made them subject to India's unfair trade practice provisions in COPRA, 2019 (Central Consumer Protection Authority, 2023). A follow-up piece on dark pattern enforcement gives examples of how these provisions were invoked by CCPA in 2025 to penalise a ticket booking website for adding a charitable donation to all customers' bills via a pre-checked box, and how CCPA issued a notice to an airline in 2024 for using confirm-shaming to deter customers from declining paid add-ons on flights (Legal and policy commentary, 2023–2026). Critiques of India's Dark Pattern regulations note that the Guidelines released in 2023 omitted language from CCPA's original draft that would have made every violation of the Guidelines automatically punishable under COPRA, which means many penalties for dark patterns are undefined by the Guidelines and will be left to CCPA's discretion (Legal and policy commentary, 2023–2026).

THE INDIAN REGULATORY LANDSCAPE:

India has approached the problem through a patchwork of statute, subordinate guidance documents, and industry self-regulation. A non-exhaustive summary of each major instrument is provided in the table below.

Instrument Name of Issuing Body / Year Passed-Relevance to Issue of Over-Persuasion

Consumer Protection Act, 2019 Act, passed by the Parliament of India, 2019. Extensively rewrites the Indian consumer protection law to include definitions for “misleading advertisement” and “unfair trade practice”. Establishes the Central Consumer Protection Authority (CCPA), which is empowered to investigate and levy fines against deceptively persuasive advertisements.

Guidelines for Prevention of Misleading Advertisements and Endorsements, 2022 CCPA, June 20 22 Lays down explicit conditions that qualify claims as non-misleading; regulates “bait” and free-claim ads; clarifies that endorsers must “have first-hand experience of using the product”.

Guidelines for Influencer Advertising in Digital Media, Advertising Standards Council of India (ASCI), 2021 (updated editions in 2023 & 2025), add a requirement for influencers to clearly and prominently disclose (in format-specific language) “material connection” to the underlying advertiser. 2025 addendum imposes additional disclosure requirements for influencers dealing with health- and financial-related products.

Guidelines for Prevention and Regulation of Dark Patterns, 2023 CCPA, November 2023. Implicitly defined as unethical; lists thirteen specific manipulative user-interface designs which are illegal across all digital platforms, sellers, and advertisers.

Consumer Protection (E-Commerce) Rules, 2020, Department of Consumer Affairs, Ministry of Consumer Affairs, 2020. It possesses overlapping relevance to dark patterns; it places requirements on e-commerce platforms to gain affirmative (not pre-checked) consent from consumers, thus targeting manipulative default settings and unintentional charges.

CCPA Self-Audit Advisory Department of Consumer Affairs, Ministry of Consumer Affairs, 5 June 2025 Orders e-commerce platforms to self-audit for dark patterns within three months and submit self-declarations of compliance.

Regulatory Strengths: This framework has three primary strengths. The Indian system is, itself, layered: Legal obligations under the 2019 Consumer Protection Act establish a statutory backstop (Legal and policy commentary, 2023–2026), while guidelines published by the CCPA and India's primary self-regulatory organisation ASCI provide detailed rule-bulletins that can be easily updated to address changing formats. Using this framework, India has been able to rapidly produce new regulations for emerging forms of persuasion, from the 2021 influencer code to the 2022 misleading-advertising guideline to the 2023 dark-patterns guideline to the 2025 addendum on high-risk influencers. Finally, public enforcement commentary suggests that the CCPA is aware of enforcing these guidelines against named platforms.

Regulatory Weaknesses: Critics have identified a number of ongoing gaps in the guidelines. Dark-patterns regulations were diluted during drafting by CCPA officials who removed language that would have made each listed violation subject to prosecution under the Consumer Protection Act, 2019 automatically (Advertising Standards Council of India, 2021/2023/2025; Central Consumer Protection Authority, 2022, 2023). Greenwashing is not yet comprehensively addressed by any standalone regulation akin to Europe's upcoming green-claims package. India's current guidelines are also weaker insofar as they can only be enforced against large, high-profile platforms. Until further guidelines address compliance by small advertisers and start-ups, these entities will face limited oversight of their advertising practices (Legal and policy commentary, 2023–2026).

Analytical Discussion: How Over-Persuasion Manifests in Indian Advertising:

While any advertisement can theoretically take advantage of consumers using manipulative practices, specific industries and products tend to favour certain practices over others. This section maps selected insights from the persuasion-knowledge literature above to the ecosystem of advertising in India.

Health, Wellness, and Fast-Moving Consumer Goods Ads: One of the most prominent categories for misleading claims in India has been personal healthcare, nutrition, and FMCG products targeted at low-income and rural consumers, due to their widespread reliance on exaggerated efficacy statements that would be impossible for target audiences to fact-check (Journal of the Management Sciences, 2024). The 2022 Guidelines seek to prevent injuries by directly speaking to this problem by establishing standards for what constitutes a substantiable claim and insisting endorsers have “first-hand experience” with the advertised product. Empirical evidence suggests that immunity-boosting drugs, weight-loss products, and skin-lightening creams are particularly bad offenders, likely due to the overlap between earning social approval and above-average effectiveness.

Algorithms & Influencer Videos: Arguably, the most sophisticated persuasive technology in use today is the mutual reinforcement between algorithmic targeting and influencers. Algorithms solve for whom to target, allowing advertisers to exploit specific psychological triggers for each user. Influencers solve for why a consumer should trust that specific ad at that specific moment. India's approach to this content - mandatory format-specific disclosure of “material connection” — has succeeded in making influencer content more transparent, but does not begin to address the imbalance of psychological knowledge exploited by algorithmic manipulation (Legal and policy commentary, 2023–2026).

Greenwashing: Taken together, rising awareness of climate change and studies showing Indians' willingness to pay more for sustainable products mean that greenwashing presents a unique form of over-persuasion: by invoking environmentalism, brands do not merely exaggerate the physical benefits of using their product; they also co-opt altruistic intentions to

which consumers have given trust (Jog & Singhal, 2024). The reasons why this practice is harmful, as shown by Indian consumers' reactions to greenwashing reported above, dovetail with research findings about persuasion knowledge: once consumers feel tricked on issues that matter to them, trust cannot be recovered by simply removing the misleading information (Campaign India/Campaign Asia, 2024–2025; International Review on Public and Nonprofit Marketing, 2025).

Dark Patterns: India does not have unique insight into dark patterns as a persuasive practice. Dark patterns represent the epitome of over-persuasion because the practices that constitute them are deceptively get users to do things they otherwise would not have. Pre-ticked donation boxes, confirm-shaming, and fake scarcity claims on flight-booking platforms are innovations that persuade users into doing something which benefits the seller, not themselves.

RECOMMENDATIONS AND FUTURE SCOPE:

- The Dark Pattern Guidelines should be statutorily anchored to the Consumer Protection Act, 2019 in a more explicit manner so violations relating to guidelines attract penalties, instead of falling back on unspecific unfair-trade-practice provisions.
- Sustainability / green claims should be accorded specific regulatory attention in future India-centric advisories instead of being handled through the broad unfair-/misleading-/false-advertisement umbrella.
- A personalised digital advertising equivalent to Influencer Material Connection Disclosures should be mandated for AI-driven algorithms to bring about greater transparency.
- Education on persuasion knowledge and digital wellness should form part of formal education at school and college levels, since the onus cannot always be on disclosure to correct power imbalances between advertisers and consumers.
- Advertising curriculum and design-focused courses such as graphic design/art applied courses should be encouraged to include ethical design of persuasive communications as a curriculum outcome.
- Future research should take note of enforcement trends stemming from the 2023 Dark Pattern Guidelines and 2025 format for voluntary data audits by Indian companies since currently there is little research available on the effectiveness after enforcement.

CONCLUSION:

There is no single bad act that separates persuasion from over-persuasion. To understand ethical communications as educators, regulators, and advertisers, one must think of them on a spectrum – with white-hat information-led persuasion on one end, and grey-hat manipulation on the other. In practice, preventing communicators from slipping over that line lies at the core of the problem with over-persuasion in India. A growing body of literature across greenwashing, algorithmic manipulation, social media disclosures, and ‘dark patterns’ indicates that while violation can take many forms, its effects are largely uniform – engendering consumer distrust, which can be hard to remedy. India thus far has adapted quickly to the problem, but enforcement of the guidelines and research into their effectiveness remains key, along with improving media literacy and consumer education.

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