

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

RAJYA SABHA

STARRED QUESTION NO. *17

TO BE ANSWERED ON 22.07.2025

DIRECTION TO REMOVE DARK PATTERNS

*17. SHRI ASHOKRAO SHANKARRAO CHAVAN:

Will the MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether Government has directed all e-commerce companies to remove dark patterns and all the misleading designs and advertisement from their platforms;
- (b) if so, the response of e-commerce companies in this regard;
- (c) whether Central Consumer Protection Authority has directed e-commerce companies to conduct a self-audit;
- (d) if so, whether Government has issued any list of misleading design or advertisement and directed the e-commerce companies to stop them immediately, if so, the details thereof; and
- (e) whether Government has constituted a workforce for surveillance of dark patterns and their removal on the platform of e-commerce companies, if so, the details thereof?

ANSWER

THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI PRALHAD JOSHI)

(a) to (e) : A Statement is laid on the Table of the House.

STATEMENT REFERRED IN REPLY TO PARTS (a) TO (e) OF RAJYA SABHA STARRED QUESTION NO.*17 FOR 22.07.2025 REGARDING DIRECTION TO REMOVE DARK PATTERNS ASKED BY SHRI ASHOKRAO SHANKARRAO CHAVAN.

(a) to (e) 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 Consumer Protection Act, 1986 was repealed and Consumer Protection Act, 2019 was enacted.

As per Consumer Protection Act, 2019 under Section 101 (zg), Central Government is vested with powers to make rules by notification for carrying out the measures to be taken by the Central Government to prevent unfair trade practices in e-commerce, direct selling under section 94.

Therefore, 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 consumer grievance redressal.

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 in the Sub-section 47 under Section 2 of the Consumer Protection Act, 2019.

Keeping in pace with the international best practices and also, being the forerunners of consumer rights, the Department of Consumer Affairs has acted proactively to protect consumers from such deceptive patterns. The Department constituted a task force consisting of the representatives inter alia from Industry Associations, National Law Universities, Voluntary Consumer Organisations and e-commerce platforms seeking inputs for the draft guidelines for prevention and regulation of dark patterns.

After stakeholders consultations, the Central Consumer Protection Authority, in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, 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 identified in e-Commerce sector. These dark patterns include false urgency, Basket Sneaking, Confirm shaming, forced action, Subscription trap, Interface Interference, Bait and switch, Drip Pricing, Disguised Advertisements, Nagging, Trick Wording, Saas Billing and Rogue Malwares.

Department of Consumer Affairs, Government of India convened a meeting on 28th May, 2025 under the chairmanship of Hon’ble Minister of Consumer Affairs, Food & Public Distribution and New and Renewable Energy with representatives from major e-commerce companies, industry associations, Voluntary Consumer Organizations and National Law Universities for a focused dialogue on eliminating deceptive online practices.

As an outcome of the said meeting, an “Advisory in terms of Consumer Protection Act, 2019 on Self-Audit by E-Commerce Platforms for detecting the Dark Patterns on their platforms to create a fair, ethical and consumer centric digital ecosystem”, was issued by Central Consumer Protection Authority on 5th June, 2025 .

All E-Commerce platforms have been advised through the said Advisory to take necessary steps to ensure that their platforms do not engage in such deceptive and unfair trade practices which are in the nature of Dark Patterns. Further, all E-Commerce platforms have been advised to conduct **self-audits** to identify dark patterns, **within three months of the issue of the advisory** and take necessary steps to ensure that their platforms are free from such dark patterns. Based on the self-audit reports, the E-Commerce platforms should also give self-declarations that their platform is not indulging in any dark patterns in order to ensure fair digital ecosystem along with building trust between consumers and e-commerce platforms.

A Joint Working Group, comprising representatives from Ministries, National Law Universities and Voluntary Consumer Organizations, has been constituted vide Office Memorandum dated 5th June, 2025 for identifying the dark patterns and stakeholders to work together in creating a transparent, ethical and user-centric online environment .
