

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION No. 1799
TO BE ANSWERED ON 05.08.2025

**DARK PATTERNS USED BY ONLINE APPLICATIONS AND DIGITAL
PLATFORMS**

1799. SHRI SADANAND MHALU SHET TANAVADE:
DR. DINESH SHARMA:
SMT. MAMATA MOHANTA:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether Government is aware of the use of deceptive design patterns, commonly referred to as "dark patterns", by mobile-applications, websites, or digital-platforms to mislead or manipulate consumers, if so, the details thereof;
- (b) whether the Ministry has issued any guidelines, notifications, or advisories to regulate or restrict the use of dark patterns by digital-service-providers, if so, the details thereof;
- (c) the mechanism in place for consumers to report the use of dark patterns, and number of such complaints received so far and applications identified using dark patterns; and
- (d) whether Government proposes to introduce a mechanism to protect consumers from dark patterns, if so, the details thereof ?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI B.L VERMA)

(a) to (d): 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 Consumer Protection Act, 1986 was repealed and Consumer Protection Act, 2019 was enacted.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 practice 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 .
