

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

RAJYA SABHA
UNSTARRED QUESTION No. 361
TO BE ANSWERED ON 03.02.2026

ACTION AGAINST THE COMPANIES INDULGING IN DARK PATTERNS

361. SHRI BHUBANESWAR KALITA:

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

- (a) how Dark Patterns are affecting consumers' choices on e-commerce platform;
- (b) the steps involved in drafting the guidelines for Dark Patterns;
- (c) the role of industry stakeholders in drafting these guidelines and addressing the issue;
- (d) the action taken by the Central Consumer Protection Authority (CCPA) on companies indulging in Dark Patterns; and
- (e) whether the CCPA issued any advisory/notice to companies indulging in Dark Patterns to submit the self-declaration, if so, the details thereof?

ANSWER

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

(a) to (e) : Department of Consumer Affairs is continuously working for protection and empowerment of consumers. The Department has notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019 to safeguard consumers from unfair trade practices in e-commerce. 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 customer grievance redressal.

Dark patterns involve using practices or deceptive design patterns using UI/UX (user interface/user experience) interactions on any platform; designed to mislead or trick users to do something they originally did not intend or want to do; by subverting or impairing the consumer autonomy, decision making or choice; amounting to misleading advertisement or unfair trade practice or violation of consumer rights.

A Task force was formed vide OM dated 28.06.2023 with representatives from industry, Law firms, Voluntary Consumer Organisations (VCSs) Academia and industry associations for framing the guidelines for prevention and regulation of Dark pattern practices. Representatives from Industry stakeholders in the task force included Amazon, Flipkart, Go-MMT, Google, Meta, OLA-Cabs, Swiggy, Tata Cliq, NASSCOM, ZOMATO, Ship Rocket etc. The terms of reference of the Task Force was to examine and identify dark patterns deployed by online platforms and suggest safeguards. Based on the inputs received from the Task Force a draft of the guidelines was prepared and placed for public comments in September 2023. The views/comments/suggestions were considered while framing the guidelines on dark patterns.

Central Consumer Protection Authority (CCPA), 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”. Central Consumer Protection Authority has identified 13 dark patterns that affects the consumer’s choice on e-commerce platforms. These 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. The Draft Guidelines were prepared in consultation with industry stakeholders, consumer organizations and regulatory bodies to ensure effective compliance.

CCPA has been keeping close watch on the dark pattern practices by companies. The CCPA has issued 42 notices against platforms practicing dark patterns. The central authority has initiated action against a platform for use of dark pattern feature auto renewal of Membership of ₹99 for 3 months, without consumer knowledge which is a basket sneaking dark pattern. Dark pattern practices in the form of “Drip Pricing” where an increased price at check out and addition of a Handling Charge and the Pass Membership fee that amounted to a basket sneaking practice was identified and action taken against the platform. In a Coaching institute Platform case, the Coaching institute was penalised having found to create false urgency accompanied by a 24-hour timer which was found to be false and is a dark pattern practice of false urgency. A prominent airline was engaging in dark pattern of ‘Confirm Shaming’ on the Airlines App and also there was lack of transparent Communication on Seat Assignment. The dark pattern feature was modified after CCPA order. After CCPA’s notice, another online booking platform in entertainment space discontinued the dark pattern practice of basket sneaking, wherein Rs 1 was added for charity without consumer consent by giving customers an option to choose whether or not they wish to contribute towards charity.

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.

27 leading e-commerce platforms have voluntarily submitted their self-declaration letters confirming compliance with the Guidelines for Prevention and Regulation of Dark Patterns, 2023 and their names are enclosed as **Annexure**.

ANNEXURE REFERRED IN REPLY TO PARTS (a) TO (e) OF RAJYA SABHA UN STARRED QUESTION NO. 361 FOR 03.02.2026 REGARDING “ACTION AGAINST THE COMPANIES INDULGING IN DARK PATTERNS”.

The platforms that have submitted declarations are:

- (i) **Page Industries Private Limited (JOCKEY)**
- (ii) **WILLIAM PENN Private Limited**
- (iii) **Axelia Solutions Pvt. Ltd.("Pharmeasy")**
- (iv) **Zepto Marketplace Pvt. Ltd.(Zepto)**
- (v) **Curaden India Private Limited**
- (vi) **Duroflex Private Limited**
- (vii) **Flipkart Internet Private Limited**
- (viii) **Mynta Designs Private Limited**
- (ix) **Cleartrip Private Limited**
- (x) **Walmart India Private Limited**
- (xi) **Makemy Trip (India) Private Limited**
- (xii) **Big Basket (Innovative Retail Concepts Private Limited)**
- (xiii) **Tira Beauty (Reliance Retail Limited)**
- (xiv) **Jio Mart (Reliance Retail Limited)**
- (xv) **Reliance Jewels (Reliance Retail Limited)**
- (xvi) **Ajio (Reliance Retail Limited)**
- (xvii) **Reliance Digital (Reliance Retail Limited)**
- (xviii) **Netmeds (Reliance Retail Limited)**
- (xix) **Hamleys (Reliance Retail Limited)**
- (xx) **MilBasket (Reliance Retail Limited)**
- (xxi) **Swiggy Limited**
- (xxii) **TATA 1 mg**
- (xxiii) **Zomato (Eternal Limited)**
- (xxiv) **Blinkit (Blink Commerce Private Limited)**
- (xxv) **Ixigo (Le Travenues Technology Limited)**
- (xxvi) **Meesho Ltd.**
- (xxvii) **CP Wholesale India Private Limited (Lots)**
