

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

**RAJYA SABHA**  
**UNSTARRED QUESTION No. 1798**  
TO BE ANSWERED ON 04.08.2026

**REGULATION OF DARK PATTERNS ON DIGITAL PLATFORMS**

1798. SHRI AKHILESH PRASAD SINGH:

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

- (a) whether Government has reviewed the growing use of deceptive online interface designs, commonly known as 'Dark Patterns', affecting consumer choice on digital platforms;
- (b) whether complaints relating to misleading subscription models, hidden charges and manipulative consent mechanisms have increased in recent years;
- (c) the measures taken to strengthen consumer protection and transparency in digital marketplaces; and
- (d) whether further regulatory interventions are under consideration to prevent unfair digital trade practices?

**ANSWER**

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

(a) to (d) : The Department of Consumer Affairs has strengthened the consumer protection framework through the enactment of the Consumer Protection Act, 2019, to effectively address emerging challenges arising from globalization, technological advancements, and e-commerce.

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.

In order to strengthen consumer protection, the CCPA issued the “Guidelines for Prevention and Regulation of Dark Patterns, 2023” on 30.11.2023. These guidelines address and regulate 13 specific dark patterns identified in the e-commerce sector, aiming to prevent deceptive practices that mislead consumers. The 13 prominent dark patterns in e-commerce are – False Urgency, Basket Sneaking, Confirm Shaming, Forced action, Subscription trap, Interface interference, Bait and Switch, Drip Pricing, Disguised advertisement, Nagging, Trick question, Saas Billing and Rogue Malwares.

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 5<sup>th</sup> June, 2025.

Subsequent to the Guidelines for the Prevention Dark Pattern 2023, CCPA has taken action against E-commerce platforms engaging in dark patterns and imposed a penalty to the tune of Rs. 20 Lakh. List of action taken is placed as **Annexure**.

The Consumer Protection Act, 2019 provides for a three tier quasi-judicial machinery at District, State and National level commonly known as “Consumer Commissions” for protection of the rights of consumers and to provide simple and speedy redressal of consumer disputes including those related with unfair trade practices.

Also, as per Section 38 (7) of the Consumer Protection Act, 2019, every complaint shall be disposed of as expeditiously as possible and endeavour shall be made to decide the complaint within a period of three months from the date of receipt of notice by opposite party where the complaint does not require analysis or testing of commodities and within five months, if it requires analysis or testing of commodities.

To serve the interest of speedy justice to the end consumers, Consumer Protection Act states that no adjournment shall ordinarily be granted by the consumer commissions unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Commission.

The National Consumer Helpline (NCH) administered by the Department of Consumer Affairs has emerged as a single point of access to consumers across the country for their grievance redressal at a pre-litigation stage. Consumers can register their grievances from all over the country in 17 languages including Hindi, English, Kashmiri, Punjabi, Nepali, Gujarati, Marathi, Kannada, Telugu, Tamil, Malayalam, Maithili, Santhali, Bengali, Odia, Assamese and Manipuri through a toll-free number 1915. These grievances can be registered on Integrated Grievance Redressal Mechanism (INGRAM), an omnichannel IT enabled central portal, through various channels- WhatsApp (8800001915), SMS (8800001915), email (nch-ca@gov.in), the NCH app, the web portal (consumerhelpline.gov.in) and the Umang app, as per their convenience. 1,853 companies, who have voluntarily partnered with NCH, as part of the ‘Convergence’ programme directly respond to these grievances according to their redressal process and revert by providing a feedback to the complainant on the portal.

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**ANNEXURE REFERRED IN REPLY TO PARTS (A) TO (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 1798 FOR 04.08.2026 REGARDING REGULATION OF DARK PATTERNS ON DIGITAL PLATFORMS ASKED BY SHRI AKHILESH PRASAD SINGH.**

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- (a) In a Coaching institute Platform case, the Anuj Jindal coaching platform 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. CCPA directed discontinuation of the impugned advertisements and imposed a penalty of ₹3,00,000/-. The penalty deposited and the Coaching platform discontinued the dark patterns.
- (b) Based on the grievances lodged at National Consumer Helpline, the CCPA issued notice to a major airline {InterGlobe Aviation Limited (IndiGo Airline)} for alleged unfair trade practices / dark pattern pertaining to ‘Confirm Shaming’ on Indigo Airlines App and Lack of Transparent Communication on Seat Assignment. After the CCPA intervention, IndiGo Airline has resolved the issue by changing the wording to *"No, I will not add to the trip"*, which ensures clarity and neutrality. The wordings used earlier were *"No I will take risk"*, which amounted to ‘confirm shaming’ a Dark Pattern has been discontinued.
- (c) CCPA examined consumer grievances regarding misleading price representations on the FirstCry platform, particularly the display of “MRP inclusive of all taxes” while charging additional GST at checkout constituted drip pricing. CCPA issued directions to discontinue the practice and ensure that both original and discounted prices are displayed as tax-inclusive, with any additional charges disclosed upfront. The Authority further directed FirstCry to rectify its website and mobile application to reflect final prices inclusive of all taxes, and subsequently imposed a penalty of ₹ 2,00,000/- on the company. The company has deposited the penalty and amended its practices.
- (d) Action was taken against PharmaEasy wherein it was observed that the company was automatically adding PLUS membership in consumer’s cart. In its response, company confirmed that going forward, the PLUS membership will be an option in requiring consent of the consumer. The company has discontinued the practice and a penalty of ₹ 1,00,000/- is imposed. The company deposited the penalty and discontinued the dark pattern.
- (e) CCPA observed that Zepto Marketplace Pvt. Ltd. shows lower price initially to lure consumer, on checkout page handling charge and Zepto Pass membership fee is also added Adding of handling charge during checkout amounts to Drip Pricing as the prices are not shown upfront and adding Zepto Pass Membership fee without consent of the user amounts to Basket Sneaking. CCPA imposed a penalty of Rs. 7,00,000/- and directed Zepto to immediately discontinue the practice of Dark Pattern and all the charges shown upfront should be summary of final checkout price. Zepto approached NCDRC and submitted the penalty with NCDRC. The dark pattern has been discontinued by the Zepto.
- (f) In the matter of McAfee LLC it was observed that instead of providing a fair and transparent choice for subscription such as *Cancel* or *Skip*, the notification forced / restricts the consumer to only two choices: Accept Risk or Renew Now. Pertinently, McAfee admitted that the renewal prompt lacked neutral opt-out options, forcing users to accept the actions. Based on this CCPA directed McAfee to ensure that no dark patterns are employed on its platform, website, application or any other digital interface a penalty of ₹1,00,000 was imposed. After the intervention of CCPA, McAfee submitted that India renewal interface has been modified and a neutral or opt-out option, namely “Skip”, has now been incorporated. McAfee deposited the penalty and discontinued the dark pattern.

(g) CCPA had issued also notices to a major portal for booking movie tickets (BookMyShow) for dark patterns by imposing automatically an extra charge of Rs.1 on customers pre-tick without consent of the consumer after the booking of confirmed tickets. After CCPA's intervention booking portal addressed the issue of 'Basket Sneaking' by giving customers are an option to choose whether or not they wish to contribute towards *BookASmile*. The dark pattern has been discontinued.

(h) CCPA took suo-motu cognizance of dark pattern practices by Physics Wallah Limited (PW). PW deployed the following dark patterns (basket sneaking i.e. a donation of ₹10 to *PW Foundation* was automatically pre-selected during checkout without explicit consumer consent and emotionally persuasive messaging was displayed to nudge consumers into retaining the pre-selected donation amount. Courses advertised as "*free*" required mandatory disclosure of personal information before access was granted. CCPA directed to ensure that no dark patterns are deployed on any of its digital interfaces and imposed a penalty of ₹5,00,000/-. PhysicsWallah deposited the penalty and discontinued the dark pattern.

(i) CCPA, acting suo-motu against SpiceJet Limited, found that its website pre-ticked a checkbox enrolling consumers into the "SpiceClub Loyalty Program" while leaving the opt-out for promotional communications unticked, thereby making choices on consumers' behalf without any active, informed action. Even after CCPA's notice, SpiceJet merely replaced the unticked opt-out box with a new pre-ticked box stating consent to receive communications, continuing the same default-consent practice. CCPA held this to constitute "Trick Question," "Forced Action," and "Interface Interference" under the Guidelines for Prevention and Regulation of Dark Patterns, 2023, amounting to misleading advertisement, unfair trade practice, and unfair contract and violating Rule 4(9) of the Consumer Protection (E-Commerce) Rules, 2020, which requires consent through explicit, affirmative action rather than pre-ticked defaults. SpiceJet attributed the lapse to a "technical error" and submitted an undertaking confirming permanent rectification. CCPA directed SpiceJet to maintain the corrective measures on a continuous basis, remain compliant at all times, and imposed a penalty of ₹1,00,000/-. Order issued on 14.07.2026. The SpiceJet has discontinued the dark pattern.

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