

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

RAJYA SABHA
UNSTARRED QUESTION No. 213
TO BE ANSWERED ON 21.07.2026

FRAMEWORK TO REGULATE DARK PATTERNS

213. SHRI KARTIKEYA SHARMA

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

- (a) whether Government proposes to build on India's pioneering framework for regulating dark patterns to make India a global model for digital consumer protection;
- (b) the specified dark patterns recognised, the awareness generated among consumers and the manner in which a consumer may lodge a complaint against their use; and
- (c) the number of violations reported, notices issued to e-commerce platforms and other actions taken by the Central Consumer Protection Authority during the last twelve months?

ANSWER

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

(a) to (c) : The Central Authority i.e. Central Consumer Protection Authority (CCPA) has been established under Section 10 (1) of Consumer Protection Act, 2019 to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers and to promote, protect and enforce the rights of consumers as a class.

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 5th 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.17 Lakh during the last twelve months. List of action taken against E-commerce platform is placed as **Annexure**.

The Department has been conducting country-wide multimedia awareness campaigns titled “Jago Grahak Jago” under the Consumer Awareness Scheme. The mascot “Jagriti” was launched in 2022 to reinforce the campaign’s recall value. The Department is adopting a multi-channel approach—combining physical outreach, digital initiatives, and social media campaigns—to raise large-scale consumer awareness against misleading advertisements, unfair trade practices, dark patterns, grievance redressal mechanisms and various other consumer related issues.

To ensure physical outreach to the Consumers, the Department participated in Maha Kumbh Mela 2025 at Prayagraj and Surajkund Mela 2026 in Haryana. To reach citizens without smartphones or internet access, the Department carried out large-scale IVRS voice call campaigns across the country with a focus on Scheduled caste dominated areas in 2025 in which 23 Cr calls were made. Similarly, the Department also conducted large-scale SMS campaigns in eleven languages in which 65 Cr. SMSs were sent to 15 Cr. PDS beneficiaries in the first phase. 24 Cr. SMSs were sent to consumers in ST dominated areas, in 2nd phase in 2025 and 46.66 cr SMSs have been sent in a recent campaign run in NER region in June 2026. The Department also generated awareness by playing consumer awareness jingles on All India Radio during ICC Men's T20 World Cup 2026 matches which was broadcasted Over 24 Rainbows Stations, 66 Primary Channels & 86 Local Radio Stations of National & Regional channels of AIR.

To strengthen awareness among young and rural consumers, the Department distributed Amar Chitra Katha comic books containing consumer-rights stories through ERMS schools. Digital copies of these comics were also uploaded on the Rashtriya e-Pustakalaya. The Department has been conducting weekly virtual capacity-building sessions with Panchayati Raj Institutions across all States and Union Territories to strengthen consumer awareness at the grassroots level, with participation of Panchayat representatives and functionaries. To ensure wider outreach, sessions were conducted in several regional languages, including Tamil, Odia, Punjabi and Manipuri, focusing on consumer rights, awareness and grievance redressal mechanisms. The Department has run two digital banner advertisement campaigns in February 2026 and June 2026 on the IRCTC website and mobile app, generating 78.7 crore impressions and 77.3 cr impressions respectively during the campaign periods.

Further, the Department has been producing videos and designing innovative infographics which are regularly uploaded on social media platforms of the Department on various consumer awareness issues. Many videos by celebrities have also been produced and have been used at various events and cinema theatres.

ANNEXURE REFERRED IN REPLY TO PARTS (a) to (c) OF RAJYA SABHA UNSTARRED QUESTION NO. 213 FOR 21.07.2026 REGARDING “FRAMEWORK TO REGULATE DARK PATTERNS ASKED BY SHRI KARTIKEYA SHARMA.

- (a) 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.
- (b) 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.
- (c) 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 Zepto.
- (d) 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.
- (e) CCPA took suo-motu cognizance of dark pattern practices by PhysicsWallah 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.

(f) 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.
