

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

LOK SABHA
UNSTARRED QUESTION NO. 3979
TO BE ANSWERED ON 12.08.2026

NON-COMPLIANCE OF E-COMMERCE PLATFORMS WITH DARK PATTERNS

3979. SMT. KANIMOZHI KARUNANIDHI:

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

- (a) whether the Government is aware that recent assessments reportedly indicate that nearly 97 per cent of e-commerce platforms continue to use dark patterns and if so, the details thereof;
- (b) the number of platforms monitored or audited by the Government or its agencies during the last five years and the number found to be non-compliant, year and platform-wise;
- (c) the number of complaints received regarding dark patterns/deceptive online practices, along with the number of cases in which action has been taken, penalties imposed and platforms directed to modify their interfaces, year-wise;
- (d) whether the Government proposes to introduce mandatory independent audits or third party certification instead of relying only on self-declarations; and
- (e) if so, the details of the proposed framework and timeline for strengthening enforcement, monitoring and consumer protection in this regard?

ANSWER

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

(a) to (e) : 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 Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019, 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.

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, 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 Question, Saas Billing and Rogue Malwares.

In furtherance, Department of Consumer Affairs, engaged with major e-commerce companies, industry associations, Voluntary Consumer Organizations and National Law Universities for eliminating deceptive online practices. As an outcome, “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 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 and 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. 31 leading e-commerce platforms have voluntarily submitted their self-declaration letters confirming compliance with the Guidelines for Prevention and Regulation of Dark Patterns, 2023 (**Annexure-I**).

As per Consumer Protection Act, 2019 under Section 21 (2), Central Government is vested with powers to impose a penalty in respect of false or misleading advertisements by a manufacturer or endorser, which may extend to ten lakh rupees and for every subsequent contravention the penalty may extend to fifty lakh rupees.

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-II**.

ANNEXURE REFERRED IN REPLY TO PARTS (a) to (e) OF LOK SABHA UNSTARRED QUESTION NO. 3979 FOR 12.08.2026 REGARDING NON-COMPLIANCE OF E-COMMERCE PLATFORMS WITH 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) Myntra 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) MilkBasket (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)
- (xxviii) Clues Network Pvt. Ltd. (Shop Clues)
- (xxix) Fiora Hypermarket Limited
- (xxx) Lenskart Solutions Ltd.
- (xxxi) Amazon Sellers Services Pvt Ltd.

ANNEXURE REFERRED IN REPLY TO PARTS (a) to (e) OF LOK SABHA UNSTARRED QUESTION NO. 3979 FOR 12.08.2026 REGARDING “NON-COMPLIANCE OF E-COMMERCE PLATFORMS WITH DARK PATTERNS ”.

- (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 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 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 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.
- (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.
