

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

**LOK SABHA**

**STARRED QUESTION NO. \*267**

TO BE ANSWERED ON 19.03.2025

**DARK PATTERNS USED BY ONLINE PLATFORMS**

\*267. SHRI K C VENUGOPAL:

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

- (a) whether the Government has conducted any study to assess the extent and impact of dark patterns used by online platforms in misleading consumers in India and if so, the details thereof;
- (b) the specific measures being taken by the Government to regulate and penalize online platforms that engage in deceptive practices such as false urgency, hidden charges and subscription traps;
- (c) whether the Government plans to introduce stringent legal provisions or amendments to the Consumer Protection Act to effectively curb dark patterns and ensure greater transparency in e-commerce and if so, the details thereof;
- (d) whether the Government has engaged with stakeholders including consumer rights organizations and tech companies to formulate clear guidelines for identifying and eliminating dark patterns in digital marketplaces; and
- (e) if so, the details thereof?

**ANSWER**

**THE MINISTER OF**  
**CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**  
**(SHRI PRALHAD JOSHI)**

(a) to (e) : A Statement is laid on the Table of the House.

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**STATEMENT REFERRED IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.\*267 FOR 19.03.2025 REGARDING DARK PATTERNS USED BY ONLINE PLATFORMS.**

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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 Consumer Protection Act, 1986 was repealed and Consumer Protection Act, 2019 was enacted.

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.

The Central Consumer Protection Authority (CCPA) in India is empowered under the Consumer Protection Act, 2019 to take various actions to ensure consumer rights are protected. Subsequent to CCPA intervention an e commerce platform discontinued the practice of automatically adding Rs. 2 per ticket towards charity contribution to the cart (a form of Basket Sneaking dark pattern), in the form of pre-tick format ( a form of forced consent dark pattern). An airline modified the manner in which it used to offer insurance at the time of purchase of tickets (a form of confirm shaming dark pattern).

The Bureau of Indian Standards (BIS) has notified framework on ‘Online Consumer Reviews — Principles and Requirements for their Collection, Moderation and Publication’ on 23.11.2022 for safeguarding and protecting consumer interest from fake and deceptive reviews in e-commerce. The standards are voluntary and are applicable to every online platform which publishes consumer reviews. The guiding principles of the standard are integrity, accuracy, privacy, security, transparency, accessibility and responsiveness.

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