

Central Consumer Protection Authority

Krishi Bhawan, New Delhi --110001

Case No: CCPA-2/94/2025-CCPA

In the matter of: Use of dark patterns resulting in unfair trade practice, misleading advertisement, and violation of consumer right by PhysicsWallah Limited.

CORAM:

Mrs. Nidhi Khare, Chief Commissioner

Mr. Anupam Mishra, Commissioner

APPEARANCES

For Physicswallah Limited:

1. Mr. Prashant Mishra, Advocate
2. Mr. Rahul, Advocate

Date: 01.06.2026

ORDER

1. This is a suo-moto case taken up by the Central Consumer Protection Authority (hereinafter referred as 'CCPA') against Physicswallah Limited (hereinafter referred as 'opposite party') pertaining to following alleged dark patterns resulting in unfair trade practices, misleading advertisements, and violation of consumer rights on its official platforms including official website (www.pw.live) and phone application.

- i. *Basket Sneaking*: Automatically pre-selecting the option "Donate for PW Foundation" during purchase, without explicit user consent, thereby adding additional charges of ₹10 to the final payable amount.
- ii. *Forced Action & Interface Interference*: Conditioning access to advertised "free courses" upon mandatory disclosure of personal information such as mobile number and email ID, even though the service is promoted as freely accessible.
- iii. *Confirm Shaming*: When users click "Know More," the message displayed promotes emotional persuasion such as financial assistance for marriages, child education, and healthcare of underserved communities, which can induce guilt and nudge users to retain the pre-selected donation amount. **(Annexure-1)**

2. Taking cognizance of the issue, the CCPA in exercise of powers conferred under the Consumer Protection Act, 2019 (hereinafter referred to as 'the Act') conducted a preliminary inquiry to examine the alleged dark pattern practices adopted by the opposite party.

3. During the course of preliminary inquiry, the CCPA prima facie observed that the opposite party was allegedly indulging in various dark pattern practices. It was observed that the opposite party had pre-selected the option "*Donate for PW Foundation*" during the purchase process, thereby adding additional charges of ₹10 to the final payable amount without obtaining explicit consent from consumers. Further, when users clicked on the option "Know More" in relation to the donation feature, emotionally persuasive messages relating to financial assistance for marriages, education of children and healthcare of underserved communities were displayed, which had the effect of inducing guilt and nudging consumers to retain the donation amount.

4. It was also observed that access to courses advertised as "free" was conditioned upon mandatory disclosure of personal information such as mobile number and email ID. Additionally, consumers were required to compulsorily sign up or log in to access content promoted as freely available, while in several instances the educational material, including videos and study content, remained inaccessible even after enrolment in the free programme.

5. It is relevant to state that the CCPA has been established under Section 10 of the Act for regulating matters relating to violation of consumer rights, unfair trade practices and false or misleading advertisements prejudicial to the interests of consumers as a class. Further, Section 18 of the Act empowers the CCPA to protect, promote and enforce the rights of consumers and to prevent unfair trade practices.

6. It is also pertinent to note that the Consumer Protection (E-Commerce) Rules, 2020 prescribe duties and obligations upon e-commerce entities to ensure transparency and protection of consumer interests. Rule 4(9) is reproduced below for your ready reference:

Duties of e-commerce entities—

(9) Every e-commerce entity shall only record the consent of a consumer for the purchase of any good or service offered on its platform where such consent is expressed through an explicit and affirmative action, and no such entity shall record such consent automatically, including in the form of pre-ticked checkboxes.

7. Additionally, the CCPA on 30.11.2023 notified the Guidelines for Prevention and Regulation of Dark Patterns, 2023 listing 13 specified dark patterns to prevent unfair trade practices and protect consumers' interest.

8. The CCPA observed that the opposite party's website displayed a pre-selected donation checkbox titled "Donate for PW Foundation" during the checkout process, thereby adding an additional amount to the user's payment unless consciously deselected. Further, upon clicking "Know More" in relation to the donation option, the following message was displayed:

"Donate for PW Foundation. PW Foundation empowers lives through supporting marriages financially of needy people, advancing education of children, and promoting healthcare in underserved communities. Donate to support the cause."

9. The CCPA prima facie observed that such practices had the effect of influencing consumer choice through manipulative interface design and emotional persuasion, particularly in relation to educational services availed by minor students too.

10. In the present case, the abovementioned practices prima facie appears to be contrary to the various provisions of the Act, E-commerce Rules, 2020 and the applicable Guidelines.

11. Accordingly, the CCPA issued a Notice dated 04.12.2025 to the opposite party for alleged violation of the provisions of the Consumer Protection Act, 2019, Consumer Protection (E-Commerce) Rules, 2020 and Guidelines for Prevention and Regulation of Dark Patterns, 2023. The opposite party was granted an opportunity to submit its

response along with supporting documents and explanation regarding the design, functioning and purpose of the impugned features.

12. Thereafter, opposite party vide email dated 18.12.2025 filed its reply wherein it submitted the following:-

- i. It is humbly submitted that the optional donation field shown on our platform was fully transparent, optional in nature, and prominently displayed to users during checkout. The user always had complete control to deselect the option, and no payment could proceed without explicit confirmation of the total amount. There was no concealment, coercion, or imposition of any additional charge, and the mechanism did not result in any wrongful gain to the company or wrongful loss to the consumer.
- ii. We always endeavor to comply with the guidelines/advisory also issued by the Central Consumer Protection Authority. Also, in good compliance, we have already modified the user interface to eliminate any possible ambiguity.
- iii. Furthermore, it is respectfully submitted that the disclosures displayed on our platform regarding the utilization of donated funds are not designed to persuade prompts nor designed to induce guilt, fear, or social pressure upon users to proceed with a transaction. Instead, they are factual and neutral disclosures provided in furtherance of statutory transparency and to guarantee the right to be informed of the consumer in compliance with the Consumer Protection Act, 2019 and other applicable laws. When donors contribute funds through our platform for a charitable or specified purpose, they are entitled to clear information on how their donations will be used.
- iv. Accordingly, we disclose the intended utilization of donated amounts to ensure transparency, uphold this statutory right, and act in good faith and compliance with applicable law.
- v. We further submit to your good office the following to provide the rationale to the concerns around Forced Action as raised by your good office:
- vi. That the Free Course, as used on our platform, refers to educational content made available without any monetary consideration or financial transaction. The scope and structure of such courses may vary depending on their academic purpose; in some instances, the complete suite of learning materials, including lectures, notes, daily practice problems (DPPs), and allied resources, is provided, while in others only selective components such as lectures or notes

are offered. While the components of such courses may vary depending on academic objectives, no fee whatsoever is charged for access to any part thereof. The requirement to furnish minimal personal information, such as a mobile number and email address, is limited to legitimate operational, academic, security, and compliance purposes. Additionally, the intent is to ensure that each user/student has a unique identification, enabling them to understand their course journey clearly and supporting them in their educational progress.

- vii. The said requirement is not intended to condition, restrict, or impede access to free courses, but to ensure the effective functioning of the platform and adherence to essential security and regulatory standards. Such limited data collection is essential to enable personalized academic services, including performance tracking, progress assessment, benchmarking, and continuity of learning records, which are integral to the educational services provided.
- viii. That the platform hosts proprietary academic content, and permitting wholly anonymous access would expose it to risks including content piracy, unauthorized redistribution, misuse of platform resources, and the creation of fraudulent or automated accounts.
- ix. That the collection of minimal user information is therefore essential to safeguard intellectual property rights, maintain platform integrity, and ensure a secure online ecosystem for genuine learners. Accordingly, the request for basic personal details does not undermine the “free” nature of the courses, nor does it operate as a barrier to access, but constitutes a reasonable, proportionate, and necessary measure to deliver a meaningful educational experience, maintain safety and integrity, and prevent misuse.
- x. We respectfully submit that the 0% figure displayed on a subject card in Annexure 1 pg. No. 18 of the Notice received on 04.12.2025 is merely an indicator of the student’s individual learning progress and does not signify the absence of content within the subject or course. A student who has newly enrolled shall reflect 0% progress until such time as lectures are viewed or practice materials are attempted. Upon selecting the subject card, the complete list of available lectures, notes, daily practice problems (DPPs), and other learning resources is displayed. The said design is intended solely to ensure transparent and accurate progress tracking and does not, in any manner, imply that the subject lacks study material.

13. CCPA carefully examined the submissions made by the opposite party along with the annexures filed therewith and reviewed the user interface and checkout flow available on the official website of the opposite party.

14. Upon such examination, the CCPA observed on 22.12.2025 that, despite the categorical assertions made by the opposite party regarding modification of the interface, the donation amount continued to remain pre-selected by default during the checkout process.

15. The continued use of a pre-ticked donation option even after issuance of the notice and despite claims of corrective action prima facie indicated persistence of the dark pattern of "Basket Sneaking" and "Forced Action", whereby an additional monetary amount was included in the transaction unless consciously deselected by the consumer. The Authority also observed that the emotionally persuasive messaging displayed in relation to the donation prompt had the effect of nudging users to retain the donation amount by invoking moral obligation and social responsibility.

16. In view of the above observations, the CCPA was satisfied that a prima facie case of use of dark patterns resulting in unfair trade practices, misleading advertisements, and violation of consumer rights under the Consumer Protection Act, 2019, read with the Consumer Protection (E-Commerce) Rules, 2020 and the Guidelines for Prevention and Regulation of Dark Patterns, 2023, was made out against the opposite party. Accordingly, in exercise of the powers conferred under Section 19(1) of the Act, the matter was referred vide letter dated 29.12.2025 to the Director General (Investigation) for conducting a detailed investigation.

17. The Director General (Investigation) in its investigation report dated 23.03.2026 submitted the following:

- i. Basket Sneaking (Automatically Adding Donations): The Physics Wallah (PW) platform features a pre-selected donation option during the checkout process, which automatically adds an additional ₹10 charge to the user's payment unless explicitly deselected. This design risks misleading users into unintended payments, particularly during expedited checkouts where the option may be

overlooked. Such practices expose consumers to unexpected financial burdens and erode trust in the platform's transparency. By engineering the payment flow to secure supplementary contributions without explicit consent, PW undermines consumer autonomy and imposes avoidable financial obligations, thereby violating principles of fair and transparent commercial conduct.

- ii. **Forced Action & Interface Interference(Compelling Personal Information for Free Content):** Physics Wallah (PW) requires users to submit personal details, such as mobile numbers and email addresses, to access courses advertised as "free." Although presented as free, the courses remain inaccessible without this data submission, offering no true opt-out option. This approach misleads consumers into assuming unrestricted access, impairing their ability to make informed choices. It further exposes users to risks including unsolicited marketing, data misuse, and privacy violations, as sensitive information is collected without explicit consent or stated purpose. By conditioning access on mandatory data sharing, PW undermines transparency and consumer autonomy, pressuring individuals into disclosing information they may prefer to withhold. This constitutes a serious violation of consumer rights.
- iii. **Confirm Shaming (Emotionally Charged Donation Messages):** The Physics Wallah (PW) platform displays donation prompts on its payment page. These use emotionally charged messages that stress social causes, number of people helped, and tax benefits. The facts may be correct, but the wording is designed to stir feelings of guilt or social duty—especially when users are busy buying or accessing content. This can push consumers to donate money they would not have chosen otherwise. It affects their spending decisions and may lead to stress or regret. By relying on emotional pulls instead of straightforward facts, PW limits users' ability to make clear-headed, independent choices. This creates mental pressure that weakens true consent. As a result, it clearly violates consumer rights by manipulating decisions rather than honoring free and informed ones. Even though, Physics Wallah has admitted the fact of pre-selected donation option, prompt has been removed post CCPA notice. It is a clear indication of Physics Wallah has indulged in violation of confirm shaming, Dark pattern guidelines, 2023. Please see (Annexure3).
- iv. It is conclusively established that M/s PhysicsWallah (PW) has violated multiple provisions of the Consumer Protection Act, 2019, as well as the Guidelines for

- Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 and prevention and regulation of Dark Pattern, 2023.
- v. The Physics Wallah (PW) platform practices basket sneaking through preselected donation charges automatically incorporated into the checkout process, requiring active deselection by users to avoid additional payments. This interface manipulation circumvents explicit informed consent, capitalizes on expedited transactions to induce unintended financial commitments, and fundamentally pressurise consumer decision-making while compromising transactional transparency. Thereby, indulged in violating unfair trade practice under Section 2(47) of the Consumer Protection Act, 2019, read with the Guidelines for Prevention and Regulation of Dark Patterns, 2023.
 - vi. PW platform also indulged in confirm shaming via emotionally manipulative donation prompts on payment pages, prominently featuring social causes, beneficiary metrics, and tax incentives designed to provoke guilt and moral obligation on the customers, such psychological coercive messaging-imposes critical purchase Coercion-subverts autonomous choice, precipitates regrettable contributions, and erodes the voluntariness essential to genuine consent of customers contract agreement. This amounts to misleading advertisement under Section 2(28) of the Consumer Protection Act, 2019, read with the Guidelines for Prevention of Misleading Advertisements and Endorsements, 2022.
 - vii. Additionally, PW intimidates customers through forced action on its platform, conditioning access to advertised "free" courses on mandatory submission of sensitive personal information (such as mobile numbers, email addresses). This conceals the non-optional nature of enrolment requirements for free course material, fostering a false perception of unconditional availability. The nondisclosure of condition regarding "free" course material terms misleads consumers about the free course offer, impedes informed judgment, and aggravate vulnerabilities to unsolicited communications and data exploitation due to the absence of viable opt-out mechanisms. This action represents a violation of the right to informed choice under Section 2(9) of the Consumer Protection Act, 2019.
 - viii. In light of the above examination, Physics Wallah has collectively indulged in violations of Sections 2(9), 2(28), and 2(47) of the Consumer Protection Act,

2019, to induce consumer reliance under false pretences, thereby attracting regulatory action under the applicable provisions of law.

18. The Investigation Report submitted by DG (Investigation) was shared with the opposite party vide letter dated 24.04.2026 to furnish its comments.

19. Opposite party vide letter dated 04.05.2026 submitted its comments on DG (Investigation) Report wherein it made the following submissions:

- i. It is a technology-driven educational platform established with the objective of making quality education affordable and accessible to students across varied economic backgrounds. It was submitted that all design and operational decisions on the platform are guided by principles of transparency, student welfare, informed choice, and regulatory compliance. PW denied that the practices examined in the DG Investigation Report were exploitative either in intent or effect.
- ii. The donations displayed on its platform pertain exclusively to PW Foundation Org., which undertakes charitable initiatives in the fields of education, healthcare, and empowerment. According to opposite party, such donations are entirely voluntary and are not a condition precedent for accessing any educational content, whether paid or free.
- iii. Users are clearly informed regarding the donation amount and the purpose of such donation and retain complete control to review, modify, opt in, or opt out before completion of the transaction. It was specifically contended that at no stage is access to educational content made conditional upon making a donation.
- iv. Denied engaging in any practice amounting to “basket sneaking” and submitted that no donation amount is added without user awareness or consent. PW further stated that any earlier interface design element containing a pre-selected donation option has since been removed as a proactive compliance measure and that the current interface requires explicit and affirmative user action before any donation is added.
- v. Donation-related communication on its platform is factual and informational in nature and does not employ emotionally manipulative, coercive, guilt-inducing, or pressure-based language. According to PW, the messaging merely discloses the activities and impact of PW Foundation Org, including support for

- education, healthcare, and empowerment initiatives and disclosure of beneficiary details, in order to facilitate transparency and informed decision-making.
- vi. Disclosures relating to tax benefits under Section 80G of the Income Tax Act, 1961 and collection of PAN details are made solely for issuance of Form 10BE in compliance with statutory requirements. It was submitted that such information is neither excessive nor used for profiling or unrelated commercial purposes.
 - vii. Donation-related interface neither induces unintended purchases nor subverts consumer autonomy or informed decision-making and therefore does not fall within the prohibited categories contemplated under the Guidelines for Prevention and Regulation of Dark Patterns, 2023.
 - viii. Concept of “basket sneaking” necessarily presupposes concealment, automatic addition, or financial commitment without user awareness. According to opposite party, charitable donation prompts that are visually distinct, optional, revocable, and clearly labelled cannot be equated with “basket sneaking”, particularly in the absence of any instance where a user was charged a donation amount without consent.
 - ix. “Free Courses” on its platform are made available without any fee, purchase obligation, subscription requirement, or financial commitment at any stage. PW clarified that depending upon academic objectives, free courses may include complete learning resources or selected components such as lectures, notes, or daily practice problems, but students are never charged for accessing such content.
 - x. Users are required to provide basic information such as mobile number and email ID prior to enrolment, such information is collected solely for educational and operational purposes, including enabling learning continuity, tracking performance metrics, providing academic reminders, displaying learning progress, and maintaining account integrity across devices and sessions. Collection of such basic information is also necessary to prevent misuse, piracy, unauthorized access, duplicate accounts, and automated account creation, particularly considering that the platform hosts proprietary and paid educational content alongside free offerings.
 - xi. Information sought is minimal, proportionate, and transparently disclosed and that users retain the discretion either to proceed with enrolment or disengage

from the platform. It was argued that the practice does not involve any coercion, deception, or impairment of consumer autonomy and therefore does not constitute “forced action” within the meaning of the Dark Patterns Guidelines, 2023.

- xii. Collection of minimal registration details prior to granting access to free educational content is a standard industry practice followed across digital platforms, including government educational portals such as DIKSHA and SWAYAM. According to PW, applying a different standard exclusively to private ed-tech platforms would create an unjustified regulatory asymmetry.
- xiii. Denied the allegation of “confirm shaming” and submitted that the donation feature on its platform operates in a transparent and non-manipulative manner. It relied upon user interaction data indicating that approximately 43.26% of users landing on the cart page interacted with the donation feature, while 56.74% did not interact with it. It further submitted that among users proceeding to the payment stage, approximately 63.90% opted out of making donations whereas only 36.10% opted in. These figures demonstrate that users exercise meaningful and informed choice and that donations are neither mandatory nor concealed within the payment flow.
- xiv. Earlier interface element containing pre-selected donation options has already been removed and that the current interface requires affirmative user action for opting into donations.

20. Thereafter, hearing was scheduled on 06.05.2026 during which Mr. Prashant Mishra and Mr. Rahul, Advocates appeared on behalf of the opposite party and made the following submissions:

- i. Opposite Party had fully cooperated with the investigation conducted by the Director General and had furnished all documents, analytics, screenshots, transaction logs, UI flowcharts, and explanations sought during the course of investigation. It was submitted that opposite party is a student-centric ed-tech platform serving millions of students, particularly from tier-II and tier-III cities, and that there was never any intention to deceive consumers or derive wrongful gain.
- ii. Donation amount was clearly visible on the interface and that users had complete ability to opt out before making payment. It was further submitted that

the final payable amount was displayed prior to completion of the transaction and that no user was charged secretly or without knowledge.

- iii. Approximately 64% of users had opted out of the donation option while approximately 36% had retained the donation option, thereby indicating that users possessed a clear opt-out choice. They further submitted that immediately upon receipt of notice from the Authority, the pre-ticked donation feature was removed and the interface was rectified.
- iv. With respect to the allegation of “confirm shaming”, they submitted that the platform merely displayed factual information stating that the donations would be utilized for educational support, healthcare initiatives, empowerment activities, and tax benefits under Section 80G of the Income Tax Act, 1961. It was specifically contended that no guilt-inducing, coercive, threatening, or emotionally manipulative language was used and that no transaction was blocked or denied in the event a consumer chose not to donate.
- v. In relation to the allegation concerning “forced action”, the opposite party submitted that no fee was charged for accessing the free courses and that only basic information such as mobile number and email ID was collected. According to them, such information was collected solely for operational and educational purposes including progress tracking, learning continuity, test analytics, personalized learning support, anti-piracy measures, and prevention of fake or duplicate accounts.
- vi. Free courses functioned as customized learning programmes wherein creation of user accounts enabled students to track their course completion status, test scores, learning deficiencies, and overall academic progress. It was submitted that such registration practices were standard across digital educational platforms and were necessary to differentiate between users and provide personalized learning experiences.
- vii. PW Foundation is a Section 8 company and stated that 50% of the guarantee interest was held by PhysicsWallah Limited and the remaining 50% by Ms. Rajat Pandey, mother of the founder of PhysicsWallah Limited, Shri Alakh Pandey. It was further submitted that PW Foundation functions as a charitable entity with separate teams responsible for identifying beneficiaries, providing assistance, and addressing grievances and that the entity is subject to audits and regulatory filings.

21. During the hearing, CCPA drew attention to Rule 4(9) of the Consumer Protection (E-Commerce) Rules, 2020, which provides that consent of a consumer shall only be recorded through explicit and affirmative action and that no e-commerce entity shall record consent automatically, including in the form of a pre-ticked checkbox. CCPA observed that the use of a pre-ticked checkbox for collection of donations is in violation of the said provision. Further, CCPA granted one week's time to the opposite party to furnish details regarding the following:

- i. Total amount of donations collected through the pre-ticked checkbox mechanism.
- ii. Total number of users who opted in and opted out.
- iii. The period during which the pre-ticked donation mechanism remained operational.

22. The opposite party vide letter dated 13.05.2026 submitted the following:-

- i. Pre-ticked donation feature remained operational from 14.02.2024 to 24.12.2025 and was disabled with effect from 24.12.2025 following receipt of the first notice issued by the Authority dated 04.12.2025.
- ii. During the aforesaid period, the total audited revenue generated by the Company during Financial Year 2024–25 amounted to approximately ₹2,495.61 crore. It was stated that the total number of users who contributed donations towards PW Foundation during the relevant period was 21,36,962 and that the aggregate donations collected amounted to approximately ₹2.47 crore. According to the opposite party, the donations collected constituted approximately 0.099% of the total revenue of the Company.
- iii. Donation mechanism was voluntary in nature and that the donation amount was clearly disclosed to users on the cart/checkout page along with information regarding its intended utilization for educational support, healthcare initiatives, and empowerment activities undertaken through PW Foundation. It was further submitted that access to educational content, whether free or paid, was never conditional upon making a donation and that users retained the option to modify or opt out of the donation before completion of the transaction.
- iv. Disabling of the pre-ticked donation feature on 24.12.2025 was undertaken voluntarily and in good faith as a proactive compliance measure pursuant to receipt of notice from the CCPA and should not be construed as an admission of wrongdoing or violation. The opposite party maintained that its donation-

related practices were transparent, voluntary, and compliant with the Consumer Protection Act, 2019 and the Guidelines for Prevention and Regulation of Dark Patterns, 2023.

- v. The opposite party also requested the CCPA to take into consideration the comparatively small proportion of donations collected vis-à-vis the total revenue of the Company, the disabling of the pre-ticked donation feature, and the assurance of continued regulatory compliance as mitigating factors while passing the final order in the matter.

23. CCPA has carefully considered the investigation report submitted by the Director General (Investigation), the written submissions furnished by the opposite party and the submissions advanced during the course of hearing. Upon such examination, the Authority finds that the issues arising in the present matter pertain to manipulative interface design, collection of consumer consent through pre-selected choices, emotional persuasion during monetary transactions, and conditioning access to so-called “free” educational content upon compulsory disclosure of personal information. Such practices are required to be examined in light of the provisions of the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020 and the Guidelines for Prevention and Regulation of Dark Patterns, 2023.

24. Section 2(47) of the Consumer Protection Act, 2019 defines “unfair trade practice” as a trade practice which, for the purpose of promoting the sale, use or supply of any goods or services, adopts any unfair method or unfair or deceptive practice. The use of the expression “*including*” in Section 2(47) shows the legislative intent that the categories mentioned therein are illustrative and not exhaustive. Therefore, any interface design or commercial practice which impairs consumer decision-making, manipulates consumer choice, secures monetary benefit through deceptive means, or induces consumers into unintended decisions would fall within the ambit of “unfair trade practice” under the Act.

25. In the present case, the opposite party admittedly deployed a pre-selected donation checkbox during the checkout process, whereby an additional amount of ₹10 was automatically included in the payable amount unless actively deselected by the consumer. Such mechanism shifted the burden upon consumers to identify and remove the additional charge rather than requiring affirmative consent prior to

inclusion of the donation amount. The collection of donations through a pre-ticked mechanism cannot be regarded as free, voluntary and informed consumer consent.

26. CCPA notes that Rule 4(9) of the Consumer Protection (E-Commerce) Rules, 2020 specifically mandates that consent for purchase of any goods or services must be obtained only through explicit and affirmative consumer action and further prohibits recording of consent automatically, including through pre-ticked checkboxes. The provision is reproduced below for ready reference:

“Every e-commerce entity shall only record the consent of a consumer for the purchase of any good or service offered on its platform where such consent is expressed through an explicit and affirmative action, and no such entity shall record such consent automatically, including in the form of pre-ticked checkboxes.”

27. The conduct of the opposite party in deploying a pre-selected donation checkbox directly contravenes the aforesaid Rule. A consumer making payment for educational services cannot be presumed to have consented to making a charitable contribution merely because such option was already selected by default within the payment interface. The obligation cast by law is upon the platform to obtain express and affirmative consent before inclusion of any additional monetary component in the transaction.

28. The practices adopted by the opposite party are also in violation of Rule 4(3) of the Consumer Protection (E-Commerce) Rules, 2020, which mandates that no e-commerce entity shall adopt any unfair trade practice in the course of business on its platform or otherwise. In the present case, the opposite party employed manipulative interface designs including pre-selected donation mechanisms. Such practices impaired informed consumer choice, influenced consumer decision-making through deceptive means, and resulted in unintended monetary from consumers. The conduct of the opposite party therefore constitutes an unfair trade practice prohibited under Rule 4(3) of the Consumer Protection (E-Commerce) Rules, 2020 read with Section 2(47) of the Consumer Protection Act, 2019.

29. CCPA further notes that the opposite party continued to maintain the pre-selected donation mechanism even after issuance of notice by the Authority and the same remained operational till 24.12.2025. The opposite party itself has admitted that the mechanism remained active from 14.02.2024 to 24.12.2025 and that approximately ₹2.47 crore was collected from more than 21,36,962 users during the relevant period. Such scale of deployment clearly establishes that the impugned practice was not isolated or inadvertent in nature but formed part of a systemic interface design affecting a substantial class of consumers.

30. The opposite party has sought to contend that the donation amount was clearly visible and users possessed the ability to opt out before completion of payment. However, visibility of the donation amount by itself does not cure the illegality arising from obtaining consent through a pre-selected option. The legal requirement under Rule 4(9) is not merely disclosure, but explicit and affirmative consumer consent. A practice whereby additional monetary liability is inserted into the transaction flow by default and consumers are required to actively remove the same falls within the prohibited category of manipulative interface design.

31. CCPA further observes that the donation-related messaging displayed upon clicking “Know More” employed emotionally persuasive content relating to financial assistance for marriages, children’s education, healthcare and welfare of underserved communities. Such messaging, when presented simultaneously with a pre-selected donation option during a commercial transaction, had the effect of invoking moral pressure and emotional obligation upon consumers to retain the donation amount rather than exercising a free and neutral choice.

32. Annexure 1 to the Guidelines for Prevention and Regulation of Dark Patterns, 2023 specifically prohibits “Confirm Shaming”. The definition thereof is reproduced below for ready reference:-

“Confirm shaming” means using a phrase, video, audio or any other means to create a sense of fear or shame or ridicule or guilt in the mind of the user so as to nudge the user to act in a certain way that results in the user purchasing a product or service from the platform or continuing a subscription of a service, primarily for the purpose of making commercial gains by subverting consumer choice.”

33. The emotionally persuasive donation messaging employed by the opposite party, particularly when combined with a pre-selected donation mechanism, had the tendency to induce guilt or moral pressure upon consumers to continue with the donation amount. Such practice subverted consumer choice and interfered with free decision-making during the checkout process and therefore falls within the prohibited category of “Confirm Shaming” under the Guidelines.

34. Annexure 1 to the Guidelines for Prevention and Regulation of Dark Patterns, 2023 specifically prohibits “Basket sneaking”. The definition thereof is reproduced below for ready reference:-

(2) “Basket sneaking” means inclusion of additional items such as products, services, payments to charity or donation at the time of checkout from a platform, without the consent of the user, such that the total amount payable by the user is more than the amount payable for the product or service chosen by the user.

The CCPA also finds that the pre-selected donation checkbox amounts to “Basket Sneaking”. The donation amount was automatically added to the consumer’s payable amount through default interface settings without prior affirmative consumer action. Such inclusion of additional charges through pre-selection constitutes a manipulative commercial practice detrimental to transparency and informed consumer consent.

35. The CCPA further observes that the opposite party promoted various educational courses on its platform as “free courses” while simultaneously requiring consumers to mandatorily furnish personal information including mobile number and email ID prior to accessing such content. Access to the educational material was therefore conditioned upon compulsory registration and disclosure of personal information.

36. The opposite party has contended that collection of such information was necessary for progress tracking, learning continuity, analytics, prevention of piracy, avoidance of duplicate accounts and provision of personalised learning experiences. The opposite party also sought to compare its practices with government educational platforms such as DIKSHA and SWAYAM.

37. The CCPA examined the submissions made by the opposite party comparing its platform with government educational platforms such as DIKSHA and SWAYAM. Upon examination of the DIKSHA platform, the CCPA observed that although users may be required to log in using their email address or mobile number to access certain services or features, the platform does not advertise such courses or content as being “free” in the manner projected by the opposite party on its platform. The requirement of login on DIKSHA is linked to platform access and user management and is not presented in conjunction with promotional claims of unrestricted “free courses”.

38. Further, the CCPA also examined the SWAYAM platform and observed that while the platform provides access to various free educational courses and may require users to register or log in, such requirement is associated with assessment tests and issuance of certificates. The collection of information on SWAYAM is therefore connected with identifiable educational outcomes and certification-related functions.

39. In contrast, upon examination of the platform of the opposite party, the CCPA did not find any comparable necessity or functional justification necessitating mandatory disclosure of personal information merely for accessing the so-called “free courses”. The CCPA further observed that the opposite party had not demonstrated that such collection of personal information was indispensable for provision of the educational content being advertised as free.

40. The CCPA also independently accessed the “free courses” offered on the platform of the opposite party through creation and use of multiple user accounts for the purpose of examination. Upon such examination, it was observed that the free educational content, including videos and study material made available to users, remained identical across different accounts and no element of personalization, customized learning pathway, or differentiated academic experience was found to be associated with the collection of email addresses or mobile numbers, contrary to the claims made by the opposite party.

41. The CCPA therefore observed that the requirement of mandatory registration and disclosure of personal information for accessing content advertised as “free” appeared disproportionate and not reasonably connected with the stated objective of providing personalised educational services. The CCPA further observed that presenting educational content as “free” while simultaneously conditioning access upon compulsory disclosure of personal information, without adequately disclosing the necessity and purpose thereof, had the tendency to impair informed consumer choice and amounted to a manipulative interface practice.

42. Annexure 1 to the Guidelines for Prevention and Regulation of Dark Patterns, 2023 also prohibits “Forced Action”, defined as follows:-

“Forced action” means forcing a user into taking an action that would require the user to buy any additional goods or subscribe or sign up for an unrelated service or share personal information in order to buy or subscribe to the product or service originally intended by the user.”

43. In the present case, consumers intending to access educational content advertised as “free” were compelled to disclose personal information and create accounts before access could be granted. The compulsory disclosure of personal information was therefore made a pre-condition for accessing the service originally intended by the consumer. Such practice impaired consumer autonomy and falls within the prohibited category of “Forced Action” under the Guidelines.

44. CCPA further observes that the use of expressions such as “free courses” without adequately disclosing that access would mandatorily require disclosure of personal information had the effect of creating an incomplete and potentially misleading impression regarding the actual conditions attached to the service. Consumers were likely to understand the expression “free” as implying unrestricted and unconditional access to educational content, whereas the actual access mechanism involved compulsory registration and data disclosure requirements.

45. Section 2(28) of the Consumer Protection Act, 2019 defines “misleading advertisement” to include any advertisement which conveys an express or implied representation constituting an unfair trade practice or deliberately conceals important information. The promotional representation of “free courses” without adequately

disclosing the mandatory conditions attached thereto amounts to concealment of material information affecting consumer choice and therefore falls within the ambit of “misleading advertisement” under Section 2(28) of the Act.

46. The practices adopted by the opposite party also amount to violation of consumer rights as defined under Section 2(9) of the Consumer Protection Act, 2019. By deploying a pre-selected donation mechanism, emotionally persuasive donation prompts, and conditioning access to so-called “free” educational content upon mandatory disclosure of personal information, the opposite party impaired the consumers’ right to be informed and protected against unfair trade practices. Consumers were not provided a fair, transparent, and informed choice regarding additional monetary payments and collection of personal information. The use of manipulative interface designs further interfered with the consumers’ ability to exercise free and independent decision-making, thereby adversely affecting their right to seek redressal against such unfair trade practice and therefore constitute violation of consumer rights under Section 2(9) of the Act.

47. CCPA also notes that the practices under examination were deployed through a large-scale digital educational platform catering substantially to students, including minors and young consumers who constitute a particularly vulnerable class in digital environments. Manipulative interface practices deployed within educational services possess heightened potential to impair informed decision-making, particularly where consumers may lack the maturity, experience or bargaining capacity necessary to identify and resist such digital manipulations.

48. It is important to note that prior to the issuance of the Guidelines for Prevention and Regulation of Dark Patterns, 2023, detailed stakeholder consultations were conducted by the Department of Consumer Affairs and the CCPA with participation from industry stakeholders, digital platforms, consumer organizations, legal experts, and technology companies. Thereafter, an advisory dated 05.06.2025 was also issued directing e-commerce entities and digital platforms to undertake self-audits for identification and removal of dark patterns from their systems. The opposite party, being a prominent digital educational platform operating at a national scale, was expected to ensure compliance with the provisions of the Consumer Protection Act, 2019, the rules framed thereunder, and the applicable guidelines.

49. The subsequent removal of the pre-selected donation mechanism by the opposite party after issuance of notice cannot absolve the opposite party of liability for the violations already committed. The material on record establishes that the impugned practices remained operational for a substantial duration and affected a large number of consumers. Post-facto corrective action undertaken only after commencement of regulatory proceedings cannot dilute the gravity of the violations established under the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020 and the Guidelines for Prevention and Regulation of Dark Patterns, 2023.

50. The CCPA after carefully considering the written submissions, the submissions made during the hearing, and the investigation report submitted by the Director General (Investigation), finds that the opposite party has violated the following provisions:-

- i. Section 2(9) of the Act, relating to consumer rights.
- ii. Section 2(28) of the Act, relating to misleading advertisements.
- iii. Section 2(47) of the Act, relating to unfair trade practices.
- iv. Consumer Protection (E-Commerce) Rules, 2020.
- v. Guidelines for Prevention and Regulation of Dark Patterns, 2023.

51. The CCPA is empowered under Sections 20 and 21 of the Consumer Protection Act, 2019 to issue necessary directions and impose penalty, which may extend to ten lakh rupees and, for every subsequent contravention, may extend to fifty lakh rupees, where misleading advertisements, unfair trade practices, and violations prejudicial to consumer interests are established. Further, Section 21 (7) of the above Act prescribes that following may be regarded while determining the penalty against false or misleading advertisement:-

- a) the population and the area impacted or affected by such offence;
- b) the frequency and duration of such offence;
- c) the vulnerability of the class of persons likely to be adversely affected by such offence.

52. While determining the appropriate penalty, the Authority has taken into consideration the scale of deployment of the impugned practices, the number of

consumers affected, the duration for which such practices remained operational, and the vulnerability of the consumer class interacting with the platform. The opposite party itself has admitted that the pre-selected donation mechanism remained operational from 14.02.2024 to 24.12.2025 and that approximately ₹2.47 crore was collected from more than 21,36,962 users during the relevant period. The platform caters extensively to students preparing for competitive examinations, many of whom are minors or young consumers. In such circumstances, deployment of manipulative interface practices affecting consumer autonomy and informed choice warrants regulatory intervention and imposition of penalty to ensure deterrence and future compliance.

53. Having regard to the nature and scale of the violations established on record, the CCPA is of the considered opinion that this is a fit case for issuance of directions and imposition of penalty in the interest of consumers and for securing compliance with Consumer Protection Act, 2019, the rules framed thereunder, and the applicable guidelines.

54. Accordingly, in exercise of powers conferred under Sections 20 and 21 read with Section 10 & 18 of the Act, the CCPA hereby issues the following directions:-

- a. The opposite party shall ensure that no dark patterns are employed on its platform, website, application or any other digital interface.
- b. In light of the nature, duration and scale of the violations detailed hereinabove, the opposite party is directed to pay a penalty of ₹ 5,00,000.
- c. The opposite party shall submit a compliance report regarding directions contained in clauses (a) to (b) above within 15 days from receipt of this Order.



Nidhi Khare

Chief Commissioner



Anupam Mishra

Commissioner



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Total Amount	₹ 30009

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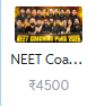
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Delivery Charges	₹ 0
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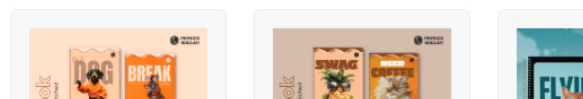
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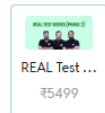
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Price (1 items)	₹ 9999
Discount	- ₹ 4500
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