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Clicking under Pressure: Dark Patterns, Urgency Architecture and Consumer Autonomy in India's Quick-Commerce Economy

ABSTRACT

India's quick-commerce model makes speed its principal value proposition. The same digital interfaces that reduce transaction costs can, however, compress the time available for reflection through countdowns, scarcity cues, pre-selected add-ons, ranking choices, hidden charges and asymmetric cancellation flows. This article develops "urgency architecture" as an analytical concept for the interaction between rapid delivery and behavioural interface design. It argues that Indian law already contains a substantial basis for intervention through the Consumer Protection Act 2019 (CPA), the Consumer Protection (E-Commerce) Rules 2020 (E-Commerce Rules) and the Guidelines for Prevention and Regulation of Dark Patterns 2023 (Dark Patterns Guidelines), but that enforcement is constrained by evidentiary, temporal, attribution and coordination problems. The article maps recognised dark-pattern categories to legal provisions, compares India with the European Union's Digital Services Act (DSA) and unfair-commercial-practices framework, and uses published market evidence to establish the sector's scale. It proposes mandatory interface-risk audits, substantiated urgency claims, equal-friction choice architecture, early total-price disclosure, auditable records of material interface experiments, platform-level compliance duties and coordinated enforcement. The central proposition is that speed should reduce delivery time without reducing meaningful consumer choice.

KEYWORDS

Consumer Autonomy, Consumer Protection, Dark Patterns, Quick Commerce, Urgency Architecture.

1. INTRODUCTION

In digital commerce, the consumer does not encounter a neutral buying environment. The interface itself shapes how choices are presented. Product ranking, defaults, colour and prominence, price sequencing, prompts and exit pathways can alter which option is salient and how costly rejection appears. This is particularly important in quick commerce because speed is at the

centre of the service.

The scale of this model is substantial. Bain and Flipkart reported that quick commerce accounted for more than two-thirds of India's online grocery orders and about one-tenth of e-retail spending in 2024; the segment reached approximately US\$6–7 billion in gross merchandise value, up from about US\$1.6 billion in 2022. The legal question is whether interfaces also manufacture pressure that materially impairs informed choice.

The CCPA's Dark Patterns Guidelines define dark patterns as deceptive user-interface or user-experience practices designed to mislead or trick users into doing something they did not originally intend, by impairing autonomy, decision-making or choice, and connect such practices with misleading advertisements, unfair trade practices or violations of consumer rights. The Guidelines apply to platforms, advertisers and sellers and prohibit specified dark-pattern practices.

This article uses "urgency architecture" as an analytical—not statutory—term. It means the combination of (a) a speed-sensitive retail environment, (b) interface mechanisms that alter salience or friction, and (c) behavioural pressure that can move a consumer toward a transaction. The concept does not treat every persuasive design as unlawful. It identifies a regulatory concern where urgency is artificial, commercial intent is obscured, consent is manufactured, or acceptance and rejection are materially asymmetric.

2. RESEARCH METHODOLOGY

The research is mainly doctrinal and comparative. It examines the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020 and the Guidelines for Prevention and Regulation of Dark Patterns, 2023. The analysis also considers judicial decisions, government material, industry reports and recognised international reports. The comparative part examines the EU Digital Services Act and unfair-commercial-practices framework. Published market and regulatory material is used to show the scale of the issue. No original consumer survey or causal experiment is presented.

2.1 *Research Objectives*

The objectives are:

- i. to assess Indian consumer law on dark patterns in quick commerce;

- ii. to examine urgency architecture and consumer autonomy;
- iii. to compare relevant EU rules; and
- iv. to propose practical regulatory and compliance reforms.

3. INDIAN LEGAL ARCHITECTURE

3.1 Consumer Protection Act, 2019

The CPA supplies the primary legal foundation. Section 2(9) recognises consumer rights, including the right to be informed about quality, quantity, price and other relevant characteristics so as to protect consumers against unfair trade practices. Section 2(47) defines “unfair trade practice” broadly to include unfair or deceptive methods connected with promoting, selling or supplying goods or services. The definition covers, among other things, misleading representations and practices that induce consumers through unfair means.

The relevance to dark patterns is functional. A digital practice need not be reduced to a false sentence: deception can arise from the overall presentation, omission, default, sequencing or visual hierarchy of material information. The CCPA’s powers under the Act therefore provide a route to address interface conduct that affects consumer rights or constitutes an unfair trade practice. Section 2(46) separately defines an “unfair contract” and includes an unreasonable charge, obligation or condition that puts a consumer at a disadvantage. In *M/s Texco Marketing Pvt. Ltd. v. Tata AIG General Insurance Co. Ltd.*, the Supreme Court explained the breadth of the statutory framework and reproduced section 2(46).

The decision is useful here as a caution against treating consumer consent as conclusive where contractual or transactional arrangements are materially one-sided. Earlier, *Central Inland Water Transport Corporation Ltd. v. Brojo Nath Ganguly* recognised that courts may refuse to enforce unconscionable and unreasonable terms where bargaining power is unequal. These cases do not establish a dark-pattern cause of action; they support a contextual approach to consumer disadvantage.

3.2 Consumer Protection (E-Commerce) Rules, 2020

Rule 4(9) is especially relevant because it addresses the formation of consent. It requires consumer consent to be

recorded only after the consumer has expressly and affirmatively consented through an explicit and affirmative action, and prohibits automatic recording of consent through pre-ticked checkboxes. The rule is therefore more than a checkbox rule: it expresses an anti-default principle for purchase consent.

Applied to quick commerce, the strongest cases are not ordinary recommendations but situations in which an ancillary purchase, paid service or recurring commitment is added through inattention or an interface that makes rejection materially less salient. Rule 4(9) should not be stretched to prohibit every default interface feature, but it provides a clear compliance benchmark where the interface itself supplies the supposed consent.

3.3 Dark Patterns Guidelines, 2023

The Guidelines were issued under section 18 of the CPA and expressly operate in addition to other applicable laws. They apply to platforms, advertisers and sellers and prohibit specified dark patterns. The categories make the idea of interface manipulation easier to apply to actual digital interfaces.

False urgency concerns false or misleading impressions of scarcity or time pressure. Basket sneaking concerns adding products, services, payments or donations at checkout without consent. Confirm shaming uses guilt or social pressure to steer a decision. Forced action makes an unwanted step a condition of continuing. Subscription traps make subscription or renewal easy while cancellation is difficult. Interface interference uses design hierarchy to manipulate how choices are perceived. These categories can overlap; the same interface may simultaneously create urgency, hide cost and obstruct rejection.

The Guidelines also clarify that examples in their annexure are guidance and that facts determine legal characterization. This matters for quick commerce: “limited stock” is not automatically unlawful merely because it creates urgency. A genuine, accurately represented stock constraint may be legitimate commercial information. The problem arises where scarcity is false, misleading, continuously reset, materially unsubstantiated or presented in a way that deceives the consumer.

3.4 The CCPA's Self-Audit Approach

The CCPA's 5 June 2025 advisory asked e-commerce platforms to conduct self-audits to detect dark patterns and take corrective action. This is an important move toward preventive compliance. It is not sufficient, however, if the regulated entity alone controls the scope of testing and the preservation of evidence. A credible system should combine internal audits with risk-based regulatory verification. Its weakness is that self-assessment may become largely procedural if platforms decide the audit scope and retain the underlying interface evidence themselves. A stronger model would require a documented risk method, preservation of test records and targeted CCPA verification.

4. CONSUMER AUTONOMY AS A HUMAN-RIGHTS CONCERN

Consumer autonomy is not simply the ability to click, reject, or accept an offer. In a digital marketplace, meaningful autonomy requires a consumer to understand the material terms of a transaction and to make a decision without being pushed through an interface designed to exploit haste, confusion, or inattention. This concern becomes sharper in quick commerce, where the service is deliberately built around speed and repeated, low-value purchasing decisions.

The human-rights dimension lies in the quality of the choice available to the individual. A consumer who technically has a choice but is shown a prominent countdown, a pre-selected option, or a warning that suggests delay will cause loss may not be exercising the same kind of informed choice as a consumer presented with neutral alternatives. The issue is therefore connected with dignity and decisional autonomy: the consumer should remain the author of the transaction rather than merely the final actor in a sequence engineered by the interface.

This does not mean that every persuasive design choice is unlawful. Commercial interfaces routinely use colour, prominence, recommendations, discounts and reminders. The more difficult question is when persuasion becomes manipulation. The relevant concern is whether the design materially interferes with the consumer's ability to understand, compare, reject, or postpone a transaction. In that sense, autonomy provides a useful normative test for applying the Consumer Protection Act, 2019 and the Dark Patterns Guidelines

to fast-moving digital transactions.

Indian case law also provides a broader background for this concern, although it should not be mistaken for a direct dark-pattern precedent. In *M/s Texco Marketing Pvt. Ltd. v. Tata AIG General Insurance Co. Ltd.*, the Supreme Court considered the idea of an unfair contract and the disadvantage caused to consumers by unreasonable contractual conditions. Similarly, *Central Inland Water Transport Corporation Ltd. v. Brojo Nath Ganguly* is relevant to the wider principle of unequal bargaining power and unconscionable terms. Neither decision concerned digital interface manipulation; their value here is contextual, in showing why formal consent alone does not always settle the question of fairness.

Accordingly, consumer autonomy in quick commerce should be assessed not only by the final price or contractual term, but also by the route through which the consumer reaches the transaction. This makes interface design a legitimate consumer-protection concern without treating ordinary advertising or legitimate urgency as inherently unlawful.

5. URGENCY ARCHITECTURE: FROM SPEED TO BEHAVIOURAL PRESSURE

Here, urgency architecture refers to three connected levels. First is operational urgency: the genuine time sensitivity created by inventory, delivery capacity or a promotion. Second is interface urgency: timers, “act now” prompts, scarcity indicators, defaults and prominent buttons. Third is behavioral leverage: the use of these signals to exploit loss aversion, default bias, information overload or reduced attention.

A useful distinction between persuasion and manipulation can be drawn from four considerations: transparency, materiality, asymmetry and substantiation. Persuasion is ordinarily legitimate when the commercial purpose is visible, material terms are available, the consumer can reject the offer without disproportionate effort, and urgency claims are truthful.

Manipulation becomes legally significant where the commercial objective is concealed, the design materially affects price or consent, rejection is structurally harder, or pressure claims lack a reasonable factual basis.

6. DARK-PATTERN MAPPING FOR QUICK COMMERCE

Interface practice	Behavioural effect	Legal issue	Principal Indian basis
False countdown/scarcity	Loss aversion; haste	Misleading pressure; false urgency	Dark Patterns Guidelines; CPA s. 2(47)
Pre-selected add-on	Default bias; inattention	Unauthorised ancillary purchase	E-Commerce Rules r. 4(9); Guidelines
Guilt-based rejection text	Social pressure	Confirm shaming; impaired choice	Guidelines; CPA ss. 2(9), 2(47)
Hidden/late charges	Anchoring; sunk-cost effect	Insufficient price information; unfair practice	CPA ss. 2(9), 2(47); E-Commerce Rules
Promoted item made to look organic	Reduced advertising recognition	Deceptive presentation	CPA; Guidelines where applicable
Harder cancellation than purchase	Status quo; friction	Interface interference; unfair condition	Guidelines; CPA ss. 2(46), 2(47)
Repeated prompts after rejection	Decision fatigue	Manipulative persistence	Guidelines; DSA comparison
Personalized urgency	Targeted pressure	Potentially heightened vulnerability	Guidelines; consumer-rights framework

The table is a legal mapping, not a finding that any named platform uses these practices. Liability depends on evidence, context and the applicable provision.

7. EVIDENCE, ATTRIBUTION AND REGULATORY GAPS

Dark-pattern enforcement differs from conventional advertising enforcement because the evidence is dynamic. A platform can run A/B tests, change a screen by time or location, personalise prompts, or terminate an experiment before an investigation

begins. A screenshot taken after the event may therefore fail to reproduce the interface that generated the transaction.

A practical evidence regime should require preservation of: interface versions; timestamps and deployment windows; experiment identifiers; material changes to price, defaults or consent; copies of urgency claims and their underlying business rule; logs showing which interface variant a consumer received; and records identifying the team or vendor responsible for the change. Regulators need not receive source code or trade secrets. They need a reproducible record sufficient to establish what the consumer saw, why it was shown, when it changed and what commercial rule generated it.

8. EUROPEAN UNION COMPARISON

The EU framework is useful as a comparison for two reasons. First, Article 25 of the DSA expressly prohibits online platforms from designing or operating interfaces in ways that deceive or manipulate users or materially distort their ability to make free and informed decisions. The provision specifically identifies practices such as giving disproportionate prominence to choices, repeatedly requesting a choice already made, and making termination harder than subscription. Article 26 also requires clear identification of advertising and meaningful information about the main parameters used to determine ad presentation.

Second, Directive 2005/29/EC treats misleading actions, misleading omissions and aggressive commercial practices as unfair. Its assessment is concerned with whether a practice deceives or is likely to deceive the average consumer and causes or is likely to cause a transactional decision that would otherwise not have been taken.

India does not need to reproduce the EU framework in full. The DSA is a broader platform-governance instrument, while India already has a targeted dark-pattern framework under the CPA. For India, the more useful lesson is institutional: interface governance works better when rules are paired with duties that make design practices observable, reviewable and contestable. India can retain a sector-sensitive CCPA model while borrowing the EU emphasis on neutral choice architecture, clear advertising identification and symmetry between entry and exit.

9. EMPIRICAL AND POLICY CONTEXT

These are market estimates rather than official national accounts. They establish the reach of the sector, not the prevalence of any

particular dark pattern.

This supports a regulatory concern about interface design, but it does not by itself establish causation in Indian quick commerce. OECD research identifies defaults, hidden information, false urgency and cancellation barriers as recurring dark-pattern mechanisms and reports that its 2024 survey of more than 35,000 consumers across 20 countries found nine in ten respondents had encountered at least one dark commercial pattern. The evidence supports concern about interface manipulation generally; it does not justify attributing those global findings specifically to Indian quick commerce.

Indicator	Reported 2024 position
Quick-commerce share of online grocery orders	More than two-thirds
Share of total e-retail spending	About 10%
Quick-commerce GMV	Approximately US\$6–7 billion
Online shoppers using the segment	More than 20 million
Reported employment associated with the sector	About 400,000

Published market estimates show the scale of the sector. Bain and Flipkart reported that quick commerce accounted for more than two-thirds of India’s online grocery orders and about one-tenth of e-retail spending in 2024, with estimated gross merchandise value of about US\$6–7 billion. These figures are industry estimates and establish market scale, not consumer harm.

Recent 2026 developments show that dark-pattern regulation is moving into active enforcement. On 3 June 2026, the CCPA announced penalties of ₹5 lakh against PhysicsWallah and ₹1 lakh against McAfee for practices including basket sneaking, confirm shaming, forced action and interface interference. On 17 July 2026, the CCPA imposed a further ₹1 lakh penalty on SpiceJet concerning deceptive design on its flight-booking platform, including pre-ticked consent options. These were not quick-commerce cases; their significance here is regulatory. They show that the 2023 Guidelines are being applied in concrete enforcement action and that explicit,

affirmative consent and neutral choice are active compliance concerns.

10. IMPLEMENTABLE REFORM AGENDA

1. **Mandatory interface-risk audits.** The CCPA should require large e-commerce entities to maintain an annual risk-based dark-pattern audit covering checkout, pricing, recommendations, subscriptions, cancellation and promotional interfaces. High-risk systems should receive independent assurance. Audit files should retain interface versions, test populations, timestamps, material changes, risk assessments, remediation and sign-off for a defined period.
2. **Substantiated urgency claims.** Every material countdown or scarcity claim should have an auditable basis. Platforms should retain the inventory, promotion or operational rule supporting the claim and the start/end time of the urgency condition. Artificially resetting timers or materially overstating scarcity should be treated as evidence relevant to false urgency and unfair trade practice.
3. **Equal-friction principle.** Acceptance, rejection, cancellation and withdrawal should ordinarily be comparable in steps, prominence and effort. Legitimate operational safeguards may justify differences, but they should not be used to create deliberate exit barriers. This principle should apply especially to paid add-ons, memberships and recurring services. This article develops the equal-friction principle as a practical compliance test: where two choices are legally available, the design should not systematically make the commercially preferred option easy and the consumer-protective option difficult.
4. **Total-price transparency.** The consumer should see the total payable amount, including material delivery, platform and other mandatory charges, early enough to compare alternatives. A late disclosure that appears only after substantial checkout effort can distort the transactional decision even if the final invoice is technically accurate.
5. **Algorithmic accountability without source-code disclosure.** Platforms should maintain records of material A/B tests and automated interface decisions affecting price, consent, ranking or urgency. Regulators should receive decision logs, variables, dates, test objectives and outcome metrics where necessary, while protecting source code and legitimate trade secrets through confidentiality safeguards.

6. Coordinated enforcement. The CCPA should establish referral and information-sharing protocols with the Competition Commission of India where interface practices may affect ranking, self-preferencing, market access or exclusion. Other competent regulators should be involved where the same design raises sector-specific concerns. Coordination should prevent jurisdictional gaps without duplicating proceedings.
7. Accessible redress and pattern detection. Consumer complaints should allow screenshots, order records and automated interface captures where technically feasible.
8. Periodic guidance and compliance testing. The CCPA should update examples as interface practices evolve and publish sector-specific compliance guidance. Platforms should test not only whether consumers can technically reject an option, but whether rejection is materially obscured by design.

11. FINDINGS

Five broad findings emerge from the analysis. First, quick commerce creates a distinctive setting because speed is both a legitimate service benefit and a potential behavioural pressure multiplier. Second, Indian law already reaches many problematic practices through the CPA, E-Commerce Rules and Dark Patterns Guidelines. Third, the central enforcement deficit is evidentiary and institutional rather than simply legislative. Fourth, existing judicial doctrine on unfairness and unequal bargaining power can inform contextual analysis, but it should not be overstated as dark-pattern precedent. Fifth, durable protection requires preventive platform governance—audits, records, substantiated urgency and equal-friction design—alongside consumer redress.

12. CONCLUSION

Quick commerce should not be regulated as though speed itself were suspicious. Its value lies precisely in reducing the time and effort required to obtain everyday goods. The legal problem begins when a platform converts that operational speed into artificial decision pressure—by making a consumer decide before information is visible, by manufacturing scarcity, by adding paid choices through default, or by making exit materially harder than entry.

India therefore does not need to choose between innovation and autonomy. The CPA, E-Commerce Rules and Dark Patterns Guidelines already provide a substantial foundation. The next step is to make that framework workable in practice through evidence

preservation, interface-risk audits, substantiated urgency, total-price transparency, equal-friction choice architecture and coordinated enforcement.

The central point is simple: a consumer may choose quickly because the service is fast, but should never be induced to choose poorly because the interface was designed to make meaningful refusal difficult. Speed should shorten delivery—not shorten the consumer's freedom to choose.

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