

# International Journal of Law Research, Education and Social Sciences

Open Access Journal – Copyright © 2026 – ISSN 3048-7501  
Editor-in-Chief – Prof. (Dr.) Vageshwari Deswal; Publisher – Sakshi Batham



This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

---

## Fast Fashion, Digital Consumerism & Mental Health: An Analysis of India's Consumer Protection Framework

Eshita Pal Choudhury<sup>a</sup>

<sup>a</sup>S.K. Acharya Institute of Law, West Bengal, India

Received 24 April 2026; Accepted 23 May 2026; Published 27 May 2026

---

*The accelerated advancement of fast fashion in the digital age has impacted consumer behaviour through algorithmic targeting, e-commerce systems, aspirational influencer marketing, and dark commercial practices. While the focus of discussions has largely been on environmental, economic and consumer-related issues of the fast fashion industry, its psychological and mental health impact, especially in digital marketplaces, has received limited attention in comparison. This article takes a closer look at how online fast fashion ecosystems have contributed to compulsive buying disorders, FOMO, eco-anxiety, and low self-esteem, predominantly among young consumers, due to significant exposure to an increasingly convenient and accessible digital environment paired with deceitful digital marketing practices. It reviews India's existing consumer protection framework, which includes the Consumer Protection Act, 2019, the Consumer Protection (E-Commerce) Rules, 2020 and related guidelines issued by the Central Consumer Protection Authority and the Advertising Standards Council of India, to examine their capacity to tackle such concerns. The article contends that though the existing regulatory structure addresses misleading and manipulative practices, it is insufficiently equipped to acknowledge and confront the emotional deception in digital fast fashion spaces, thereby requiring strengthened and targeted legal and regulatory reformative measures.*

**Keywords:** *fast fashion, digital consumerism, e-commerce, consumer protection, psychological manipulation.*

## INTRODUCTION

*“Fast fashion isn’t free. Someone somewhere is paying.”*

– Lucy Siegle

The fashion industry has always been fast-paced and dynamic, with fierce competition. However, the fast fashion industry is an even more rapidly developing and cutthroat industry, where trends disappear as quickly as they emerge. The consumers are offered a broad range of affordable and trendy clothing choices, which are attractive and make people feel better about themselves. Moreover, these clothes help in maintaining their apparent social status, and this appeals to the consumers who keep making such purchases. With the pace at which new trends keep coming up, these purchases are more continuous and instant, resulting in a faster consumption cycle.

In this digital world, where everyone has a phone or a laptop and has internet access, this phenomenon has accelerated. Every person constantly receives new information about recent trends and fads through paid advertisements from fast fashion brands, be it through notifications or social media algorithms. Almost all consumers are now accustomed to e-commerce platforms, virtual stores, and online shopping. The majority of the marketing for these channels is done through social media, and consumers are heavily influenced by what social media shows them, which is basically what algorithms show them.<sup>1</sup> The current influencer culture stands as the face of the social media age, which is also pushed forward by the algorithms. One click on that amazing-looking outfit with a million likes that an influencer wore for an event that they looked fabulous in and the algorithm shows you more of it until you have the urge to buy a trending outfit.

There would have been no problem if fast fashion were actually sustainable economically and environmentally, but the fast fashion industry only produces clothing of cheap and low quality, trend-driven, and has short life cycles. These are just the issues of this industry that are addressed to a certain extent by laws. However, the digital consumption behaviour of the fast fashion industry also speaks about mental health and psychological consequences like anxiety, addiction, and self-esteem issues, which are oftentimes also side effects of the emotional

---

<sup>1</sup> Pozou Khambatta et al., ‘Tailoring recommendation algorithms to ideal preferences makes users better off’ (2023) 13 Scientific Reports <<https://www.nature.com/articles/s41598-023-34192-x>> accessed 20 April 2026

attachment to repeated consumption of fast fashion that the brands wish to draw from the consumers through the exercise of dark commercial practices and other deceptive tactics, which are not discussed enough. Younger populations (especially between the ages of 15 and 29 years) are the most active and targeted consumers of the fast fashion market,<sup>2</sup> making these mental health effects even more important to give legal attention to. The objective of this article is to analyse existing legal and regulatory frameworks.

## **FAST FASHION IN THE DIGITAL AGE**

Fast fashion is attributed as a fairly recent development, but it has been constantly and rapidly growing for years. This industry saw its rise from the growing interest of consumers in trends, resulting in expeditiously rising demands and retail clothing businesses struggling to match such demands. Apparel stores then shifted their manufacturing to developing countries to mass-produce garments at low costs, ultimately reducing the length of production cycles and increasing the number of fashion seasons, which were earlier limited in number. Although fast fashion involves a variety of industries, the garment industry forms the focal point of most controversies in fast fashion. It stands on the pillars of affordability coming from low production costs, shorter life cycles due to low quality of materials used, mass manufacturing, and unpredictability due to its trend-driven nature. Consumption patterns show the preference for affordability, appeal and variety over sustainability and quality.<sup>3</sup>

Acceleration of fashion trends can be attributed to mass production and mass communication. Mass production and trends are quite interdependent on each other, where an increase in the speed of one increases the speed of the other, and such an increase in turn gives more momentum to the former. Mass communication, however, has a one-way growth pattern, where growth in this sector increases the rate of trend acceleration. Due to the proliferation of social media in this digital era, communication has now become spontaneous, resulting in a greater exchange rate of information and trends, and thereby further accelerating the phenomenon. So, social media has also caused a decrease in the timespan between trends, with the burgeoning of

---

<sup>2</sup> Dr Meenakshi Jindal et al., 'Understanding the Drivers of Clothing Overconsumption among Teenagers in the Era of Fast Fashion' (2025) 7(4) International Journal of Multidisciplinary and Current Educational Research <[https://www.ijmcer.com/wp-content/uploads/2025/07/IJM CER\\_Co7401826.pdf](https://www.ijmcer.com/wp-content/uploads/2025/07/IJM CER_Co7401826.pdf)> accessed 20 April 2026

<sup>3</sup> Angela Covalli, 'The Impact of Online Shopping Trends and the Rise of Fast Fashion' (*Medium*, 23 September 2023) <<https://medium.com/@ascovalli/the-impact-of-online-shopping-trends-and-the-rise-of-fast-fashion-5036bc71a74d>> accessed 20 April 2026

more micro-trends in recent times and proceeding towards the origin of an ultrafast fashion industry.

In this age of digital dominance, consumers spend the majority of their time online, which is appropriately demonstrated by the traction gained by e-commerce platforms and online stores. Online shopping had been on the rise for years, but the onset of COVID-19 cemented its place in the market. With the advancement of technology and the increase in the ease of access and convenience of purchase, more facilities have emerged, simplifying and aiding quicker purchases, faster delivery, and uncomplicated payment procedures. For example, visiting online stores with a broad range of fashion products from the comfort of our homes and having access to same-day or next-day delivery services, integrated payment options and instant checkout systems.<sup>4</sup>

Social media, used equally by both the young and the elderly consumers, became a major deciding factor in what trends emerged and when the old ones vanished. However, the youth are more influenced by this form of media and its use for the promotion of the fast fashion industry. Observing these patterns of online consumerism, fast fashion brands leverage social media platforms like TikTok, Instagram, Facebook, Snapchat, etc., for marketing and paving the way for newer and more frequent trends to emerge. In this equation, a key role is played by the social media algorithms and influencers.

Social media algorithms are programmed to curate content based on the preferences of its users or, in this case, the consumers, by tracking their engagement and interaction patterns along with information like their relevance and recentness.<sup>5</sup> These algorithms track budding trends, keep the consumers updated with such trends, as well as advertisements of brands hopping on these trends. Influencers collaborate with brands and endorse their clothes and products by giving reviews and showcasing their “shopping hauls” on social media, indirectly encouraging users to engage in impulse buying and overconsumption.<sup>6</sup> The credibility, trustworthiness, appeal, and

---

<sup>4</sup> Sayla Salsabila Nazilah Ali and Rifelly Dewi Astuti, ‘Understanding Compulsive Buying of Fast-fashion Through Personality, Hedonic Shopping, and Self-Esteem in Indonesia’ (2026) 11(1) *Journal of Consumer Sciences* <<https://doi.org/10.29244/jcs.11.1.50-74>> accessed 20 April 2026

<sup>5</sup> Dorcas Adisa, ‘Everything you need to know about social media algorithms’ (*Sprout Social*, 30 October 2023) <<https://sproutsocial.com/insights/social-media-algorithms/>> accessed 20 April 2026

<sup>6</sup> Amsel Lakhdar Bouchemla, ‘Social Media and Fast Fashion: The Rise of Overconsumption’ (*HEC Montréal Digital*, 18 March 2026) <<https://digital.hec.ca/en/blog/social-media-and-fast-fashion-the-rise-of-overconsumption/>> accessed 20 May 2026

expertise of social media influencers, who are also considered to be celebrities in the present times, help these fast fashion brands, like Zara, Shein, Temu, Zudio, etc., sway consumer opinions and persuade them to make instant and repeated purchases of clothing and other fashion products.<sup>7</sup> Through influencers, these brands are not just selling clothes but also lifestyles associated with fast fashion consumption, which the masses idealise. While some influencers promote sustainable fashion, the majority still endorse fast-fashion products, fuelling its demand. Fast fashion e-commerce and digital marketing sometimes also resort to manipulative and deceptive tricks and practices that intend to trigger emotional reactions. So, due to the combined effect of trend acceleration, algorithmic advertising, influencer collaboration culture, and the prevalence of online commerce platforms and stores, the digital consumerism of the fast fashion industry has been characterised with wastefulness, instability, and urgency-driven hyper consumption.

### **PSYCHOLOGICAL AND MENTAL HEALTH IMPACT**

Some consumers are now aware of the economic and environmental concerns related to the spread of fast fashion facilitated by digital marketing. However, most consumers are still unaware of the impact of fast fashion and its promotion through digital media.

The following describes the mental health or psychological effects of the consumption behaviour seen due to fast fashion and its digital marketing –

**Compulsive Buying:** Compulsive buying is a condition where a consumer makes repetitive and emotionally charged purchases, not based on actual need or utility, often leading to mental distress and financial troubles. Consumers, especially the youth, in the present times see fashion purchases as coping mechanisms to relieve stress and regain control of their lives to a certain extent. To such consumers who are emotionally attached to the consumption of clothing, it transcends a mere activity affecting the economy or the environment. Fast fashion e-commerce systems and social media platforms, often with advertisements containing digitally exaggerated descriptions or ambiguous claims, utilise consumer-market interactions and instant feelings of fulfilment, in turn supporting compulsive purchasing tendencies. Added to this comes the role

---

<sup>7</sup> Mengmeng Liu, 'Determining the Role of Influencers' Marketing Initiatives on Fast Fashion Industry Sustainability: The Mediating Role of Purchase Intention' (2022) 13 *Frontiers in Psychology* <<https://doi.org/10.3389/fpsyg.2022.940649>> accessed 20 April 2026

of ease of access due to mobile phones, attractive monetary offers, algorithmic and influencer-driven promotion of fast fashion products.

**Anxiety and FOMO:** Fashion is often perceived as a form of expression of identity, belonging and status. This is manifested in the form of “Fear of Missing out” (FOMO) and anxiety in consumers who contribute to the digital consumerism of the fast fashion industry. When individuals observe other members of a certain community, commonly influencers on social media, who they look up to, following fast fashion trends and the lifestyle that these fast fashion brands promote, they participate in these trends by buying what is endorsed to build a similar lifestyle for themselves, to maintain a sense of belonging and status through the validation received from other members of society. As these trends are difficult to keep up with, consumers who associate their self-worth and image with their ability to match these socially accepted and trending standards face feelings of anxiety and FOMO.<sup>8</sup> Fast fashion brands like Shein<sup>9</sup> recognise this and maximise engagement by capitalising on these emotions to manipulate consumers into making repetitive purchases,<sup>10</sup> often using dark and deceptive patterns.

**Eco-anxiety:** Eco-anxiety refers to the state of being anxious over the impending environmental doom or the “chronic fear of environmental doom” as defined by the American Psychological Association. It is when the mental health of a person is affected by the thought of damage caused to the environment. Due to the fast fashion industry encouraging mass-low-quality-production, the majority of the garments produced end up in landfills either from being worn out due to low-quality or being destroyed as they were unsold. Even manufacturing such clothing uses up a lot of natural resources, which eventually go to waste, but as production only keeps increasing, the rivers that these factories draw water from are drying up. The awareness of this wastage and its ecological footprint is the main cause behind eco-anxiety among consumers, which is apprehended and occasionally misused by the fast fashion brands through unsubstantiated sustainability claims to mislead them.

---

<sup>8</sup> Mahrukh Askari and Rao Muhammad Rashid, ‘FOMO: a hazard or an opportunity, its impact on Fashion Buying, with the Mediating effect of anxiety and the role of Conspicuous sharing’ (2024) 10(02) Journal of Business & Tourism <<https://doi.org/10.34260/jbt.v10i02.300>> accessed 20 April 2026

<sup>9</sup> Lisa O’Carroll, ‘Shein accused of ‘shaming’ customers into buying more than they can afford’ *The Guardian* (05 June 2025) <<https://www.theguardian.com/business/2025/jun/05/shein-fashion-consumer-watchdog-complaint-eu-alleged-dark-practices>> accessed 20 April 2026

<sup>10</sup> Taylor Teutsch, ‘Does Fast Fashion Cause Anxiety?’ (*Fashion is Psychology*, 21 January 2025) <<https://fashionispsychology.com/does-fast-fashion-cause-anxiety/>> accessed 20 April 2026

**Low Self-esteem:** Fast fashion advertising through digital social networking channels, like social media platforms, plays a key role in influencing an individual's self-esteem and self-worth. Fast fashion purchases and chasing trends involve inconsistencies and unpredictability since consumers feel gratified only for a short period of time and cannot keep up with the fast pace at which trends come and go. Frequent consumers of fast fashion often give in to their desire for immediate pleasure, social acceptance, and validation, which together overshadow the need for recognising the utility of the products they purchase and their environmental consciousness. These uncomfortable situations lead to guilt, thereby lowering the self-perception that such consumers hold. The fast fashion brands often advertise their products for a limited range of body types and sizes, which is evident from the influencers they collaborate with. These are highly idealised by the target consumers and represent very narrow beauty standards. Constant exposure to only a finite extent of body types slowly and subtly affects the body image of individuals, resulting in low self-esteem issues.<sup>11</sup>

Fast fashion thrives due to the psychological drivers of social validation and instant gratification. It works as a dopamine-inducing system, oftentimes using deceptive, unfair and misleading practices, leading to an endless cycle of indulgence in overconsumption and psychological distress. For the young consumers, this becomes very dangerous because this form of indulgence has even more serious consequences for their future.

## **EXISTING REGULATORY FRAMEWORK ANALYSIS**

Fast fashion has a wide consumer base in the world, and its similarly growing scale in India has brought about several concerns requiring legal attention. Issues related to intellectual property rights, cybersecurity, consumer protection, labour rights, and environmental impact have been discussed extensively, with the majority of these issues having legal structures to provide solutions. There also exist laws and regulations that protect fast fashion consumers against misleading advertisements, dark commercial practices of the companies using e-commerce platforms and digital advertising under the consumer protection laws.

---

<sup>11</sup> 'How Does Fast Fashion Affect Body Image?' (*Fashion Sustainability Directory*, 08 March 2026) <<https://fashion.sustainability-directory.com/question/how-does-fast-fashion-affect-body-image/>> accessed 20 April 2026

The following provisions exist to protect consumers against the manipulative and deceptive practices of fast fashion companies through fashion e-commerce platforms and digital marketing that frequently and repeatedly impact consumers psychologically.

**Consumer Protection Act 2019:** The Consumer Protection Act 2019 aims to prevent misleading advertisements and unfair trade practices by defining consumer rights. Misleading advertisement has been defined under Section 2(28)<sup>12</sup> of the Act as an advertisement of a product or a service giving a false description or a false guarantee regarding its nature, substance, quality or quantity to mislead the consumer, making any representation that could be called an unfair trade practice, or concealing any important information.

Unfair trade practices have been defined under Section 2(47)<sup>13</sup> of the Act as the adoption of any unfair method or practice for promotion, sale, use or supply of any goods or for the provision of any service, such as making any form of false representations and deceptive advertisements about the product or service to mislead the public into purchasing such product or service, offering gifts, prizes or other items but not providing them or obscuring hidden charges for those offered for free, conducting manipulative contest for the promotion of sale, use or supply of the product or service, refusal to withdraw or refund in case of defective product or service, and illegally disclosing confidential personal information of a consumer to any other person.

These sections work together to categorise some commonplace practices of the fast fashion brands, such as creating false shortage or urgency representations to pressurise consumers into making impulsive purchases out of FOMO, making false or exaggerated sustainability claims or representations, and advertising with digitally enhanced or edited pictures with inaccurate or over-the-top descriptions of the product to mislead consumers, as unfair or manipulative practices which need to be prevented.

Section 2(9)<sup>14</sup> of The Consumer Protection Act, 2019, defines consumer rights to include protection against marketing of hazardous goods, products and services and unfair trade practices, being informed about the quality, quantity, potency, purity, standard or price of goods, products or services, assurance of the availability of variety at competitive prices, being heard

---

<sup>12</sup> The Consumer Protection Act 2019, s 2(28)

<sup>13</sup> The Consumer Protection Act 2019, s 2(47)

<sup>14</sup> The Consumer Protection Act 2019, s 2(9)

and assured of interests to be taken into consideration, ability to seek redressal against unfair or restrictive trade practices or unethical exploitation, and the right to consumer awareness. In fast fashion digital spaces, the right to be informed protects against vague sustainability claims, urgency-creating tricks, and inaccurate or partial disclosure of product descriptions. The right to be protected against unfair trade practices lays the groundwork for regulating manipulative digital commercial practices used by fast-fashion brands to increase consumption, which causes mental distress among consumers. The right to consumer awareness is a right of most significance, as it can provide for the promotion of awareness about the deceptive practices and emotional triggers that these brands employ through digital marketing.

Section 10<sup>15</sup> of the Act establishes a Central Consumer Protection Authority (CCPA) to regulate violations of consumer rights, unfair trade practices, and false or misleading advertisements that are detrimental to consumer interests, and to promote, protect, and enforce consumer rights. It derives its powers and functions to achieve its aim under Section 18 of the Act, where some of its functions include holding suo moto inquiries or investigations into matters of consumer rights violations and unfair trade practices, issuing directions, guidelines and penalties to prevent and regulate unfair trade practices and misleading advertisements, and actively spreading awareness about consumer rights. Under Section 21<sup>16</sup> of the Act, the CCPA has been given the power to issue directions and penalties against false or misleading advertisements, while Sections 88<sup>17</sup> and 89<sup>18</sup> prescribe penalties by the CCPA for non-compliance with its directions of an imprisonment term of 6 months and/or fine up to 20 lakhs and for false or misleading advertisements of an imprisonment term up to 2 years and fine up to 10 lakh and for subsequent offence an imprisonment up to 5 years and fine up to 50 lakh, respectively. These may apply where emotional enticement exercised by fast-fashion brands crosses into the territory of legally unfair and misleading practices. Collectively, these provisions institute and empower an authority to supervise the manipulative marketing patterns that fast fashion companies may employ, causing emotional influence over consumer behaviour. Additionally, they also function as a safeguard against digital marketing practices employed by these companies relying on false, immediacy-

---

<sup>15</sup> The Consumer Protection Act 2019, s 10

<sup>16</sup> The Consumer Protection Act 2019, s 21

<sup>17</sup> The Consumer Protection Act 2019, s 88

<sup>18</sup> The Consumer Protection Act 2019, s 89

triggering, deceitful and aspirational allurements and psychologically weaken the informed decision-making of consumers.

**Consumer Protection (E-commerce) Rules:** The Consumer Protection (E-Commerce) Rules, 2020, working alongside the Consumer Protection Act, 2019, play a crucial role in the oversight of e-commerce platforms and fast fashion brands by laying down transparency, accountability, and free and fair market obligations, which may indirectly regulate manipulative fast fashion practices in virtual marketplaces.

Rule 4<sup>19</sup> sets out the duties of e-commerce entities, including transparency requirements, grievance redressal, ensuring fair trade practices, and preventing price manipulation. This rule may act as an indirect protection against fast fashion digital marketplace patterns of price manipulation, like showing huge discounts on highly inflated original prices and endless notifications with texts like “Limited Sale” and “Only Today” nudging consumers to make purchases, which interfere with their informed decision-making.

Rule 5(2)<sup>20</sup> requires marketplace e-commerce entities to ascertain that sellers produce accurate descriptions, images and content regarding the products or services on their platforms. This ensures fair and transparent claims and information made by fast fashion sellers, preventing vague and unsupported claims and exaggerated information being presented, resulting in influenced and not reasonable choices.

Rule 6<sup>21</sup> imposes on sellers to avoid making false representations and misleading advertisements, provide accurate product descriptions, and refrain from unfair trade practices. Fast fashion digital promotion techniques, including manipulative practices like showcasing altered images of products, giving deceptive pricing and discounts, and making misleading quality or sustainability claims, may be prevented indirectly through this rule.

Although these provisions were not created with digitally manipulative fast-fashion practices in mind, they may very well be seen as indirect safeguards against such practices that psychologically as well as financially harm consumers.

---

<sup>19</sup> The Consumer Protection (E-Commerce) Rules 2020, rule 4

<sup>20</sup> The Consumer Protection (E-Commerce) Rules 2020, rule 5(2)

<sup>21</sup> The Consumer Protection (E-Commerce) Rules 2020, rule 6

**CCPA Guidelines:** The CCPA Guidelines on Dark Patterns and the Guidelines on Misleading Advertisements and Endorsements are of utmost significance while discussing the unfair and deceptive digital practices adopted by fast-fashion e-commerce systems.

The Guidelines for Prevention and Regulation of Dark Patterns, 2023, apply to all sellers, advertisers, and platforms that offer goods or services in India. According to these guidelines, any person engaging in the practices given under its Annexure 1,<sup>22</sup> such as 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 malware, is said to be engaging in dark pattern practices. Digital fast fashion systems use techniques such as false urgency in the form of countdown timers and advertisements or notifications like “Only 2 Left!!” to induce FOMO and anxiety in consumers. Basket sneaking by auto adding extra items such as gift wrapping and donations without consent, nagging by sending relentless notifications of “flash sales” and instigating anxious behaviour, and drip pricing by showing a base price and only revealing platform fee, delivery charges and taxes at the end, are some of the other manipulative dark practices that are prevalent in fast fashion digital commerce.

Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, apply to all forms of advertisements, and any manufacturer, service provider or trader of the goods or service being advertised, or any advertising agency or endorser through which the advertisements are made. Section 4<sup>23</sup> of the guidelines explains the conditions for non-misleading and valid advertisements, which require truthful and honest representations, avoiding exaggeration or presenting already guaranteed rights as an offer or suggesting claims of universal agreement when there is a certain division or scientific opinion in disagreement, and aversion from claims made without proper substantiation based on statements made in any publication or any claims of risk to personal or family security in case of non-purchase to scare consumers into buying such products or services. This provides a statutory safeguard against false, deceptive, ambiguous or unsubstantiated claims made by fast

---

<sup>22</sup> Guidelines for Prevention and Regulation of Dark Patterns 2023, annexure 1

<sup>23</sup> Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements 2022, s 4

fashion brands through digital advertisements. Section 8<sup>24</sup> of these guidelines states certain requirements for children-targeted advertisements that may work to protect young fast-fashion consumers or teenagers under the age of 18, who are susceptible to deception. Section 12<sup>25</sup> lays down the duties of the manufacturer, service provider, advertiser and advertising agency to make accurate, specific and research-backed claims, avoid misleading consumers directly, impliedly, by omission, by ambiguity or by exaggeration, and prevent the abuse of trust or lack of knowledge or experience of the consumer through advertisements. This may protect consumer interest by helping them make informed choices rather than basing them on false or misleading messaging or overstatements. Section 13<sup>26</sup> requires due diligence on the part of the endorsers to share only genuine opinions and representations based on sufficient information, evidence or experience, which places an obligation on the influencers endorsing fast fashion products as a safeguard against any possible misrepresentations made by them. Section 14<sup>27</sup> stipulates the disclosure of any material connection between the endorser and the advertiser regarding such advertisement, requiring influencers to inform consumers about paid promotions to ensure rational purchase decisions rather than those based on aspirational persuasion.

These guidelines assure a statutory framework of protection against the dark and persuasive digital practices used by fast-fashion companies for marketing that emotionally sway consumers to make repeated, instant and uninformed purchases.

**ASCI Guidelines:** The Advertising Standards Council of India, an independent self-regulatory company working in close cooperation with the CCPA and the Ministry of Consumer Affairs, and the Ministry of Information and Broadcasting, has issued several guidelines to ensure that non-misleading advertisements reach the public. One of ASCI's fundamental principles, also reinforced in Chapter 1<sup>28</sup> of its Code for Self-Regulation of Advertising,<sup>29</sup> is ensuring truthful and honest representation and claims made by advertisements, and presenting a safeguard against

---

<sup>24</sup> Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements 2022, s 8

<sup>25</sup> Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements 2022, s 12

<sup>26</sup> Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements 2022, s 13

<sup>27</sup> Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements 2022, s 14

<sup>28</sup> Code for Self-Regulation of Advertising 2021, ch 1

<sup>29</sup> Code for Self-Regulation of Advertising 2021

misleading advertisements. Clause 1.8<sup>30</sup> directly addresses social media advertisements and promotions, mandating proper labelling and adequate disclosures, which can help consumers be informed about their interaction with fast-fashion advertisements or promoted content from influencers or any other endorser.

The Guidelines for Online Deceptive Design Patterns in Advertising, 2023,<sup>31</sup> address practices used in fast fashion digital advertising, such as drip pricing tactics, by necessitating the inclusion of all non-optional taxes, duties, fees, and charges in the quoted prices, and false urgency tricks through requirements for the demonstration of stock positions by the advertisers in case of complaint.

The Guidelines for Influencer Advertising in Digital Media, 2021<sup>32</sup> ensure disclosure labelling of social media advertisements by influencers, especially in cases of material connection with advertisers, in a manner that makes it conspicuous, unmistakable and comprehensible to any average consumer and hold influencers and advertisers responsible for such disclosure, making this a crucial provision for informed and reasoned online fast-fashion purchases by consumers. It also requires influencers to exercise due diligence in ensuring that advertisers can substantiate the claims made in advertisements, imposing an added obligation on them to protect digital fast-fashion consumer interests, and this provision may act as an indirect safeguard against mental distress caused by any violation thereof.

A brief yet significant mention must be made of the Guidelines on Harmful Gender Stereotypes,<sup>33</sup> which stands as one of the limited provisions specifically dealing with an issue that has a solely psychological impact on consumers. It discourages the suggestion of individual happiness or emotional well-being depending on conforming to gender-stereotypical body shapes or physical features, which is a common cause of low self-esteem among consumers, often triggered through stereotypical messaging in advertisements by some influencers and fast fashion advertisers.

These ASCI guidelines provide reasonably good transparency, accountability, and preventive recommendations against any breach of consumer rights and interests due to deceptive

---

<sup>30</sup> Code for Self-Regulation of Advertising 2021, cl 1.8

<sup>31</sup> *Guidelines for Influencer Advertising in Digital Media* (Advertising Standards Council of India, 2021)

<sup>32</sup> *Guidelines for Online Deceptive Design Patterns in Advertising* (Advertising Standards Council of India, 2024)

<sup>33</sup> *Guidelines on Harmful Gender Stereotypes in Advertising* (Advertising Standards Council of India, 2022)

marketing patterns and misleading and often distressing advertisements by the digital fast fashion advertisers and influencers.

## **CRITICAL EVALUATION**

The present legal and regulatory skeleton protecting the consumers of India has both strengths and limitations in the question of the mental health impact caused by the digital marketing of the fast fashion industry.

### **Strengths –**

1. In the age of digital progression, India is also adapting to the changing times by steadily recognising digital manipulation and strengthening consumer protection.
2. The Consumer Protection Act and the Consumer Protection (E-Commerce) Rules set out an impressive foundation of consumer rights, unfair trade practices, misleading advertisements, and the duties of e-commerce entities and sellers on e-commerce for transparency, accountability, grievance redressal and following fair trade practices for the regulatory architecture protecting digital fast fashion consumers to stand on.
3. CCPA and ASCI guidelines together provide consumers with multi-layered protection against manipulative fast fashion practices, one giving statutory structure, while the other gives self-regulatory standards.
4. Both CCPA and ASCI have contributed extensive definitions with depth and precision to the consumer protection framework. For example, the recognition of UI/UX in the definition of dark patterns as a site for manipulative practices and the definition of material connection, not limiting the extent to monetary or other compensations, including benefits and incentives, free products, gifts, discounts, contests and sweepstakes entries, trip or hotel stays, media barter, coverage, awards, and any family or employment relationships.
5. ASCI guidelines shift the burden of proof of dark patterns usage, like false urgency tricks, onto the advertisers, which becomes a powerful protection tool for fast fashion consumers to file complaints. ASCI guidelines also advise against negative body type portrayals impacting the mental health of consumers and greenwashing or making false sustainability claims to influence purchasing decisions, both pressing concerns in the

digital fast fashion space. These guidelines show signs of progressive regulatory ecosystems.

### **Limitations –**

1. The limitations of the existing regulatory framework reveal India's ill-preparedness in handling the intricacies of the digital fast fashion economy, where psychological manipulation tactics are becoming increasingly complex.
2. Indian laws and regulations have only indirectly acknowledged the mental health impact caused by the emotionally deceptive fast fashion practices alone as injury to consumers or violation of consumer rights. Oversight of deception has been accounted for, but not behavioural manipulation and patterns which are purely psychologically deceptive. The only aspect covered by the existing regulatory structure is the negative body image depictions, while countless others have still not been discussed as legal problems.
3. Present regulations are fragmented and expose inconsistencies and overlaps in their enforcement. The fragmentation is of such a nature that the existing framework is merely a collection of instruments for consumer protection without a proper mechanism for cooperation.
4. Enforcement of the current structure is considerably questionable and weak because the CCPA has investigatory and penalising powers that are excellent on paper, but are not stringent enough for real prevention of manipulative practices and the powers of ASCI, being a non-governmental organisation, are limited to addressing complaints with recommendations of steps to be taken or changes required.
5. Recognising behavioural deception tactics used in the rapidly evolving digital fast fashion ecosystem properly is a mammoth task in itself because of the nuanced nature of such tactics and existing laws still comprehend deception in strict terms: when there is a misleading practice to achieve a monetary gain that causes bodily or property harm or even mental harm, but only if it's attached to the former categories of harm.
6. Despite the existence of a legal and regulatory architecture capable of treating manipulative and misleading digital practices, the structure is inadequately equipped to counter actual psychologically deceptive fast fashion patterns and practices used in the digital spaces.

## CONCLUSION

Fast fashion in the digital era has given rise to concerns not just of low quality or economic and environmental sustainability, but has also extended its reach to consumer purchase behaviour and their mental health through its online presence. Brands like Zara, H&M, Shein, and Temu abuse social media algorithmic targeting, easily accessible e-commerce ecosystems, aspirational influencer marketing, and dark commercial practices to produce urgency-driven, instantly gratifying overconsumption responses among consumers, belonging to the younger population, consequently breeding mental health concerns like compulsive buying tendencies, eco-anxiety, FOMO and low self-esteem.

While India's consumer protection is progressing with the rapidly growing digital marketplace, the existing regulatory framework is inadequate in addressing the psychological aspects of the online fast fashion economy, which often relies on unfair trade practices, misleading advertisements and digital dark patterns to exploit consumers. The Consumer Protection Act, 2019, The Consumer Protection (E-Commerce) Rules, 2020, Central Consumer Protection Authority Guidelines on Misleading Advertisements and Endorsements, and Dark Patterns, and Advertising Standards Council of India Guidelines on Dark Patterns and Digital Influencer Marketing, form an impressive collection of regulations on paper, but fail to work as the framework required to tackle the psychologically manipulative digital fast-fashion practices in reality. These regulations conceptualised consumer injury in economic, physical or informational terms with a dependent focus on mental harm.

The digital fast fashion markets are developing at a highly accelerated pace, and legal restructuring is a critical requirement to strengthen the position of consumers against their growing sophistication. Therefore, some limited but necessary reforms may be suggested. Firstly, the CCPA should issue guidelines targeting psychologically deceptive digital dark practices of the fast fashion industry. Secondly, it should be complemented with a statutory reframing of consumer injury to recognise and include purely mental health effects as well. Finally, consumer awareness campaigns focusing on digital literacy, emotionally deceptive techniques used to promote fast fashion, and the mental health consequences of its consumption. A future-proof consumer protection system must exceed the limits of deception

prevention and regulation mechanisms and give serious consideration to the behavioural manipulation in digital marketplaces.