GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
STARRED QUESTION NO. *125
TO BE ANSWERED ON: 06.12.2024

LAWS FOR REGULATION OF USE OF AI

***125.   SHRI RAJEEV SHUKLA:**

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether   Government is planning to come up with a law aimed at regulating the use of Artificial Intelligence (AI) in the country;

(b) if so, the details   thereof;

(c) if not, the reasons therefor;

(d) the potential challenges arising out of the unregulated use of AI in the country; and

(e) the details of other such proposed measures to be taken in this respect?

ANSWER

MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI ASHWINI VAISHNAW)

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

STATEMENT REFERRED TO IN THE REPLY TO RAJYA SABHA STARRED QUESTION NO. *125 FOR 06.12.2024 REGARDING LAWS FOR REGULATION OF USE OF AI

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(a) to (e): The Government of India emphasizes the concept of 'AI for All,' aligning with the Prime Minister's vision to foster and promote the use of cutting-edge technologies across the country. This initiative aims to ensure that AI benefits all sectors of society, driving innovation and growth.

The policies of the Government are aimed at ensuring an open, safe, trusted and accountable internet for users in the country amidst AI growth.

India is regarded as the Skills Capital in technology and Artificial Intelligence. The most reliable ranking in AI is placing India among the top countries with the AI Skills, AI capabilities and policy to use AI. Stanford University has ranked India among top four countries along-with US, China and UK in Global and National AI vibrancy ranking based on 42 indicators. Github, which is community of developers has ranked India at the top with the global share of 24.19% of all projects.

The Government is committed to harnessing the power of Artificial Intelligence (AI) for the good of our people in sectors like healthcare, agriculture, education, Governance, DPI and others. At the same time, the Government is cognizant of the risks posed by AI. Hallucination, bias, misinformation and deepfakes are some of the challenges posed by AI.

To address the challenges and risks of AI the Government is cognizant of the need to create guardrails to ensure that AI is safe and trusted. Accordingly, the Central Government after extensive public consultations with relevant stakeholders has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021") on 25.02.2021 which was subsequently amended 28.10.2022 and 6.4.2023. The IT Rules, 2021 cast specific legal obligations on intermediaries, including social media intermediaries and platforms, to ensure their accountability towards safe and trusted internet including their expeditious action towards removal of the prohibited misinformation, patently false information and deepfakes. In case of failure of the intermediaries to observe the legal obligations as provided in the IT Rules, 2021, they lose their safe harbour protection under section 79 of the Information Technology Act, 2000 ("IT Act") and shall be liable for consequential action or prosecution as provided under any extant law.

The Digital Personal Data Protection Act, 2023 has been enacted on 11th August, 2023 which casts obligations on Data Fiduciaries to safeguard digital personal data, holding them accountable, while also ensuring the rights and duties of Data Principals.

Government has constituted an Advisory Group on AI for India-specific regulatory AI framework under the chairmanship of Principal Scientific Advisor (PSA) to Hon'ble Prime Minister of India with diverse stakeholders from academia, Industry and government with an objective to address all issues related to development of Responsible AI framework for safe and trusted development and deployment of AI. The Government has also constituted a committee on the matters relate to the issue of Deepfakes with stakeholders from academia, Industry and government.

India as a founding member and current council chair of the Global Partnership on Artificial Intelligence (GPAI) has organized the Global IndiaAI Summit and GPAI Summit in July 2024 and December 2023 where various stakeholders from government, industry and academia engaged in discussions and deliberations for development of AI based solutions in a safe and trusted manner. India has taken lead in ensuring that AI is available for all and for developing global framework for safety & trust for AI models and applications.

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