

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 1334
TO BE ANSWERED ON: 06.12.2024

LEGISLATION TO REGULATE USE OF AI

1334. SHRI VAIKO:
SHRI M. SHANMUGAM:

Will the Minister of Electronics and Information Technology be pleased to state:

- (a) whether Government is proposing to bring any legislation to tackle the growing and blatant misuse of Artificial Intelligence (AI), leading to fake news, rumours and creating confusion in the minds of general public;
- (b) if so, the details thereof;
- (c) if not, the other measures proposed to deal with this issue;
- (d) the number of cases booked for violations of the provisions relating to breach of privacy and confidentiality in the last five years, year-wise; and
- (e) the number of cases that ended with acquittal and the number of cases that were punished, year-wise?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(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.

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.

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.

With regard to the cases booked for violations of the provisions relating to breach of privacy and confidentiality, there is no information available with this ministry.
