GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 869
TO BE ANSWERED ON: 07.02.2024

THREAT DUE TO GENERATIVE AI

869:   SHRI ANTO ANTONY: SHRI THOMAS CHAZHIKADAN
        ADV. ADOOR PRAKASH: SHRI PRADYUT BORDOLOI
        ADV. DEAN KURIAKOSE:

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

(a)   whether the Government is aware of the potential harms of Generative AI and AI-powered tools and if so, the details thereof;
(b)   whether the Government plan to regulate Generative AI and other AI-powered tools for the responsible and ethical development of said technology including promotion of best practices and if so, the details thereof;
(c)   whether the Government has any plans to bring an open source policy for Large Language Models to enable scrutiny of these models and if so, the details thereof;
(d)   whether the Government has conducted or plans to conduct an assessment of the impact AI services have had on personal data and the fundamental right to privacy and if so, the details thereof;
(e)   whether any steps are being taken by the Government to ensure ethical development and deployment of AI technologies considering potential societal impacts and if so, the details thereof;
(f)   whether there is a framework in place to address privacy concerns associated with AI applications, especially those utilizing Generative AI and the manner in which the Government plan to safeguard individual privacy; and
(g)   the impact of AI application like ChatGPT on the job market in the country?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

(a), (b) and (e): The Government's policies are aimed at ensuring that the Internet and all applications / platform on internet including AI applications in India are Open, Safe & Trusted and Accountable to all our Digital Nagriks.

The Government considers Artificial Intelligence is the most significant invention and innovation in our times. Artificial Intelligence has in recent times accelerated its growth and capabilities and we are experiencing an inflection point in the growth of AI. AI represents a kinetic enabler of our digital economy and will further catalyze our digital economy goal.

India over the last 9 years has become a pre-eminent nation in developing technologies for the benefit and transforming the lives of its citizens. The Government is committed to ensuring harnessing the power of AI for the good of our people and the rapid proliferation of the use of AI in sectors like healthcare, agriculture, education, Governance, DPI and others. However, the Government is very cognizant of the harms and criminalities that AI can create. Misinformation through deepfakes being one of the harms that are the direct consequences of AI. The government is also fully cognizant of need to create guardrails to ensure that AI is safe and trusted for Digital Nagarik's who use it on the Indian internet. All applications including AI applications within the government & private sector on the internet are rapidly aligning to the Government's expectation that they are safe & trusted AI.
India as a founding member and current council chair of the Global Partnership on Artificial Intelligence (GPAI) has recently held GPAI summit in New Delhi with participation of 28

countries. India has taken lead in ensuring that AI is available for all and developing global framework for safety & trust of AI models and applications.

(c): The Government's policies are aimed at ensuring that the Internet and all applications on internet including AI applications in India are Open, Safe & Trusted and Accountable to all our Digital Nagriks. The use of Generative AI and Large Language Models are still in its early stages, and its impact is likely to grow as the technology continues to evolve and improve.

(d): No sir. Also, there is no such plan under consideration. However, the Digital Personal Data Protection Act, 2023 has been enacted on 11[th]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. It should also be noted that the DPDP Act is a framework and sets out the key principles including conducting Data Protection Impact Assessment by the Significant Data Fiduciary.

(f): To ensure that Internet in India is Open, Safe and Trusted and Accountable, 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. These rules cast specific legal obligations on intermediaries, including social media intermediaries or platforms, to ensure their accountability towards safe & trusted Internet and in case of failure to follow such legal obligations as provided in the IT Rules, 2021, by intermediaries, they shall lose their safe harbour protection under section 79 of the IT Act and shall be liable for consequential action or prosecution as provided under any law for the time being in force including the IT Act and the Indian Penal Code.

The IT Rules, 2021 cast the following legal obligations, among others:

a) Rule 3(1)(b) of the IT Rules, 2021 prohibits eleven types of content on the Indian Internet available on the intermediary platform.
b) Platforms are required to ensure that their users do not use their platforms for sharing or transmitting content that violates Rule 3(1)(b) and other laws and that their terms of use expressly restrict use of eleven types of content under the law.
c) Rule 3(1)(b)(v) and (vi) of the IT Rules 2021 prohibits misinformation and patently false information on the Indian Internet or that impersonates another person. Deepfakes are another form of misinformation powered by AI.
d) Rule 3(1)(d) of the IT Rules 2021 mandates the platforms to ensure expeditious action, well within the timeframes stipulated under the IT Rules, 2021, to remove or disable access to information/content that violates the aforesaid provisions of the IT Rules, 2021, upon receipt of court orders or notification from the Appropriate Government or its authorised agency or on complaint made by the impersonated individual or person authorised by him in this behalf.
e) Rule 4(2) of the IT Rules 2021 prescribes that the significant social media intermediaries shall cooperate with Law Enforcement Agencies (LEA) for prevention, detection, investigation, prosecution or punishment by enabling identification of the first originator of information related to the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, or public order, or of incitement to an offence relating to the above or in relation with rape, sexually explicit material or child sexual abuse material (CSAM).

Platforms are being reminded and made aware of their legal obligations and about the consequences of prosecution under relevant law if any of the prohibited contents is found in their platform including but not limited to deepfakes.
Government has informed platforms, as part of our zero tolerance policy for compliance, that the terms of use should be completely aligned to IT Rules, 2021 and their users should be cautioned at log in and at regular intervals about the prohibited content that are not permitted

on their platforms to ensure complete awareness amongst their users about what is permissible or not on their platforms under the IT Rules, 2021.

Also, they have been reminded about their obligations of expeditious action under the IT Rules, 2021, to remove or disable access to information/content that violates the aforesaid provisions of the IT Rules, 2021.

Government has also established Grievance Appellate Committees under the IT Rules, 2021 to allow users and victims to appeal online on www.gac.gov.in against decisions taken by the Grievance Officers of intermediaries in case they are dissatisfied with the decision of the Grievance Officer in case of legal violations including deepfakes or fails to redress the grievances from users or victims or an individual or any person on his behalf within the timelines prescribed under the IT Rules.

In addition, the Ministry of Home Affairs operates a National Cyber Crime Reporting Portal (www.cybercrime.gov.in) to enable citizens to report complaints pertaining to all types of cybercrimes, and also operates a toll-free helpline (1930).

(g): The Government considers the next decade as 'India Techade', a decade full of technology opportunities for young Indians. India over the last 9 years has become a pre-eminent nation in developing technologies for the benefit and transforming the lives of its citizens. India is globally recognized for its AI talent by top ranking (#1) on global indices for parameters such as AI talent concentration, AI Skill Penetration, AI Skill penetration (female), by the Stanford AI Index 2022, and AI Talent on the Global AI Index by Tortoise Media.

The advent of Artificial Intelligence applications such as ChatGPT is being used as a tool for augmenting capability.AI may result in automating some routine jobs but will also result in job creation in various data science, data curation etc. This will require reskilling and upskilling for which MeitY has initiated 'FutureSkills PRIME' a programme for Re-skilling/Up-skilling of IT Manpower for Employability in 10 new/emerging technologies including Artificial Intelligence. Under this programme so far, 16.52 Lakh+ candidates have signed-up on the FutureSkills PRIME Portal, out of which, 2,92,389 candidates have completed their course. In addition, 2,258 Trainers and 10,986 Government Officials have been trained on these technologies by NIELIT/C-DAC Resource Centres.

Further, National e-Governance Division (NeGD), MeitY in collaboration with its partners, has launched 'YUVAi: Youth for Unnati and Vikas with AI'- A National Programme for School Students with the objective of enabling school students from classes 8[th]to 12[th]with AI tech and social skills in an inclusive manner. The programme will provide a platform for youth to learn and apply AI skills in 8 thematic areas- Krishi, Aarogya, Shiksha, Paryavaran, Parivahan,Grameen Vikas, Smart Cities and Vidhi aur Nyaay.

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