

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 311
TO BE ANSWERED ON: 24.07.2024

HARMS OF GENERATIVE ARTIFICIAL INTELLIGENCE

311. MS. S JOTHIMANI:

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-powered tools;
- (b) if so, the Government plan on creating a regulatory framework for the responsible and ethical development of said technology including the promotion of best practices;
- (c) whether the Government has conducted or plans to conduct an assessment study of the impact AI services on personal data and the fundamental right to privacy;
- (d) whether the Government has any plans to bring an open source policy for Large Language Models to enable scrutiny of these models; and
- (e) if so, the details thereof?

ANSWER

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

(a) to (e): 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.
