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Legal Framework Regarding Artificial Intelligence in India

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Abstract

Artificial Intelligence is important for its potential to change how we live, work and play. Artificial Intelligence is the simulation of human Intelligence processes by machines especially computer system. Artificial Intelligence requires hardware and software for writing and training machine learning algorithms. In general, Artificial Intelligence system works by ingesting larger amount of labeled training and analyzing that data for correlation and patterns. It has been effectively used in business to automate tasks traditionally done by humans like customer service, to lead generation, detection fraud and for quality control. There are a number of areas where Artificial Intelligence performs many tasks more efficiently and accurately than human beings. It is also becoming important in the fields of education, marketing and product design. Artificial Intelligence has some advantages and disadvantages. There are some advantages like it is effective in data analysis, savings of time, productivity gain, consistency in results, round the clock availability, sustainability and conservation. There are some disadvantages of Artificial Intelligence like very high costs, some technical questions, talent gap with common workers, difficulty with generalization, sensitive security reasons and some legal issues also. In present time Artificial Intelligence is changing the legal sector by automating as documents review and discovery responses which helps to attorneys and paralegals. But use of Artificial Intelligence is raises some ethical questions. It can be a bias due to improperly trained algorithms and human prejudices or oversights. There can be misuse of generative Artificial Intelligence to produce deep fakes, phishing scams and many other harmful contents.

Keywords: *Meaning, definition, scope and legal framework.*

1: Introduction

The Artificial Intelligence is one of the emerging technologies which tries to simulate human reasoning in AI systems. **John McCarthy** invented the term Artificial Intelligence in the year 1950. He said, '**Every aspect of learning or any other feature of intelligence can in principle be so precisely described that a machine can be made to simulate it. An attempt will be made to find how to make machines use language, form abstractions, and concepts, solve kinds of problems now reserved for humans, and improve themselves.**'

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Artificial intelligence (AI) is the theory and development of computer systems capable of performing tasks that historically required human intelligence, such as recognizing speech, making decisions, and identifying patterns. AI is an umbrella term that encompasses a wide variety of technologies, including machine learning, deep learning.

Artificial intelligence is a technical and scientific fields devoted to the engineered system that generates outputs such as content, forecasts recommendation or decisions for a given set of human defined objectives. Artificial intelligence is just a practical tool, not a panacea. It is as good as the algorithms and machine learning techniques but it takes tones of data repetition. It simply learns to analyze large amounts of data, recognize pattern and make predictions or decisions based on that data.

There are more advanced forms of artificial intelligence, they must also begin to formulate more nuanced understandings of what intelligence or even consciousness precisely mean. In this attempt to clarify these concepts, author has outlined four types of artificial intelligence.

(1) Reactive machines are the most basic type of artificial intelligence. Machines built in this way don't possess any knowledge of previous events but instead only "react" to what is before them in a given moment. As a result, they can only perform certain advanced tasks within a very narrow scope, such as playing chess, and are incapable of performing tasks outside of their limited context.

(2) Machines with limited memory possess a limited understanding of past events. They can interact more with the world around them than reactive machines can. For example, self-driving cars use a form of limited memory to make turns, observe approaching vehicles, and adjust their speed. However, machines with only limited memory cannot form a complete understanding of the world because their recall of past events is limited and only used in a narrow band of time.

(3) Machines that possess a "theory of mind" represent an early form of artificial general intelligence. In addition to being able to create representations of the world, machines of this type would also have an understanding of other entities that exist within the world. As of this moment, this reality has still not materialized.

(4) Machines with self-awareness are the theoretically most advanced type of AI and would possess an understanding of the world, others, and itself. This is what most people mean when they talk about achieving AGI. Currently, this is a far-off reality.

Artificial Intelligence is the ability of a computer program to learn and think. Everything can be considered AI if it involves a program doing something that we would normally think would rely on the intelligence of a human. There are some advantages of Artificial intelligence, let's see some of them

(A) The phrase "**human error**" was born because humans make mistakes from time to time. Computers, however, do not make these mistakes if they are programmed properly. With Artificial intelligence, the decisions are taken from the previously gathered information applying a certain set of algorithms. So errors are reduced and the chance of reaching accuracy with a greater degree of precision is a possibility, for example Weather Forecasting.

(B) Take risks instead of humans-this is one of the biggest advantages of Artificial intelligence. We can overcome many risky limitations of humans by developing an AI Robot which in turn can do the risky things for us. Let it be going to mars, defuse a bomb, explore the deepest parts of oceans, mining for coal and oil, it can be used effectively in any kind of natural or man-made disasters. AI Robots can be used in such situations where intervention can be hazardous.

(C) On an average human work for 6to 8 hours a day excluding the breaks. Humans are built in such a way to get some time out for refreshing themselves and get ready for a new day of work and they even have weekly off to stay intact with their work-life and personal life. But using AI we can make machines work 24x7 without any breaks and they don't even get bored, unlike humans. **For example** Educational Institutes and Helpline centers.

(D) Some of the highly advanced organizations use digital assistants to interact with users, which saves the need for human resources. The digital assistants also used in many websites to provide things that users want. We can chat with them about what we are looking for.

(E) Using AI alongside other technologies we can make machines take decisions faster than a human and carry out actions quicker. While taking a decision human will analyze many factors both emotionally and practically but AI-powered machine works on what it is programmed and delivers the results in a faster way.

(F) AI is powering many inventions in almost every domain which will help humans solve the majority of complex problems. Recently doctors can predict breast cancer in the woman at earlier stages using advanced AI-based technologies.

As we know every bright side has a darker version in it. Artificial Intelligence also has some disadvantages, let's see some of them

(A) AI is making humans lazy with its applications automating the majority of the work. Humans tend to get **addicted** to these inventions which can cause a problem to future generations.

(B) As AI is replacing the majority of the repetitive tasks and other works with robots, human interference is becoming less which will cause a major problem in the employment standards. Every organization is looking to replace the minimum qualified individuals with AI robots which can do similar work with more efficiency.

(C) There is no doubt that machines are much better when it comes to working efficiently but they cannot replace the human connection that makes the team. Machines cannot develop a bond with humans which is an essential attribute when comes to Team Management.

(D) Machines can perform only those tasks which they are designed or programmed to do, anything out of that they tend to crash or give irrelevant outputs which could be a major backdrop.

Legal Regulations of AI in India

The Indian government is actively investing in the artificial intelligence sector. Most recently, it sanctioned a substantial investment of INR 103 billion for AI projects over a period of five years. This funding will be allocated to diverse objectives, such as the development of computing infrastructure, large language models, and supporting AI startups. Additionally, a National Data Management Office will be established that will coordinate with various government departments and ministries to improve the quality of data and make them available for AI development and deployment. These investments aim to foster the creation of AI applications for the public sector.

In India, it has been established a series of initiatives and guidelines aimed at the responsible development and deployment of AI technologies. Here, we will discuss some key guidelines and strategies that inform India's regulatory landscape for AI technology.

Niti Ayog in 2018, launched the first national Artificial Intelligence strategy, which was to serve as an inclusive approach to artificial intelligence. The strategy identified critical areas for national priority in AI innovation and deployment, including healthcare, education, agriculture, smart cities, and transportation.

NITI Aayog again drafted the Principles for Responsible AI as a continuation of the National Artificial Intelligence Strategy in february 2021. This document examines ethical considerations surrounding the implementation of AI solutions in India, categorized into system and societal considerations. While system considerations primarily address decision-making principles, fair inclusion of beneficiaries and accountability. This paper expresses some principles for the responsible governance of AI systems: safety and reliability; inclusivity and non-discrimination; equality; privacy and security; transparency; accountability; and protection and reinforcement of positive human values.

In August 2021, NITI Aayog published the second segment of the principles for responsible AI, which focuses on putting into practice the principles derived from the ethical considerations explored in the first part. The document underscores the significance of government involvement in promoting responsible AI implementation in social sectors. It stresses the necessity of regulatory and policy actions, capacity enhancement, and encouraging ethical practices by integrating a responsible mindset among private entities regarding AI.

An Important Act, The Digital Personal Data Protection Act, 2023, was signed into force by the President of India on August 11, 2023. Effective immediately, this Act governs the processing of digital personal data in India, irrespective of its original format, and can be utilized to tackle some of the privacy issues related to AI platforms. The Information Technology Rules, 2021 (IT RULES 2021), issued by the Government of India under the Information Technology Act of 2000, serve as a framework to oversee various entities, including social media intermediaries, OTT platforms, and digital news media. These rules were implemented on May 26, 2021 and updated on April 6, 2023.

The Ministry of Electronics and Information Technology has instituted committees on AI tasked with delivering reports on AI development, safety, and ethical concerns. Similarly, the Bureau of Indian Standards, serving as India's national standards body, has set up a committee dedicated to AI, which is in the process.

Conclusion

These are some advantages and disadvantages of Artificial Intelligence. Every new invention or breakthrough will have both, but we as humans need to take care of that and use the positive sides of the invention to create a better world. Artificial intelligence has massive potential advantages. The key for humans will ensure the "**rise of the robots**" doesn't get out of hand. Some people also say that Artificial intelligence can destroy human civilization if it goes into the wrong hands. But still, none of the AI applications made at that scale that can destroy or enslave humanity.

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