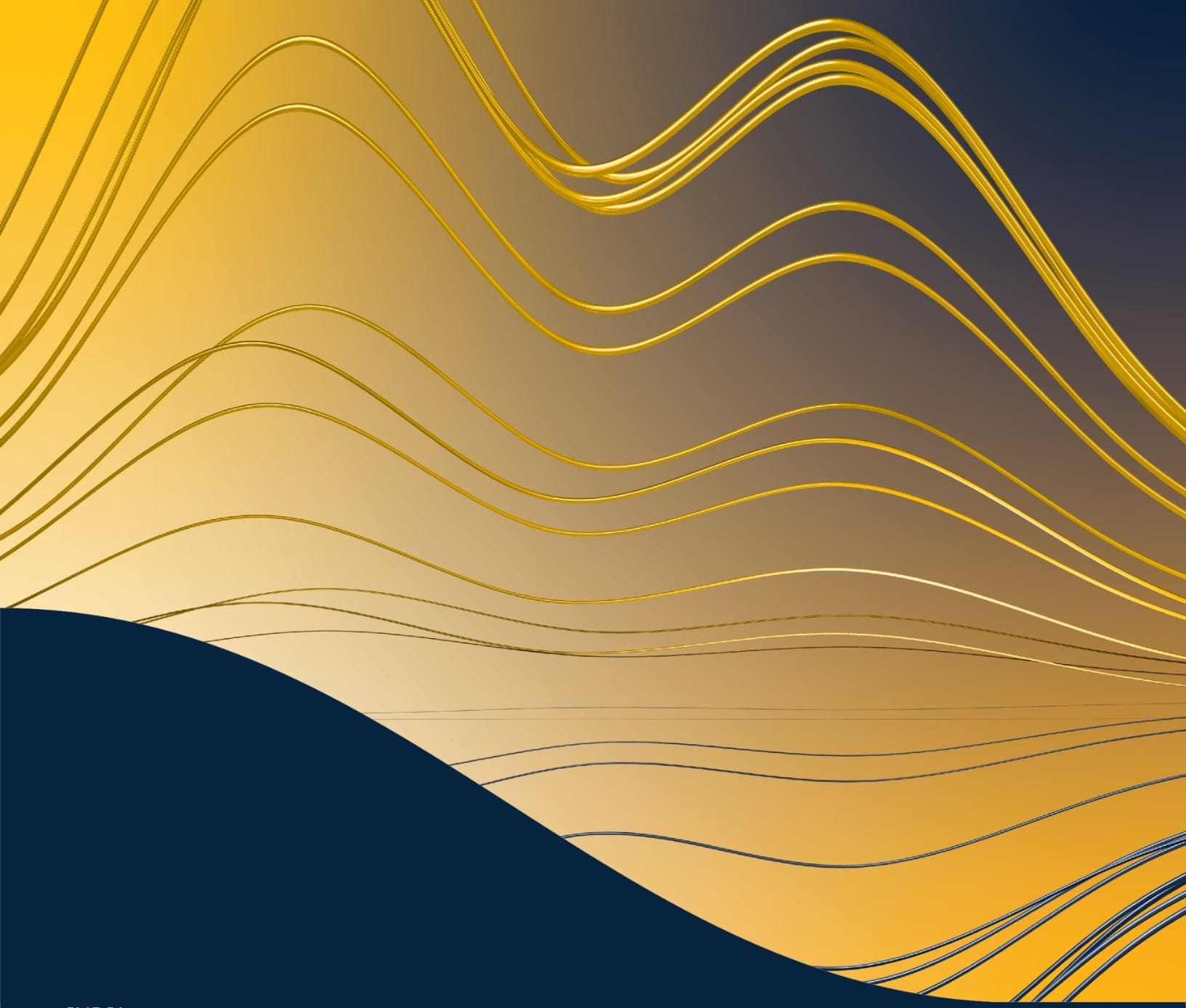


INDIA

AI Laws of the World

DLA PIPER

Introduction



Artificial intelligence (AI) is rapidly transforming the way we work. As AI technology advances, governments are grappling with how to regulate its development to maximise benefits whilst mitigating risks.

Some jurisdictions have implemented AI-specific laws, whilst others are in the process of drafting regulations, and many rely on existing legal frameworks to address AI-related concerns.

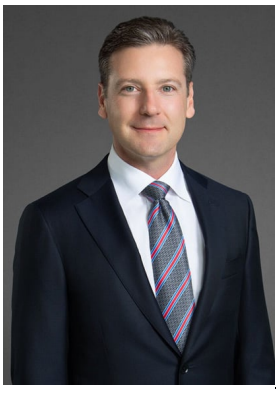
This guide provides an overview of AI laws and proposed regulations across 50+ territories. It highlights key legislative developments, including regulations, proposed bills and guidelines issued by governmental bodies.

As the global landscape of AI regulation evolves at an accelerating pace, our 2026 Q3 snapshot provides an insightful overview of these developments, as well as of the common thematic approaches of lawmakers and AI-focused organisations around the world.

Global key contacts



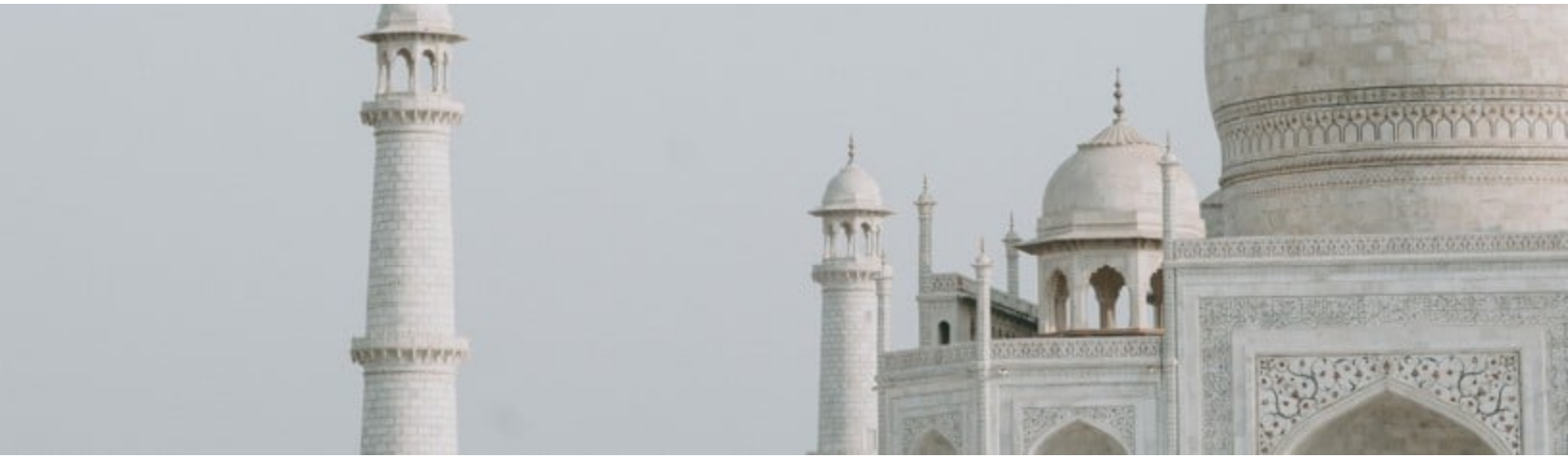
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India

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Law / proposed law

India does not have a single codified statute regulating AI. Central laws frequently referred to or applied in the context of AI are discussed below.

1. Information Technology Act, 2000 (**IT Act**), and Rules:

- The IT Act, which pre-dates mainstream AI by several years, is India's information technology law statute. It focuses on internet-based principles (such as electronic contracts, signatures and records), offences (such as unauthorised access, identity theft, cheating by impersonation and publication of obscene /sexually explicit material), intermediary liability and safe harbour, among others.
- The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (**IT Rules**): These rules impose due-diligence obligations on intermediaries. Among other obligations, intermediaries are required to publish their rules, privacy policies and user agreements on their websites/apps and take reasonable steps to prevent users from engaging in unlawful activities, such as hosting, displaying, uploading or sharing obscene content, impersonating others, etc. Intermediaries are also obligated to take down unlawful content in a time-bound manner.
- The IT Rules were amended in February 2026 to define '*synthetically generated information*' (**SGI**) (which covers AI-generated works within its ambit). The amended rules imposed additional due diligence obligations on intermediaries, specifically in connection with SGI. They require intermediaries to deploy technical measures and tools such that users cannot create, publish or transmit SGI in violation of any law. The amended IT Rules also impose mandatory labelling and identification requirements (use of metadata, unique identifiers) to identify the source of SGI content created. Significant Social Media Intermediaries (i.e. those with over five million registered users) have to ensure that users declare SGI content, such content is appropriately labelled, and appropriate measures are used to verify such declarations. This obligation needs to be discharged before the content goes live on the platform.
- The framework under the IT Act and IT Rules have been collectively used to tackle online harms, including those stemming from use of AI. The Ministry of

Electronics and Information Technology (**MeitY**), India's central authority for information technology, also issued advisories in December 2023 and March 2024, directing intermediaries to abide by the IT Act and the IT Rules, highlighting that its principles apply to issues such as online misinformation and AI-generated deepfakes. The March 2024 advisory urged platforms to ensure that their computer resources, including those using AI models, do not allow bias or discrimination. It also detailed requirements for labelling and metadata on AI-generated content. Additionally, it recommended that untested or unavailable AI models are appropriately labelled before being made available to users.

2. Digital Personal Data Protection Act, 2023 (**DPDPA**): India's privacy law, which is set to come into effect by May 2027, aims to protect the processing of personal data of individuals by giving them broad rights, including the right to consent to the processing of their data, and the ability to modify or withdraw any such consent. Once fully operational, the law will have implications for AI models, which often rely on large datasets for training and may scrape, collect or process personal data without obtaining the requisite consents, giving rise to potential privacy violations.
3. (Proposed) Digital India Act (**DIA**): MeitY proposed the DIA as a successor to the IT Act, aimed at covering emerging technologies, online safety, cybersecurity and digital user rights. Early consultations in 2023 suggested it would place specific obligations on social media platforms, e-commerce entities and AI systems, with a particular focus on 'high-risk' AI. The DIA has not progressed since then, with limited information of its drafting progress or enactment in the public domain to date.

In addition to these central laws, sectoral regulators have issued sector-specific guidelines, advisories and voluntary frameworks to address AI in their respective domains. Some of these are discussed in the Regulatory guidance/voluntary codes section.

Regulatory guidance / voluntary codes

India's approach to regulating AI and addressing emerging technology-related risks relies on existing laws applied purposively, alongside sectoral guidance, voluntary codes, and strategic frameworks.

Key central guidance includes:

- NITI Aayog (2021): The National Institution for Transforming India (**NITI Aayog**), the government's public policy think tank, released the Responsible AI #AIFORALL in 2021. Part 1 of the Responsible AI document '*Principles for Responsible AI*', released in February 2021, outlined the risks and recommended seven key principles for responsible AI: safety and reliability, equality, inclusivity and non-discrimination, privacy and security, transparency, accountability and protection and reinforcement of positive human values. Part 2, *Operationalizing Principles for Responsible AI*, released in August 2021, recommended strategy for public and private sector to operationalise the principles. Part 2 also proposed the creation of a Council for Ethics and Technology (**CET**) to oversee responsible AI deployment, though the CET has not been formally constituted as of date.

- India AI Governance Guidelines: Building on the NITI Aayog framework, MeitY established the IndiaAI Mission as the flagship national initiative to develop a comprehensive AI ecosystem. The Mission aims to democratise computing access, enhance data quality through curated AI-ready datasets, develop indigenous capabilities, attract talent, enable industry collaboration and promote ethical AI, amongst others. Under this Mission, MeitY released the India AI Governance Guidelines, establishing a 'pro-innovation techno-legal framework'. The Guidelines are split into four parts. The first part focuses on seven fundamental principles (*sutras*):
  - Trust is the Foundation;
  - People First;
  - Innovation over Restraint;
  - Fairness and Equity;
  - Accountability;
  - Understandable by Design; and
  - Safety, Resilience and Sustainability.

These sutras have been adapted from the RBI's FREE-AI Committee report (discussed below), and are intended to be cross-sectoral, technology-neutral and foundational for responsible AI development and deployment.

Part 2 of the guidelines examines issues and provides recommendations through six pillars of infrastructure, capacity building, policy and regulation, risk mitigation, accountability and institutions, whereas Part 3 and Part 4 are focused on action plan and suggestions for responsible AI use.

Key sector-specific guidance includes:

- *Reserve Bank of India (**RBI**):* The Reserve Bank of India, India's apex bank, constituted the Framework for Responsible and Ethical Enablement of Artificial Intelligence (FREE-AI) Committee. It was tasked with providing recommendations for responsible and ethical adoption of AI in the financial sector. Mooting the seven principles or sutras, the FREE-AI Committee Report also discusses six strategic pillars of infrastructure, policy, capacity, governance, protection and assurance, addressing dimensions of innovation enablement as well risk mitigation. It also outlines 26 recommendations for AI adoption in the financial sector. This report is a forward-looking blueprint and is not law.
- *Securities and Exchange Board of India (**SEBI**):* SEBI, which regulates the securities and commodity markets in India, has issued a series of measures for AI usage, such as: Reporting for Artificial Intelligence (AI) and Machine Learning (ML) applications and systems offered and used by Market Infrastructure Institutions (MIIs) (2019); Master Circular for Investment Advisers (2025) which *inter alia* requires investment advisors to disclose AI use to clients and take sole responsibility for AI-derived advice; Consultation Paper with proposed guidelines for responsible usage of AI/ML in Indian Securities Markets (2025); and Advisory on Emerging Advanced Artificial Intelligence (AI) Tools for Vulnerability Detection (like Mythos) (2026).

- *Insurance Regulatory and Development Authority of India (**IRDAI**):* IRDAI, India's insurance regulator, issued the Insurance Fraud Monitoring Framework Guidelines (October 2025), aiming to deter, prevent, detect, report and remedy fraud risks effectively across the insurance industry. It *inter alia* requires insurers to establish dedicated fraud-monitoring governance structures and strengthen technology-enabled fraud detection and monitoring mechanisms across the insurance value chain. Most recently, the IRDAI constituted a seven-member Working Group on AI Governance (June 2026), tasked with assessing AI adoption across the sector and recommending a formal governance framework for ethical, transparent and explainable use of AI in insurance, including for claims and fraud detection.
- *Ministry of Health and Family Welfare:* The Strategy for AI in Healthcare for India, launched by the Ministry of Health and Family Welfare in February 2026, is a guidance framework for responsible integration of AI in the healthcare ecosystem. The Indian Council of Medical Research (**ICMR**) had also released Ethical Guidelines for Application of Artificial Intelligence in Biomedical Research and Healthcare in 2023, which provides an ethics framework for development, deployment and adoption of AI-based solutions in biomedical research and healthcare, addressing key principles such as patient safety, data privacy, algorithmic transparency, accountability and human oversight of AI systems.
- *Bureau of Indian Standards (**BIS**)*: BIS, India's national standards body, has also adopted certain ISO/IEC AI standards as Indian Standards, including IS/ISO/IEC 23894:2023 on AI risk management. These standards are voluntary technical benchmarks for AI governance, risk management and management systems, and may shape future regulatory expectations and sectoral guidance in India.

Appointed supervisory authority

There is no single supervisory authority for AI in India. At the central level, MeitY is the key ministry entrusted with policy and promotion of matters relating to information technology, electronics, and internet, which includes AI and cybersecurity. It is also the nodal body responsible for the IndiaAI Mission and the India AI Governance Guidelines.

Sectoral regulators also play a role in guiding, monitoring and addressing AI-related issues within their respective domains, as discussed in the Regulatory guidance /voluntary codes section.

Privacy concerns arising from the use or misuse of AI will fall within the ambit of the Data Protection Board, which is a specific body to be constituted under the DPDPA. Consumer protection issues arising from unfair trade practices or misleading advertising involving AI may be addressed through the central consumer protection authorities and consumer forums.

Some Indian states such as Kerala and Tamil Nadu have also taken steps towards AI governance by appointing dedicated ministers/ministries for promotion and governance of AI.

Definitions

India does not have a specific or standardised AI definition.

The IT Rules define 'synthetically generated information' to mean *'audio, visual or audio-visual information which is artificially or algorithmically created, generated, modified or altered using a computer resource, in a manner that such information appears to be real, authentic or true and depicts or portrays any individual or event in a manner that is, or is likely to be perceived as indistinguishable from a natural person or real-world event'*. This definition provides some exceptions for SGI such as routine editing, formatting, enhancing quality and accessibility of the audio-visual content, etc., if the work is created in good faith and does not misrepresent or alter the underlying work.

Although the definition does not mention AI, it is intended to cover AI-generated content.

Further, certain sector-specific materials such as the RBI FREE-AI Committee Report and the India AI Governance Guidelines use the Organisation for Economic Co-operation and Development's definition of AI: '*An AI system is a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. Different AI systems vary in their levels of autonomy and adaptiveness after deployment.*'

Prohibited activities

India does not have a specific or standardised list of prohibitory AI uses.

AI uses that may trigger liability include the creation of deepfakes without consent, use of AI for spreading misinformation, identity theft, fraud, creation of unlawful content, and unlawful personal data processing or use of third-party content for AI training without the requisite consents (such as scraping). Liability may arise under the IT Act, the DPDPA, the Copyright Act, 1957, and other applicable laws, depending on the nature of the offence.

High-risk AI

India does not have a universal risk categorisation framework under law.

The India AI Governance Guidelines recommend India-focused risk classifications keeping the unique aspects of India and sector-specific use cases in context. It also highlights the need to protect vulnerable groups (such as women and children) from risks of AI.

The RBI's FREE-AI framework recommends that regulated financial institutions adopt a Board-approved AI policy that risk-tiers their AI use cases by materiality, complexity and degree of autonomy, with more stringent controls applied proportionately to higher-risk applications. The report provides illustrative examples across the risk spectrum, ranging from lower-risk internal uses (such as chatbots and back-office automation) to higher-risk applications (such as credit scoring and automated underwriting) where greater oversight and validation are expected. The FREE-AI framework is a forward-looking recommendation and is not binding law.

Controls on generative AI

India does not have any specific or standardised list of controls on generative AI.

Due diligence, time-bound take-down and labelling requirements for SGI under the IT Act and the IT Rules are discussed in the Law/proposed law section. Other laws, such as Copyright Act, 1957, may apply if generative AI uses copyright data without due permission, resulting in infringement-related issues.

Enforcement / fines

India currently lacks legislation specific to AI. Consequently, there is no specific or standardised list of enforcement actions/fines *vis-à-vis* AI-related offences.

Penalties and enforcement mechanisms are contextual and can vary depending on the nature of offence. For instance, use of an individual's personal data for AI training models could trigger privacy violation (resulting in fines under the DPDPA), or use of content without licences could result in copyright infringement claims (resulting in civil or criminal actions). Similarly, use of AI for deepfakes, identity theft or creation of unlawful content can trigger liability under the IT Act, as well as the criminal laws of India, resulting in fines, imprisonment or both. Sector-specific regulations may also be invoked if the use contravenes the relevant regulations.

User transparency

India currently lacks legislation specific to AI. Consequently, there is no codified framework addressing user transparency within a single regulation. However, transparency is reflected as a foundational value in the India AI Governance Guidelines (through the sutras of Trust, People First and Understandable by Design) and in certain sector-specific frameworks.

Fairness / unlawful bias

India currently lacks legislation specific to AI. Consequently, there is no codified framework for addressing fairness or anti-bias principles within a single regulation. Although the sutras of Trust and Fairness and Equity forming part of the India AI Governance Guidelines and certain sector-specific frameworks emphasise the requirement of fairness and mitigating unlawful bias.

Human oversight

India currently lacks legislation specific to AI. Consequently, there is no codified framework to address human oversight within a single regulation. However, human oversight is a core principle seen across India's AI Governance Guidelines and certain sector-specific frameworks, to prevent autonomous AI systems from causing unchecked harm.

Additionally, the Indian Supreme Court released its Draft Regulations for Use of AI in Courts for public consultation in June 2026. This is India's first proposed judicial AI governance framework that emphasises AI must always remain subordinate to human judgement and may only function in an assistive capacity.

Key contacts



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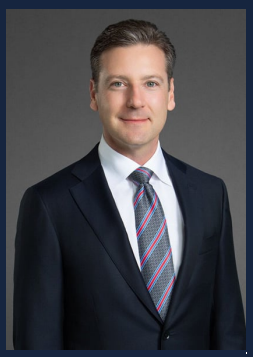
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