

# **Regulating Artificial Intelligence in India: Constitutional Challenges, and the Need for A Comprehensive AI Law**

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**Abstract:** *Artificial Intelligence (AI) is increasingly shaping decision-making processes in governance, law enforcement, healthcare, finance, and digital platforms in India. While AI promises efficiency and innovation, its rapid deployment raises serious constitutional, ethical, and legal concerns, particularly relating to privacy, equality, transparency, and accountability. India currently lacks a comprehensive legal framework specifically regulating artificial intelligence. Instead, AI governance is addressed indirectly through existing laws such as the Information Technology Act, 2000, and the Digital Personal Data Protection Act, 2023, along with non-binding policy guidelines issued by governmental bodies. This fragmented approach is inadequate to address the unique challenges posed by autonomous and algorithmic systems.*

*This paper critically examines the constitutional implications of AI deployment in India, with a focus on the right to privacy under Article 21, equality and non-discrimination under Article 14, freedom of expression under Article 19, and principles of due process and natural justice. It analyses the limitations of existing legal frameworks in ensuring algorithmic transparency, fairness, and effective remedies against AI-driven harms. Through a comparative study of global regulatory models, particularly the European Union's risk-based AI Act and international ethical frameworks, the paper identifies best practices relevant to the Indian context. The study argues for the urgent need to enact a comprehensive and rights-oriented AI law in India that balances technological innovation with constitutional values. It proposes key elements for an Indian AI regulatory framework aimed at ensuring accountability, human oversight, and protection of fundamental rights in the age of artificial intelligence.*

**Keywords:** Artificial Intelligence, AI Regulation, Indian Constitution, Data Protection, Digital Personal Data Protection Act, 2023, Algorithmic Accountability, Privacy Rights, Constitutional Law

