Daily Mains Practice Question 29-06-2026

GS III - Science and Technology

Artificial Intelligence presents unprecedented opportunities as well as significant challenges to democracy and fundamental rights. Discuss the need for constitutional guardrails for AI governance in India. **(10 Marks, 150 Words)**

For Reference Click Here: **IAS PARLIAMENT** **THE HINDU**

Introduction:

Artificial Intelligence (AI) has emerged as one of the most transformative technologies of the 21st century, reshaping governance, economy, and society at large by revolutionizing governance, healthcare, education, and economic growth.

Main Body

AI offers unprecedented opportunities for innovation, efficiency, and growth, it also poses significant risks to democracy and fundamental rights through issues such as surveillance, algorithmic bias, and misinformation and the erosion of privacy and freedoms. The key lies in building frameworks that harness AI's potential while safeguarding democratic values and human rights.

Need for Constitutional Guardrails

- **Protect Right to Privacy (Article 21)** – AI-driven surveillance and mass data collection violate the informational privacy and personal autonomy, laid down in Justice K. S. Puttaswamy (Retd.) v. Union of India, 2017.
- **Ensure Equality (Article 14)** – Biased algorithms can reinforce discrimination in employment, healthcare, education, policing, and credit delivery, violating the principle of equal protection.
- **Safeguard Freedom of Speech (Article 19)** – AI-generated misinformation, deepfakes, and opaque content moderation can distort public discourse and electoral integrity.
- **Preserve Due Process (Articles 20 & 21)** – Automated administrative decisions affecting welfare, employment, or policing require transparency, explainability, and avenues for appeal.

- **Strengthen Accountability** – AI-assisted governance must remain subject to parliamentary oversight, judicial review, independent audits and other independent regulation.
- **Preserve National Sovereignty** – AI-enabled foreign disinformation campaigns necessitate constitutional safeguards to protect electoral integrity and national security.
- **Promote Ethical Innovation** – The constitutional safeguards foster public trust while enabling responsible AI adoption.

What are the few key existing measures?

- **Digital Personal Data Protection Act, 2023** – Serves as the cornerstone for AI development involving personal data.
- **India AI Mission** – A comprehensive initiative to strengthen AI infrastructure, innovation, and skilling.
- **NITI Aayog's Responsible** AI for All principles emphasizing fairness, transparency, accountability, and inclusiveness.
- **Information Technology (IT) Act, 2000** – The backbone of digital governance.
- **India AI Governance Guidelines** – This framework outlines a pro-innovation, human-centric approach based on ethical principles.

What are the measures India needs to be taken?

- Enact a comprehensive AI Governance Law based on constitutional values.
- Mandate algorithmic transparency, explainability, and periodic independent audits for high-risk AI systems.
- Establish an independent AI Regulatory Authority with multidisciplinary expertise.
- Introduce risk-based regulation for sectors such as healthcare, policing, finance, and elections.
- Promote digital literacy, fact-checking infrastructure, and early-warning systems against AI-enabled misinformation.
- Encourage ethical and indigenous AI innovation through multi-stakeholder collaboration.

Conclusion:

AI should serve as an instrument of constitutional governance, not constitutional erosion. Embedding AI regulation within the framework of Fundamental Rights, constitutional morality, and democratic accountability will enable India to harness technological innovation while safeguarding individual freedoms, democratic institutions, and digital sovereignty.

SHANKAR IAS PARLIAMENT
Information is Empowering