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Artificial Intelligence (AI) Governance in India: A Global Perspective

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Abstract:

Artificial Intelligence (AI) has transformed healthcare, education, public administration and agriculture, reshaping economies of all nations. This AI-driven innovation offers significant benefits, but it raises ethical, legal, moral, and human rights concerns, including algorithmic bias, transparency, data privacy, and accountability, sparking global debates over AI regulation. This research examines India's AI governance landscape through a comparative analysis of the EU, the USA, and China, with the objective of developing a rights-based, context-specific, innovation-friendly regulatory framework for India.

The study adopts doctrinal and comparative legal methodologies, drawing on scholarly articles, legislative policy documents, regulatory institutions, and case studies. The EU's AI regulation is risk-based, grounded in the binding AI Act and the General Data Protection Regulation (GDPR), which emphasise human rights, transparency, and accountability. The US framework is fragmented, sector-specific, voluntary, and accountability-driven by competitiveness and Innovation and overseen by the Federal Trade Commission. On the other hand, China has a state-centric, security-oriented AI governance framework, with comprehensive regulatory oversight of generative AI, deepfakes, and algorithmic systems shaped by collective values, national security priorities, and strong state oversight.

In contrast, India lacks a binding AI regulatory framework; the rapid AI adoption is based on economic growth, which is formally based on policy-driven initiatives and largely voluntary, incorporating existing policy wording from the National Strategy for AI and Responsible AI, which prompts regulatory gaps in areas such as legality, data protection, algorithmic fairness and institutional enforcement. The study underscores India's institutional, political, and

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socio-economic dichotomy, which further complicates the direct implementation of foreign AI regulatory models, requiring India to formulate a hybrid, adaptive AI governance framework that incorporates the EU's risk-based approach, the US's sectoral flexibility and China's regulatory clarity while remaining anchored in India's constitutional and democratic values. The paper contributes to legal literature on technology governance by providing normative guidelines for developing a balanced, rights-oriented, innovation-compatible AI regulatory framework suited to the Indian context.

Keywords: India, Comparative AI regulation, AI regulation, Human Rights, Technology law.

Introduction:

Artificial Intelligence had its beginnings way back in the 1950s. Marvin Minsky, one of the founders of AI, said, "The science of making machines do things that would require intelligence if done by man"[1] AI is the study of how computers can mimic human problem-solving and thinking. AI is functionally categorised into four types depending on the tasks which it is supposed to perform. Firstly, rule-based AI, which is programmed to perform specific functions, such as playing chess. Secondly, machine-based systems use algorithms and learns from given data examples, including image recognition software. Thirdly, deep learning, which uses neural networks to analyse vast amounts of data and learns from it. Examples include self-driving cars, facial recognition and lastly, Neural networks, which are structured to mimic the human brain. Examples include speech recognition and translation tools.[2] India's digital space is expanding exponentially, with over 900 million Internet users.[3]

The study critically analyses India's AI governance in comparison to Global frameworks, highlighting gaps in policy and its ethical implications. India's AI landscape comprises startups, academia, and IT giants. Innovation is driven by startups, academia nurturing skills

[1] Edwina L Rissland, 'Artificial Intelligence and Law: Stepping Stones to a Model of Legal Reasoning' (1990) 99 Source: The Yale Law Journal 1957 <https://www.jstor.org/stable/796679> accessed 31 October 2025.

[2] 'AI, Creativity, and Copyright Law in India: Navigating the Boundaries of Originality and Authorship' International Journal of Law Management & Humanities.

[3] Ali Alibeigi, 'Bridging the Gap: Assessing India's Digital Personal Data Protection Act in Light of the EU GDPR'(2025)6SComputer Science accessed 27 October 2025.

and talent and by IT giants spending on research and development.[4] Innovation projects like "India AI Mission" and "Digital Shram Setu" offer unique opportunities for citizens to explore AI initiatives and help India emerge as a global leader in Artificial Intelligence, thus projecting India's AI market to reach $17 billion by 2027.[5] The India's unique position in the rapid digitisation, evolving legal structures, and the ways emerging economies harness AI. Despite the many challenges around data protection, the digital divide and complex regulations.[6] Also, it is worth noting that the rapid expansion has raised governance concerns about privacy, algorithmic bias, and fair access to technology.[7] Thus, strong legal frameworks are required to strike a balance between innovation and accountability, thereby enhancing confidence and transparency in Artificial Intelligence systems.[8] This paper analyses India's regulatory trajectory, its alignment with International bodies, and its unique socio-technical environments. On the other hand, the paper is structured as follows: first, focusing on AI governance in India; second, comparing its framework with international standards; third, examining socio-technical challenges; and lastly, offering recommendations to strengthen regulatory mechanisms.

The three key research questions addressed in this paper are: how the European Union, the United States, and China regulate Artificial Intelligence using different governance models. Secondly, what legal and institutional gaps exist in India's current AI governance landscape, and lastly, how can India develop a context-specific regulatory model that balances innovation with constitutional protections and accountability?

[4] Hifajatali Sayyed, 'Artificial Intelligence and Criminal Liability in India: Exploring Legal Implications and Challenges' (2024) 10 Cogent Social Sciences <https://doi.org/10.1080/23311886.2024.2343195> accessed 28 October 2025.

[5] 'Behind the Term Sheets: Prime, Lightspeed, Together, and Pi Ventures Take on the AI "Hype vs Real" Debate at ET Soonicorns Summit 2025 - The Economic Times' <https://economictimes.indiatimes.com/tech/startups/behind-the-term-sheets-prime-lightspeed-together-and-pi-ventures-take-on-the-ai-hype-vs-real-debate-at-et-soonicorns-summit-2025/articleshow/122221338.cms> accessed 25 October 2025.

[6] Animesh Kumar Sharma and Rahul Sharma, 'Governance in the Age of Artificial Intelligence: A Comparative Analysis of Policy Framework in BRICS Nations' (2025) 46 AI Magazine <https://doi.org/10.1002/aaai.70010> accessed 28 October 2025.

[7] Nithin Monteiro and Vaishali Singh, 'The Wheel of Artificial Intelligence Governance' (2025) 10 Sustainable Futures <https://doi.org/10.1016/j.sftr.2025.101279> accessed 24 October 2025.

[8] Sharma and Sharma (n 6).

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Literature Review

Existing scholarship has examined India's evolving AI governance framework and its regulatory challenges.[9] Research on Artificial Intelligence governance underscores the importance of its regulation. AI has increasingly influenced multiple sectors from education to healthcare to agriculture. There is a need to regulate this space, and governments are trying to regulate responsibly so Innovation can prevail. The Journal of Artificial Intelligence Policy in India, authored by Marda V (2018), clearly outlines the effects of AI on human rights, privacy, transparency, and the rule of law. The work shows that AI is not merely a tool but has a profound effect on social, ethical, and political issues, thereby requiring regulation.[10]

Global Ethical Principles and Their Limitations

The International Agency UNESCO has set out principles related to AI in its Ethics of AI recommendation, so that these global standards can help nations formulate fair, transparent, rights-oriented, and accountable AI. In the journal UNESCO's AI Ethics Principles: Challenges and Opportunities (2024), author Neelam Allahrakha[11] Discusses the challenges faced by Nations due to their cultural, legal, socio-economic, and political differences, as there is no global entity to foresee them. Although the Organisation for Economic Cooperation and Development's AI principles (2021)[12] are widely accepted, they are voluntary. Many authors agree that they are helpful but can't be replaced by national laws and regulatory frameworks.

Global Regulatory Framework: EU, USA and China

This section of the Literature review extensively compares the current global regulatory framework. The European Union has relied on categorising risk-based Artificial Intelligence governance within the EU AI Act to put pressure on high-risk AI systems, and uphold explainability must be contextualised for providers, deployers, regulators, and affected

[9] Ravinder Reddy Kunduru, '"India's Advance on AI Regulation: A Critical Review" and "AI Regulation in India: A Global Comparative Perspective"' (Lovely Professional University 2025).

[10] Vidushi Marda, 'Artificial Intelligence Policy in India' (2018) 376 Philosophical Transactions: Mathematical, Physical and Engineering Sciences 1 <https://www.jstor.org/stable/26601842>.

[11] Naeem Allahrakha, 'UNESCO's AI Ethics Principles: Challenges and Opportunities' (2024) 2 International Journal of Law and Policy 24 <https://doi.org/10.59022/IJLP.225> accessed 8 November 2025.

[12] State of implementation of the OECD AI Principles 2021.

individuals, as discussed by Sapienza S and Palmirani M in the Algorithmic Knowledge article. The EU's AI Act clearly prioritises human rights and accountability.[13]

The United States of America, on the other hand, has a sector-specific model, as described by Chun Jon, de Witt, Christian Schroeder, and Elkins, Katherine, in Comparative Global AI regulation. The US policy is influenced by global competition, especially with China, and as a result, the focus is more on AI innovation than on strict regulation. Different agencies regulate AI, for example, Healthcare and Finance, thus leading to fragmented and inconsistent protection.[14]

The studies by Zhang et al.[15] in Same Goal, Different Paths and Daly et al.[16] in AI Governance and Ethics have shown that China has a centralised governance approach with strong state control, and social stability infused with cultural influences of collectivism and Confucian values, raising doubts about individual privacy and government surveillance. Hence, there is no "one size fits all," as it varies depending on a nation's cultural, economic, political, and social dependencies.

India's AI Governance Model: Strengths, Challenges and Gaps

As per AI governance in India, law, policy, and political economy research have shown that it has both strengths and weaknesses, opportunities and challenges, with innovation more forefront than accountability. It has been debated that India's political economy drives AI policy, aligning with innovation, industry-driven development, and economic growth.[17] Research has shown a lack of awareness among both policymakers and citizens about the

[13] Salvatore Sapienza and Monica Palmirani, 'Algorithmic Knowability: A Unified Approach to Explanations in the AI Act' (2026) 2576 CCIS Communications in Computer and Information Science 185 <https://doi.org/10.1007/978-3-032-08317-3_9> accessed 5 November 2025.

[14] Jon Chun, Christian Schroeder de Witt and Katherine Elkins, 'Comparative Global AI Regulation: Policy Perspectives from the EU, China, and the US' <https://arxiv.org/pdf/2410.21279> accessed 6 November 2025.

[15] Puxin Zhang and others, 'Same Goal, Different Paths: Contrasting Approaches to AI Regulation in China and India' (2025) 49 Telecommunications Policy 103019 <https://doi.org/10.1016/J.TELPOL.2025.103019> accessed 2 November 2025.

[16] Angela Daly and others, 'AI, Governance and Ethics' [2021] Constitutional Challenges in the Algorithmic Society 182 <https://doi.org/10.1017/9781108914857.010> accessed 5 November 2025.

[17] Divij Joshi, 'AI Governance in India – Law, Policy and Political Economy' (2024) 10 Communication Research and Practice 328 <https://doi.org/10.1080/22041451.2024.2346428> accessed 31 October 2025.

risks of AI and the use of Western datasets, which can introduce bias because they differ across social contexts. [18]

Many authors note a regulatory gap, as there is no set AI law in India that poses a risk to individual rights, highlighting legal gaps in areas such as algorithmic bias, fairness, and liability. [19] AI challenges the traditional legal ideas in fields of Evidence, intention and responsibility Sayyed, H.[20] This shows that India is growing exponentially in AI, but not in AI regulation. Thus, creating a gap which needs urgent attention.

Governance approaches – Hybrid, Polycentric and Adaptive.

Current research articles are now focusing on resolution rather than problems by combining laws, ethics, risk management, and stakeholder participation through a Hybrid governance model. In Wheel of Artificial Intelligence Governance, the AI life cycle is defined, with emphasis on formal regulation, self-regulation, continuous monitoring, and adherence to ethical principles. This can be applied to India due to its diverse institutions and uneven capacity. [21] The concept of Legal pluralism must be adhered to by AI, as ignoring it will lead to a lack of public trust, as AI systems operate in a rule-based environment, as Korol and Korol highlight.[22] Another author, Lindgren, examines human-AI interaction and argues that stakeholders must ensure transparency and trust, and that regulation must consider human behaviour rather than focusing solely on AI technicalities. On the other hand, AI governance is swayed by economic competitiveness and investment [23] Gechev's analysis of financial

[18] Nitika Bhalla, · Laurence Brooks and · Tonii Leach, 'Ensuring a "Responsible" AI Future in India: RRI as an Approach for Identifying the Ethical Challenges from an Indian Perspective' (2023) 4 AI and Ethics 2023 4:4 1409 <https://doi.org/10.1007/S43681-023-00370-W> accessed 8 November 2025.

[19] Mugdha Anand Mundle, 'Emerging Legal Issues in an AI-Driven India' (2023) 5 Issue 1 Indian Journal of Law and Legal Research <https://heinonline.org/HOL/Page?handle=hein.journals/injlolw10&id=1955&div=176&collection=journals> accessed 5 November 2025.

[20] Sayyed (n 4).

[21] Monteiro and Singh (n 7).

[22] Elena Korol and Sofiya Korol, 'AI, Legal Pluralism, and Property Governance: Comparative Insights on Rulemaking and Enforcement from the U.S., U.K., Ukraine, China, and India' (2025) 7 Journal of Business and Management Studies 182 <https://doi.org/10.32996/JBMS.2025.7.4.10> accessed 2 November 2025.

[23] Raghuveer Negi, 'Global Investment Scenario of Artificial Intelligence (AI): A Study With Reference to China, India and United States' (14 December 2018) <https://papers.ssrn.com/abstract=3682919> accessed 2 November 2025.

investment by the EU, the USA, and China clearly shows that these countries want to dominate the AI world. In contrast, India wants to grow slowly and economically by adopting AI. This competition paves the way for innovation but might discourage strict regulation unless carefully balanced.[24]

The existing scholarship on AI governance highlights three dominant regulatory approaches: the one in the European Union's risk-based framework, through the EU AI Act and the GDPR, prioritising transparency and accountability. The United States' decentralised and sector-specific approach prioritises innovation and market competition, while China's state-centric regulatory model relies on strong government oversight. Although these studies provide valuable insights into global AI governance, limited research has examined how these regulatory models help India develop a context-specific AI governance framework.

Research Methodology

This research adopts a Doctrinal, Qualitative, and comparative research methodology by analysing policy documents and case studies. Primary sources include legislation, official documents, policy papers related to the EU, the US, China and India. The secondary sources include peer-reviewed articles and reports. The combination of doctrinal, policy-analytic and empirical approaches ensures that a rigorous and holistic assessment of the Global AI regulatory model can be applied to the Indian context.

Doctrinal Legal Research:

The Doctrinal Legal Research is the foundational method used for this study, which involves a systematic examination of regulatory texts such as the EU AI Act (2024) and the General Data Protection Regulation (2018), as well as US federal and sector-specific documents, such as Federal Trade Commission guidelines and National Institute of Standards and Technology frameworks: China's cybersecurity laws, Generative AI, and deepfake measures. India has guidelines from the National Strategy for AI, Responsible AI, data governance, and emerging policy principles. This method allows us to analyse the legal principles related to transparency, accountability, risk classification, data protection, algorithmic bias, and liability, and to identify gaps in India's current approach, as India currently lacks a legally binding AI framework and relies on self-regulation.

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[24] Vasil Gechev, 'ECONOMIC POLICY INSTRUMENTS FOR INNOVATIVE GROWTH IN THE EUROPEAN UNION - THE CASE OF AI' (2025) 13 ECONOMICS - Innovative and Economics Research Journal 397 <https://doi.org/10.2478/eoik-2025-0071> accessed 6 November 2025.

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Comparative Methodology:

The research explicitly compares the regulatory frameworks of the EU, the US, China and India using a structured comparative legal methodology mapping regulatory philosophies wherein the EU has a risk-based approach, the US with a decentralised federal and sectoral-driven model, China with a state-centric and security-focused model and India with an innovation-based but regulation-deficient landscape. The comparative study also focuses on assessing institutional capacity, including enforcement mechanisms, regulatory maturity, and infrastructure readiness. The study further analysis how each region's culture, politics and economy shapes its AI framework with examples of China where collective values influence strict state control and US where innovation driven leads to scattered regulatory framework and India's socio-economic diversity creates challenges in uniformed AI framework which means one can't simply copy paste foreign laws from other countries due to its informal institutions, cultural diversity and social relations need context specific approach.

Political Economy analysis:

The study also focuses on political economy as AI is not just regulated by Laws but by power and global politics with how big companies and governments influence AI rules like US tech giants vs China's state centric model, India's push for digital economy despite limited resources, International rivalry among China and US and EU's race to formulate global standards and investment patters as discussed by Gechev and Negi where financial interests share policy decisions. This shows that AI is not only about law but also about global power dynamics, economic goals, and global strategy.

Global AI Governance Models:

Framework in China:[25]

1. Regulatory Perspective – China's AI framework is robust and focused, with a strong regulatory framework addressing generative AI and Deepfake technology. The main aim is National Security.
2. Legal Framework – Multiple laws are applicable, like Personal Information Protection Law 2021, Data Security Law 2021, Cybersecurity Law 2017, Interim Measures for Generative AI services 2023, and the Algorithm Regulation Rules 2022, AI Generated Content Labelling Measures 2025.

[25] Dalia Alic, 'The Role of Data Protection and Cybersecurity Regulations in Artificial Intelligence Global Governance: A Comparative Analysis of the European Union, the United States, and China Regulatory Framework' (2021) <https://doi.org/10.13140/RG.2.2.29886.00328>.

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3. Core Values – Controlled innovation is fostered, keeping in mind that the National Stability and State security override ethics.
4. Enforcement Mechanisms – The Cyberspace Administration of China (CAC), along with sectoral ministries, ensures rigorous enforcement and monitoring.
5. Criticism – Strong laws favouring the State and weak civil privacy, State surveillance.

Framework in The United States of America:[26]

1. Regulatory Perspective – Innovation driven, sectoral and decentralised, focused on innovation leadership and private sector autonomy.
2. Legal Framework – There is no AI statute, and it is covered under Privacy, Consumer and civil rights. This approach is fragmented by laws at the Federal and State levels, including the Civil Rights Act of 1964 & Fair Housing Act of 1968. Equal Credit Opportunity Act (ECOA), 1974, Health Insurance Portability and Accountability Act (HIPAA), 1996, Children's Online Privacy Protection Act (COPPA), 1998, California Consumer Protection Act (CCPA) / CPRA, 2018-2023, Virginia Consumer Data Protection Act (VCDPA), 2023, Colorado Privacy Act (CPA), 2023.
3. Core Values – The USA fosters private autonomy over AI, thus paving the way for innovation, Competitiveness with voluntary ethical principles under the AI Bill of Rights (2022)
4. Enforcement Mechanisms – The USA does not have a central AI regulator. Still, it is overseen by the National Institute of Standards and Technology (NIST), the Federal Trade Commission (FTC) and other federal agencies.
5. Criticism – At the federal level, the privacy protection is Weak

Framework in the European Union:[27]

1. Regulatory Perspective – The EU has a defined AI regulation which is risk-based, human-centric and overseen by the European Commission and national data authorities.
2. Legal Framework – The EU has a strong AI Act called the EU AI Act 2024. Applicable laws include the General Data Protection Regulation (GDPR) of 2018, the Artificial Intelligence Act of 2024, the Digital Services Act of 2022 and the Cyber Resilience Act of 2024.

[26] ibid.

[27] ibid..

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3. Core Values – At the core, it is the protection of Human fundamental rights, and it is Non-discriminatory and transparent.
4. Enforcement Mechanisms – A defined European AI Office and Data Protection Officers oversee the enforcement.
5. Criticism – More policing has led to Overregulation and complex enforcement, which hampers Innovation.

AI Governance in India

Indian constitutional jurisprudence plays a vital role in regulating emerging AI technologies. The Supreme Court has defined the concepts of legality, proportionality and necessity in relation to the state data processing operations, acknowledging that the right to privacy is a basic right under Article 21 of the Indian Constitution, in Justice K.S. Puttaswamy Vs Union of India (2017)[28]. In a similar vein, excessive data collection and misuse were highlighted in the Aadhaar Judgement (2018)[29], which proposed constitutional bounds on biometric identity systems, including facial recognition, biometric monitoring, and decision-making systems used by both the public and private sectors. Artificial Intelligence has gained popularity worldwide, including in India, prompting legal and policy discussions. Over the past two decades, the government's approach to AI has been minimal, thereby paving the way for economic growth through a few government pilot projects. In 2018, the NITI Aayog released a national strategy for Artificial Intelligence, which adopts the view that AI can be used for economic and social development, steering the development of AI towards solving societal needs, including in the sectors of healthcare, education and infrastructure, which were traditionally controlled by the state and government in a welfare economy.[30] The Aadhaar system shows how building a digital network has connected a global data-driven economy, thus giving rise to what is called informational capitalism. India's light-touch approach seems tentative and non-interventionist, favouring self-regulation rather than strong control,[31] And NITI Aayog's "Responsible AI for All" promotes innovation while managing risks. To build

[28] 'Justice K.S.Puttaswamy(Retd) And Anr. vs Union Of India And Ors. on 24 August, 2017' <https://indiankanoon.org/doc/91938676/> accessed 10 March 2026.

[29] 'Constitutionality of Aadhaar Act: Judgment Summary - Supreme Court Observer' <https://www.scobserver.in/reports/constitutionality-of-aadhaar-justice-k-s-puttaswamy-union-of-india-judgment-in-plain-english/> accessed 10 March 2026.

[30] Joshi (n 17).

[31] Zhang and others (n 15).

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a robust data governance framework, India is working with the Joint Parliamentary Committee to review the Digital Personal Data Protection Bill and has implemented it in November 2025 but it does not clearly define to regulate AI . The Ministry of Electronics and Information Technology (MeitY) is working towards non-personal data regulation and updating the IT Act. The Department reviews the E-commerce policy for Promotion of Industry and Internal Trade. NITI Aayog has introduced the Data Empowerment and Protection Architecture (DEPA), ensuring that information is safe and shared with consent, thereby improving privacy and security and paving the way for innovation.[32] India, when compared to the Organisation for Economic Co-operation and Development (OECD) 2019, the governance model of India fits well as it incorporates five core values: first, growth and well-being; second, human-centred; third, transparency and accountability; fourth, robustness and safety; and last but not least, fairness, allowing India to be on par with global standards. Incorporating OECD governance principles and UNESCO's Ethics of Artificial Intelligence can help India shape its AI policy landscape by balancing innovation with accountability, thus fostering public trust, safeguarding individual rights, and tackling domestic socio-economic realities.

Socio-Legal Dimensions: Comparative Analysis of India, China, The USA and The European Union

Global Governance Frameworks:

There are two intergovernmental frameworks which are progressively shaping the global governance of Artificial Intelligence, at first OECD, which provides a baseline for governance principles and launched OECD.AI to monitor AI policy, as well as promoting responsible AI for research and projects through Global Partnership on AI (GPAI). Secondly, UNESCO's recommendation on Ethics of Artificial Intelligence (2021) outlines ethical guidelines and conserves privacy, fairness, cultural diversity and sustainability, ensuring AI upholds fundamental rights and human dignity. [33]

[32] 'Data Empowerment And Protection Architecture-Draft for Discussion Data Empowerment And Protection Architecture Draft for Discussion A Secure Consent-Based Data Sharing Framework To Accelerate Financial Inclusion Draft Document For Discussion Data Empower…' <https://www.niti.gov.in/sites/default/files/2020-09/DEPA-Book.pdf> accessed 7 March 2026.

[33] Allahrakha (n 11).

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Ethical and Socio-technical Implications

Artificial Intelligence is categorised into three types: Artificial Narrow Intelligence, Artificial General Intelligence and Artificial Super Intelligence. However, humans have managed to master the Artificial Narrow Intelligence in many ways, such as Google search indexing, Email spam filtering, and almost all passenger planes flown by ANI. Thus, the risks include ethical issues, algorithmic bias, and accountability gaps.[34] Artificial Intelligence companies are developing a new type of agents called "AI Agents", which are advanced and work like human experts. This could revolutionise the way we work, replace the human workforce, and add economic benefit to society; on the other hand, such AI agents should be designed to comply with constitutional and criminal law. [35] Thus, digital assistants and robots are taking on social roles as AI integrates into technology, so merely calling a computer system a tool is no longer appropriate, as human-AI interactions form relationships. Although the technology is designed to be neutral, people tend to interact as if they are social beings and issues related to trust, accountability, and transparency remain central. However, people might not understand when an AI advises or how decisions are made, which will lead to conflicts of interest, bias and manipulation. [36] Examples of traffic camera policing in India, predictive policing in the UK and mortgage fraud detection in the USA ignore human-centric judgment; thus, ignoring the social and legal contexts by AI systems will lead to mistrust, unfairness and in-justice.[37] India's "AI for All" mantra serves as a benchmark for future AI design, development, and deployment, ensuring the safe, responsible use of AI.[38]

Governance Gaps in India

Every field, if examined, is influenced by Artificial Intelligence, and in India, it is growing rapidly across education, finance, healthcare, public administration, and agriculture. This advancement seems impressive, but it lacks legal regulatory oversight. Although the

[34] Arjun Ghosh, Ankit Saini and Himanshu Barad, 'Artificial Intelligence in Governance: Recent Trends, Risks, Challenges, Innovative Frameworks and Future Directions' [2025] AI & SOCIETY 2025 1 <https://doi.org/10.1007/S00146-025-02312-Y> accessed 2 November 2025.

[35] O, 'Law-Following AI: Designing AI Agents to Obey Human Laws' (2025) 94 Fordham Law Review.

[36] Helena Lindgren, 'Emerging Roles and Relationships Among Humans and Interactive AI Systems' (2025) 41 International Journal of Human-Computer Interaction 10595 <https://doi.org/10.1080/10447318.2024.2435693> accessed 2 November 2025.

[37] Korol and Korol (n 22).

[38] 'Responsible AI For All' <https://www.drishtiias.com/summary-of-important-reports/responsible-ai-for-all> accessed 2 November 2025.

government documents guide is aligned with the National Strategy for AI and Responsible AI, adherence to the principles is voluntary for developers, deployers, and government agencies, creating a vacuum and leaving critical issues like accountability, transparency, fairness, data protection, ethical oversight and socio-economic impact leading to bias, violation of human rights.

In contrast, the EU, the USA and China have already developed structured AI governance. The EU's AI Act plays a pivotal role in regulating AI through risk-based classification and imposing strict legal consequences for violations. The USA model, although decentralised and fragmented, is governed by sectoral, federal and AI Bill of Rights principles. China is the first to implement laws related to deep fakes and Generative AI with strong state oversight. These different global models reflect different political, legal, social, economic, and cultural aspects. They provide mechanisms to address issues related to accountability, transparency, and ethics.

India lacks concrete comparative studies on the application of global AI regulations from the EU, the US, and China to its legal and cultural environment. The absence of an innovation-friendly, rights-based, and practical implementation of the AI regulatory framework is the core problem in India.

Building a Hybrid AI governance model:

The regulatory pathway India needs to adopt is a hybrid AI governance model. This model could incorporate the European Union's risk-based option, in which the AI is classified by risk ranking. The United States has sector-specific regulatory flexibility, and China has clear enforcement mechanisms. At the same time the India's framework must be anchored in constitutional safeguards such as privacy, equality and due process, thus allowing India to promote technological innovation while ensuring accountability, transparency and protection of fundamental rights.

Conclusion

The rapid advancement of Artificial Intelligence across different disciplines has created significant opportunities for economic development and improved public services, but this advancement has raised complex legal and ethical concerns regarding transparency, accountability, fairness and Privacy, thus posing challenges to governments to regulate emerging technologies and safeguard fundamental human rights.

The study focuses on three regions' approach to AI regulation, the European Union's risk-based classification of AI harnessed by the EU AI Act and General Data Protection Regulation protecting fundamental rights of individuals, the sector-specific approach prioritising innovation and competitiveness regulation in the United States of America and China's state-centric approach having governmental oversight. In contrast, the National Strategy for AI and Responsible AI for All are policy-driven approaches adopted by India without a comprehensive framework, creating gaps in regulation across accountability, transparency, data protection, and Institutional enforcement.

This paper addresses these challenges by proposing the development of a hybrid AI governance model for India, advising the incorporation of the European Union's risk-based regulatory classification, the United States' sectoral flexibility, and China's enforcement mechanisms, while remaining firmly grounded in India's constitutional principles of privacy, equality, and due process. It is recommended that India establish a mandatory AI regulatory authority to oversee the functioning of AI systems and enact a dedicated AI law based on a risk-classification framework inspired by the EU AI Act, including mandatory algorithmic impact assessments. Such a framework should ensure transparency, audit obligations, and regulatory accountability. Formulating such a balanced governance model would enable India to harness the benefits of AI while ensuring accountability, protecting fundamental rights, and maintaining public trust in emerging technologies. Future research should focus on Institutional design, regulatory capacity, and Governance mechanisms that ensure India's AI regulatory landscape remains adaptable to rapidly changing technologies.

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