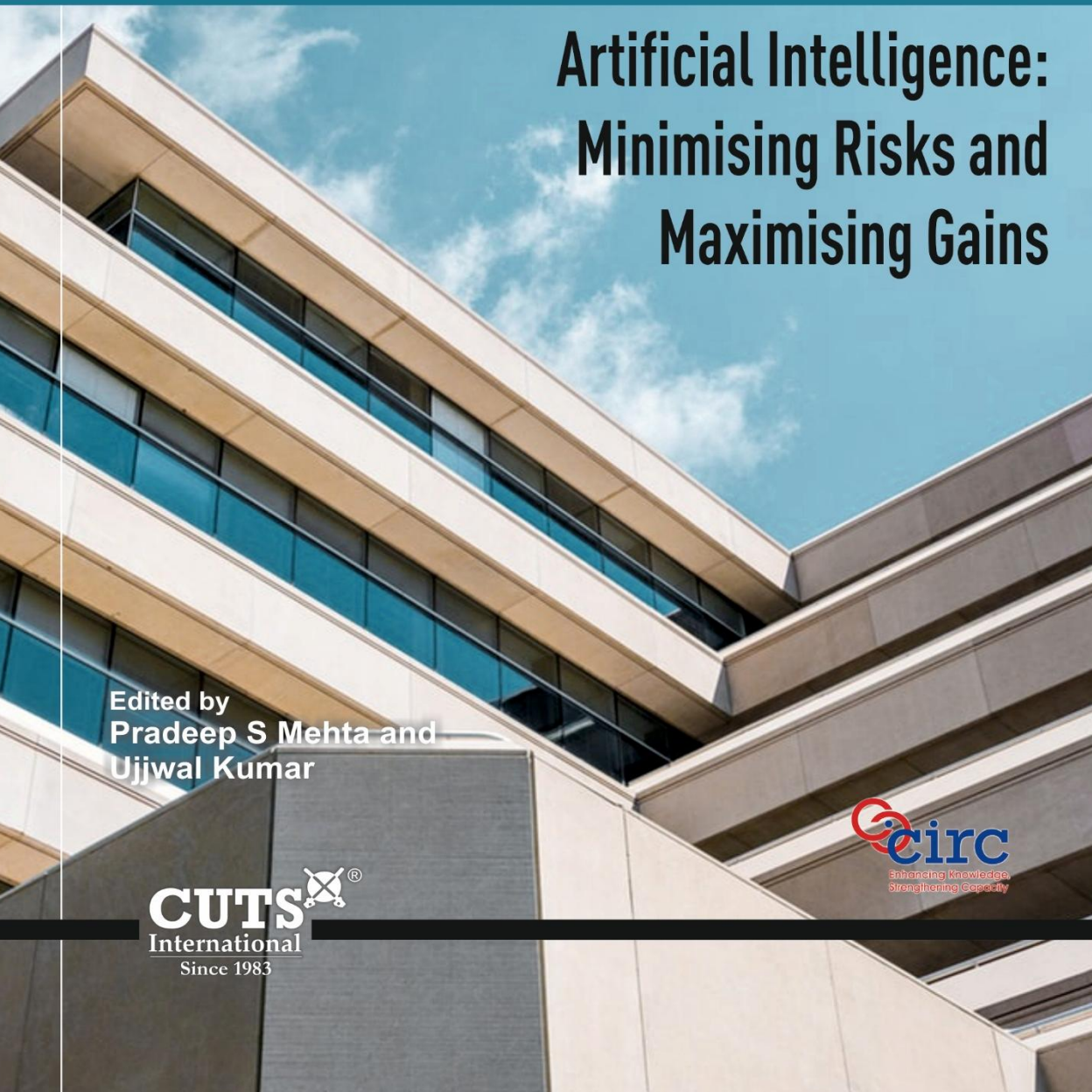
Competition and Regulation in India 2025

Artificial Intelligence: Minimising Risks and Maximising Gains



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Chapters and Contributors

Chapter 1. Overview

This is a regular chapter that presents the macroeconomic status of India and recent economic reforms in brief, shedding light on the previous and present editions of the ICRR, as well as providing some general information related to the theme of the current ICRR.

Chapter 2. Perception and Awareness Reporting

This chapter presents survey results from consumers and small businesses regarding their perceptions of current regulations and competition issues related to AI, including those relevant to the theme of the present ICRR.

Chapter 3. Emerging Competition Issues in AI

Vidhi Maharishi, Junior Consultant, CUTS

This chapter provides a brief introduction to various issues related to competition in the AI ecosystem, including major competition law concerns in the AI market, from AI-induced cartels to abuse of dominance through exploitative or exclusionary conduct by dominant players. The chapter also examines antitrust challenges in mergers and acquisitions within the AI market, such as killer acquisitions.

Chapter 4. Artificial Intelligence and Tacit Collusion: An Indian Competition Law Perspective

Dr. Drishti Parnami, Fellow, CUTS Institute for Regulation & Competition

This chapter explores whether algorithm-driven tacit collusion should be classified as per se anti-competitive and examines the legal and ethical challenges associated with assigning liability in cases involving complex AI systems. It provides an overview of tacit collusion, highlighting its characteristics and implications in traditional markets, delves into the impact of AI technology on tacit collusion in digital markets, and concludes with solutions to address algorithmic tacit collusion.

Chapter 5. The Copyright Conundrum of Generative AI Training: An Indian Legal Analysis

Jameela Sahiba, Associate Director- AI and Public Affairs, The Dialogue

This chapter will explores the copyright-related implications of GenAI within the limited but critically significant context of the training phase. By deliberately excluding questions related to authorship, ownership, and liability in the output stage, the chapter maintains a focused inquiry into how existing copyright doctrines apply, or fail to apply to the ingestion and utilization of copyrighted data by GenAI systems.

Chapter 6. Regulation of AI for Healthcare in India

Shlok Siddhant – Member, Tanya Kukade – Senior Member, Dr. Milind Antani – Head, Pharmaceutical and Life Sciences Practice, Nishith Desai Associates

This chapter will explore the available regulatory tools to govern various facets of AI applications in healthcare, such as diagnostics, treatment planning, disease surveillance, and health system efficiency. It will also illustrate various regulatory approaches and challenges to regulation as well as provide appropriate recommendations.

Chapter 7. Cyber Threats in the Age of AI: Securing the Digital Frontier

Sohom Banerjee, Senior Research Associate, CUTS

This chapter will focus on the cybersecurity risks introduced and amplified by AI, such as AI-powered phishing, malware, autonomous cyberweapons, and deepfakes. It will also analyse vulnerabilities in India's cyber infrastructure and discuss the use of AI for cyber defence, helping to identify and neutralise threats in real time. The chapter will also address integrated regulatory and technical approaches to enhance cyber defence and protect national security in an AI-driven world.

Chapter 8. AI and the Risk Spectrum: Misinformation, Hallucinations, Bias, and Privacy

Krishaank Jugiani, Senior Research Associate, CUTS

This chapter will examine the societal risks associated with AI systems, particularly those related to generative AI. These include the spread of fake news and disinformation, hallucinated outputs, algorithmic discrimination, and violations of personal privacy. The chapter will explore the regulatory, ethical, and technical tools available to mitigate these risks while maintaining AI's utility and innovation potential.

Chapter 9. The AI-Workforce Equation: Skilling for a Transforming Economy

Divya Aggarwal - Research Associate at Office of Gopal Krishna Agarwal

This chapter will analyse the impact of AI on jobs, employment, and the future of work in India. It assess the widening gaps in AI education and skill development across India's Tier 1, Tier 2, and Tier 3 cities and urban and rural areas and how the gap led to the underutilisation of human resources. The chapter adopts a mixed-method approach, combining primary research with secondary data.

Chapter 10. Epilogue

The final chapter will synthesise insights from the report, emphasising the need for a balanced, forward-looking approach to regulating AI. It will reflect on India's strategic position in the global AI ecosystem, summarising key challenges and opportunities. The epilogue will propose a road map for a regulatory and competitive environment that aligns AI deployment with public interest, economic growth, and democratic values.