



INDIA AI REGULATORY UPDATE

A consolidated reference guide to India's evolving AI regulatory and policy landscape

September 08, 2026

India presently does not have a dedicated statute governing artificial intelligence ("AI"). However, the regulatory landscape relating to AI is increasingly being shaped through a combination of legislative amendments, sector-specific guidance, regulatory advisories, policy reports and judicial developments. As AI adoption continues to expand across sectors, navigating the Indian regulatory framework requires continuous monitoring of developments across diverse regulators, ministries, courts and sectoral authorities.

The **India AI Regulatory Update** is a monthly publication by **AZB & Partners** that consolidates key legal, regulatory and policy developments relevant to AI development and deployment in India, providing readers with a centralised and structured reference point. Each edition captures significant regulatory updates, proposed and enacted legal developments, regulatory guidance, policy initiatives, and notable judicial decisions relating to the development, deployment and governance of AI systems in India.

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A. MeitY (Ministry of Electronics & Information Technology)

MeitY is the nodal ministry responsible for formulating and implementing national policies and programmes relating to information technology and digital ecosystem in India. Its mandate includes the development and regulation of the electronics and information technology sector, promotion of digital governance, facilitation of emerging technologies, and strengthening of cybersecurity and digital infrastructure initiatives across the country.

The Information Technology Act, 2000 ("**IT Act**") is the principal legislation governing electronic communications, electronic records, cybersecurity and intermediary liability in India. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("**IT Rules**"), issued under the IT Act, prescribe due diligence obligations required to be complied with by intermediaries in order to avail safe harbour from liability arising from third-party information, data or communication links hosted, stored or transmitted through their platforms.

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
Amendments / Laws				
1.	Draft Amendment to IT (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026 ("Draft Second Amendment Rules") (Relating to strengthening intermediary compliance with advisories and directions issued by the ministries)	The original draft was released on March 30, 2026 (access here) New draft with certain amendments introduced on April 21, 2026 (access here)	The Draft Second Amendment Rules seek to significantly expand intermediary due diligence obligations and strengthen governmental oversight over intermediaries and online content. The key highlights of the Draft Second Amendment Rules are: (i) Intermediaries are mandated to comply with clarifications, advisories, directions, SOPs, codes of practice and guidelines issued by MeitY, as part of their due diligence obligations, with non-compliance potentially affecting the availability of safe harbour protection under Section 79 of the IT Act. It further clarifies that these advisories will be issued in writing, specify the legal basis, and the scope of applicability for class of intermediaries, to support their validity. (ii) The due diligence obligation requiring display of information pertaining to synthetically generated information by intermediaries is proposed to be updated – the relevant information must be shown in a continuous and clearly visible label throughout the duration of the content. (iii) Part III of the IT Rules prescribe Code of Ethics ("Code"), that are applicable onto publishers of news and current affairs content, and of online curated	Draft for public consultation Comments were open until May 7, 2026

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			content. The Ministry of Broadcasting ("MIB") has been empowered to establish an oversight mechanism to track compliance with the Code, which includes the power to appoint an Inter-Departmental Committee to hear grievances (Rule 14), issue directions for blocking or modifying digital content (Rule 15), and immediately block content in case of emergency (Rule 16). The Draft Second Amendment Rules propose that the oversight mechanism under Rules 14, 15 and 16 will also apply to intermediaries, and any news and current affairs content created, hosted, uploaded or shared on the platforms of such intermediaries by users, who themselves are not publishers. (iv) The role of the Inter-Departmental Committee mentioned above is proposed to be expanded, such that it can adjudicate matters referred by MeitY, as well as resolve grievances relating to violation of the Code (that are resolved as per the self-regulating process applicable onto publishers or not resolved in a timely manner). Upon hearing the cases in hand, the Inter-Departmental Committee will submit recommendations to MeitY. (v) The IT Rules impose data retention requirements on intermediaries. The Draft Second Amendment Rules updates the existing retention period by allowing intermediaries to retain data for a longer period if required under law.	
2.	Amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("Amendment") (Relating to synthetically generated information)	The draft was released on February 10, 2026 and came into force on February 20, 2026. (access amendment here, and FAQs here)	The key highlights of the Amendment are: (i) The Amendment introduces the concept of 'synthetically generated information' ("SGI") vide Rule 2(1)(wa), to mean <u>audio, visual, or audio-visual information that is artificially or algorithmically created, generated, modified, or altered, and such information appears to be authentic and depicts any individual or event in a manner that is likely to be perceived as, indistinguishable from a natural person or a real-world event.</u> (ii) A dedicated due diligence framework is established (under Rule 3(3)) for intermediaries that offer computer resources that enable or facilitate the	In Force

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		Note: The earlier version of the draft was released on October 22, 2025, along with an explanatory note from MeitY.	creation, generation, modification, alteration, publication, transmission, sharing, or dissemination of SGI. (iii) Intermediaries are required to deploy reasonable and appropriate technical measures to prevent users from creating or transmitting unlawful SGI. (iv) Platforms must also ensure prominent labelling of SGI through metadata, identifiers, or other technical mechanisms capable of identifying the intermediary computer resource used to create, generate, modify, or alter such information. (v) Significant social media intermediaries ("SSMIs") are additionally required to obtain user declarations that confirm whether uploaded content constitutes SGI, deploy technical verification mechanisms to assess the correctness of such declarations, and ensure that SGI is appropriately labelled prior to publication. (vi) The Amendment Rules also significantly reduce timelines for takedown of unlawful content and grievance redressal, including a three-hour (03) timeline for removal of unlawful content pursuant to government or court directions and a two-hour (02) timeline for certain sensitive content, including deepfakes and non-consensual intimate imagery. (vii) Non-compliance with these due diligence obligations may result in intermediaries losing safe harbour protections available under the IT Act. The detailed summary published on the AZB website is accessible here.	
Guidance / Advisory				
3.	India AI Governance Guidelines (Issued under the IndiaAI Mission by MeitY, November 2025)	November 5, 2025 (access here)	The Guidelines build on the conceptual foundation laid out in MeitY's Report on AI Governance Guidelines Development (January 2025) ("Report") and contains a principle-based approach to AI governance. They propose a combination of institutional design, voluntary governance measures and techno-legal instruments. The summary published on the AZB website.	Advisory

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
4.	Report on AI Governance Guidelines Development (Issued under the IndiaAI Mission by MeitY, November 2025)	January 6, 2025 (access here)	The sub-committee (formed under the Office of the Principal Scientific Advisor (PSA) to the Government) released its recommendations in the form of the AI Governance Guidelines Report. The Report reiterates a principle-based approach for AI governance in India and refers to existing global and Indian principles that may be operationalized by the Government and private sector. The summary published on the AZB website.	Advisory
5	MeitY AI Advisory	March 15, 2024 (access here)	On March 1, 2024, MeitY issued an advisory on use of AI, which was revised soon by the advisory dated March 15, 2024 ("Revised Advisory"). The key recommendations of the advisory are: (i) Use of AI models / LLMs / Generative AIs / software(s) or algorithm(s) has to be compliant with IT Rules and IT Act. (ii) The intermediaries or platforms are advised to ensure that their computer resource do not permit any bias or discrimination. (iii) Intermediaries and platforms are advised to label the possible inherent fallibility of the output generated from the AI models and implement a consent mechanism that explicitly informs users that the content is derived from AI. (iv) Inform users about the consequence of dealing with unlawful information on their platform, including disabling of access, or removal of content, or suspension or termination of user accounts, and punishment under law. (v) Ensure labelling or embedding unique metadata / identifier for potential misinformation or deepfakes. The summary published on the AZB website.	Advisory

B. CCI (Competition Commission of India)

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
1.	CCI Guidance Note - Self Audits for deploying AI Tools	March 2026 (access here)	CCI has issued a guidance note advising companies to undertake self-audits of their AI systems. This guidance note is attached to the <i>Market Study on Artificial Intelligence and Competition</i> and encourages enterprises deploying AI systems to undertake voluntary self-audits and adopt safeguards to mitigate potential anti-competitive risks arising from the use of AI tools. Some of the key recommendations include: (i) undertaking self-audits of AI systems to identify and mitigate risks of anti-competitive conduct; (ii) improving transparency in AI-driven decision making, including disclosures relating to the role of AI in pricing, ranking, recommendations and eligibility determinations; (iii) encouraging engagement with experts and stakeholders to better understand evolving technological and competition-related concerns in AI markets; (iv) supporting open-source AI development, interoperability and talent development initiatives under the IndiaAI Mission to reduce barriers to market entry; and (v) strengthening inter-regulatory coordination and international cooperation in addressing competition concerns arising from AI systems and digital markets. The summary published on the AZB website.	Advisory

C. SEBI (Securities & Exchange Board of India)

SEBI is a statutory body established through the provisions of the Securities and Exchange Board of India Act, 1992 to protect the interests of investors in securities and to promote the development of, and to regulate the securities market and related matters.

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
Guidance / Advisory				
1.	Advisory on Emerging Advanced AI Tools for vulnerability detection	May 5, 2026 (access here)	SEBI has issued an advisory highlighting cybersecurity and operational risks arising from emerging AI-driven vulnerability detection tools such as 'Mythos' and has constituted a dedicated task force, 'cyber-suraksha.ai', to examine AI-related cyber risks in the securities market ecosystem including: (i) Strengthening cybersecurity controls through continuous vulnerability assessments and undertaking security audits in compliance with the Cyber Security and Cyber Resilience Framework of SEBI; (ii) Ensure full documentation, impact analysis, review, testing, and secure deployment for any system change; (iii) Maintain updated API inventories, enforce strong authentication, implement rate limiting, and allow connections only on a whitelist basis; (iv) Strengthen SOC monitoring (including low-priority alerts); implement SOAR/SIEM integration; expedite M-SOC onboarding; Market Infrastructure Institutions (MIIs) to conduct onboarding workshops; (v) Conduct periodic risk assessments including scenario-based testing; consider AI model capabilities as a risk scenario.	Advisory
2.	SEBI working on framework for AI-based trading amid growing cyber threats	May 2026 (a news report on this is accessible here)	SEBI Chairman, Tuhin Kanta Pandey said that SEBI will soon come out with guidelines for AI-driven trading, while cautioning that AI presents both opportunities and heightened cyber risk for the financial ecosystem.	Expected

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3.	SEBI Consultation Paper on Guidelines for Responsible Usage of AI/ML in Indian Securities Market	June 20, 2025 (access here)	SEBI proposes a framework based on the following principles: (i) Governance: Market participants using AI/ML models must establish robust governance mechanisms with skilled and experienced internal teams overseeing the performance, controls, testing, efficacy, and security of the algorithms deployed throughout their lifecycle. (ii) Disclosures to clients: If market participants use AI/ML models for business operations that may directly impact their customers, such as asset management or advisory services, they must disclose key details, including product features, risks, limitations, fees, etc. (iii) Testing: Before deployment, testing should be conducted in an environment segregated from the live environment. (iv) Fairness: AI/ML-based models must be fair and not discriminate against any client segment. Market participants should implement appropriate processes and controls to detect and eliminate bias from datasets. (v) Data Privacy and Cybersecurity: Use of personal data must be in compliance with applicable laws. Market participants must have clear policies for data security, cybersecurity and data privacy for the usage of AI/ML-based models, and must report any technical glitches or data breaches to SEBI and other authorities.	Advisory
Amendments / Laws				
4.	SEBI Amendments: (a) Securities and Exchange Board of India (Intermediaries) Regulations, 2008 (" Intermediary Regulation ");	February 2025 • Intermediary Regulation (here)	They mandate regulated entities ("REs") to take full responsibility for the use of artificial intelligence (AI) designed by them or acquired from others. (i) Applicability: The Regulations apply to REs, irrespective of the scale and scenario of adoption of such tools for conducting its business and servicing its investors.	In Force

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	(b) Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) Regulations, 2018; ("SECC Regulations") and (c) Securities and Exchange Board of India (Depositories and Participants) Regulations, 2018 ("Depositories Regulations") collectively ("Regulations")	- SECC Regulations (here) - Depositories Regulations (here)	(ii) Responsibility: The concerned REs will be responsible for the privacy, security and integrity of investors' and stakeholders' data including information maintained in a fiduciary capacity: (a) Compliance: REs shall be responsible for ensuring that their AI and ML tools are compliant with all applicable laws in force, irrespective of the method, extent or degree of adoption of such technologies or tools. (b) Data Privacy: REs shall be solely responsible for ensuring the privacy, security and integrity of investor and stakeholder data. This will especially include the data maintained by REs in a fiduciary capacity. (c) Operational Liability: REs shall be held responsible (and are liable to investors) for all consequences arising from outputs from the usage of AI or ML technologies that are relied upon for any purpose.	

D. RBI (Reserve Bank of India)

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
1	RBI Framework for Responsible and Ethical Enablement of Artificial Intelligence (FREE-AI) Report	August 13, 2025 (access here)	The RBI FREE-AI Report proposes how India's financial sector should adopt AI in a safe, ethical and innovation-friendly manner. The key objectives of the FREE-AI Report are: (i) Foster Innovation: Encourage the adoption of AI to improve efficiency and customer service.	Guidance Report

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			(ii) Manage Risk: Ensure AI deployment does not threaten consumer protection or financial stability. (iii) Ensure Accountability: Establish clear lines of responsibility for AI systems and their outcomes. (iv) Strengthen Oversight: Provide the RBI with a clear supervisory framework to assess AI use in banks. (v) Risk-Opportunity Assessment: The Report acknowledges AI's potential to enhance efficiency, but flags incremental risks of algorithmic bias, opacity, data protection, liability attribution and financial instability. (vi) Seven Sutras: Trust, fairness, accountability, explainability, human-centric design, safety/resilience, and pro-innovation posture which should guide AI development and deployment within regulated entities. (vii) Structured Framework: The Report makes 26 recommendations organised across six governance pillars. infrastructure, policy, capacity, governance, protection, and assurance. Each pillar contains specific recommendations that together outline RBI's expectations for responsible AI adoption in the financial sector.	

E. CERT-IN (Indian Computer Emergency Response Team)

In India, **CERT-In** (Indian Computer Emergency Response Team) is the national nodal agency responsible for responding to cybersecurity incidents, analyzing vulnerabilities, and defending the country's digital infrastructure.

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
Guidelines / Advisory				

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
1.	Blueprint for Reducing Exposure and Defending against AI-Assisted Vulnerabilities Exploitation in Digital Infrastructure	May 25, 2026 (access here)	CERT-in has developed a blueprint to support organisations in strengthening resilience against AI-enabled cyber threats. CERT-in recommends that given the rapidly evolving nature of AI-assisted cyber threats, organisations should continuously reassess exposure, validate security controls, strengthen resilience capabilities, and <u>enhance operational preparedness through ongoing audits, monitoring, testing, and coordinated cybersecurity governance.</u> It advises organisations to govern their AI systems, patch critical vulnerabilities within hours, prepare for deepfake impersonation attacks, and establish a dedicated AI asset inventory. It covers nine areas (<i>mentioned below</i>) across 14 sections and includes a three-phase implementation roadmap. (i) Governance and accountability mechanisms. (ii) Exposure reduction strategies. (iii) Technical defensive controls. (iv) AI-aware security operations. (v) Vulnerability and exposure management. (vi) Supply-chain security. (vii) Incident response and cyber resilience. (viii) Continuous security validation. (ix) Workforce preparedness and operational readiness. The blueprint also encourages organisations to implement the recommendations in a <u>phased, risk-informed manner based on operational criticality, technology dependencies, and threat conditions.</u>	Advisory
2.	CERT-In Advisory on defending against Frontier AI Driven cyber hacks	April 2026 (access here)	CERT-In advisory CIAD-2026-0020 is titled '<u>Defending Against Frontier AI Driven Cyber Risks</u>' and captures a warning that advanced AI models may significantly enhance cyberattack capabilities through large-scale vulnerability	Advisory

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			analysis, exploit generation, automated reconnaissance, credential harvesting, AI-enabled phishing, and autonomous attack orchestration. The advisory highlights risks relating to accelerated exploitation of vulnerabilities, compromise of internet-facing infrastructure, and AI-assisted cyber operations at scale. CERT-In has advised organisations to strengthen cybersecurity preparedness, continuous monitoring, vulnerability management and AI-risk mitigation frameworks in light of evolving frontier AI capabilities.	
3.	Technical Guidelines on SBOM QBOM & CBOM AIBOM HBOM	July 2025 (access here)	CERT-In has, released the ‘Technical Guidelines on SBOM, QBOM & CBOM, AIBOM, HBOM’ ("BOM Guidelines") detailing its prescription for maintaining various bills of materials, including Software Bill of Materials ("SBOM"), Artificial Intelligence Bill of Materials ("AIBOM"), Hardware Bill of Materials ("HBOM"), Quantum Bill of Materials ("QBOM") and Cryptographic Bill of Materials ("CBOM"). The BOM Guidelines are intended to benefit entities in the ‘public sector, Government, essential services and organisations involved in software export and software services industry.’ The BOM Guidelines introduce a voluntary but detailed framework for improving software supply chain transparency through the maintenance of BOM across software and now AI, and hardware systems. Even though not legally binding, the BOM Guidelines are influencing market practices, and regulatory procurement expectations. The summary published on the AZB website.	Guidelines

F. OTHERS

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
Guidelines / Advisory				

SR. NO.	UPDATE	DATE	SUMMARY	STATUS
1.	Supreme Court of India's Regulations for Use of Artificial Intelligence (AI) in Courts, 2026	June 3, 2026 (accessible here)	The SC published draft regulations prepared by the SC's Artificial Intelligence Committee for the use, deployment, or integration of AI in any judicial, adjudicatory or administrative function of Courts in India including the Tribunals and statutory Commissions performing adjudicatory functions, within the territory of India. Key features of the draft regulations include: (i) The use of AI shall remain at all times strictly subservient to human judgment and judicial authority. (ii) AI system will function only in an assistive capacity, and the ultimate authority to determine matters of law, fact and justice shall vest exclusively in the judicial officers. (iii) The use of AI in any Court process shall be proportionate to the nature, complexity and risk profile of the relevant task. (iv) Prohibitions on AI-based adjudication or sentencing, risk scoring for bail or recidivism, predictive profiling, undisclosed opaque AI systems, AI-led surveillance and use of AI-generated material as evidence without disclosure. (v) Emphasis on principles such as human primacy, judicial independence, transparency, accountability, fairness, privacy, cybersecurity and responsible AI adoption. (vi) Establishment of procedural, audit and compliance mechanisms for institutional mechanism constituted under the draft regulations such as: (a) A permanent Apex Body at the SC level proposed to regulate AI governance in the judiciary, supported by specialised committees on judicial innovation, technology, data management, infrastructure and cybersecurity.	Draft for public consultation Comments were open until June 20, 2026.

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			(b) It mandates Technical and Ethical Impact Assessments, controlled environment testing, annual audits, AI Registers and AI Incident Databases for all Court AI systems. (c) Every High Court is mandated to establish and maintain an emergency protocol for AI system failure, ensuring continuity through manual means. (d) Courts and litigants are required to disclose material use of AI in proceedings, and parties remain fully responsible for false or misleading AI-generated content filed before courts. (vii) Safeguards relating to procurement, vendor engagement, ownership of judicial data, explainability obligations, cybersecurity, anonymisation, compliance with the DPDP Act and IT Act, as well as training and grievance redressal mechanisms to support responsible AI adoption in the justice system.	
2.	Supreme Court Directs BCI to Form Expert Panel on AI Use in Courts After Judge Cites Non-Existent Judgment	May 2026 A news report capturing the same is accessible here	SC directed BCI to form an expert committee of lawyers and technologists to study: (i) risks of AI hallucinations in legal proceedings, (ii) ethical norms for AI-assisted legal work, and (iii) verification and accountability standards. This happened after a trial court in Andhra Pradesh cited four non-existent AI-generated judgments in a property dispute. The SC has asked the BCI to submit a report of its recommendations.	Expected
3.	Bar Council's statement on advocates verifying all AI generated legal research	June 4, 2026 (accessible here)	The Bar Council of India ("BCI") has said advocates must verify all AI-generated legal research and cannot shift responsibility for fake citations or fabricated judgments to technology. Additionally, BCI highlighted that AI cannot supplant a lawyer's independent judgment, ethical responsibilities, or accountability, to the court and clients.	Advisory
Court Cases				

4.	ANI Media Private Limited Vs. Open AI Inc. & Another [CS(COMM) 1028/2024]	Interim Order: July 24, 2026 (accessible here)	ANI (Asian News International) Media Private Limited ("ANI"), filed a suit on November 18, 2024, against OpenAI Inc. and OpenAI OpCo. LLC (collectively "OpenAI") before the Delhi High Court ("Court") alleging, <i>primarily</i>, copyright infringement, false attribution and improper use of their copyrighted content by OpenAI. ANI alleged that OpenAI (through its AI platform – ChatGPT) infringed its copyright in two principal ways. (i) OpenAI copied, stored and utilised ANI's copyrighted news content to train the large language models ("LLMs") underlying ChatGPT without obtaining any licence or authorisation; and (ii) ChatGPT reproduced substantial portions of ANI's copyrighted works in response to user prompts, thereby infringing ANI's exclusive rights under the Copyright Act, 1957 ("Copyright Act"). ANI sought an interim injunction restraining OpenAI from continuing such activities. The Delhi High Court dismissed the application for interim relief and made the following significant prima facie observations: (i) An argument for Copyright Infringement: The Court held that the Copyright Act protects the original expression of ideas, and not the underlying facts or news. It found that ANI had not produced sufficient prima facie evidence to establish that ChatGPT systematically memorised or reproduced ANI's copyrighted works or that the impugned outputs amounted to substantial reproduction of protected works. The Court therefore declined to presume infringement merely because ChatGPT had been trained on copyrighted material, holding that these issues require detailed technical evidence and must be determined at trial. (ii) AI Training, Storage as 'fair dealing' under Section 52: This order contains the first detailed judicial examination of whether AI training could fall within the exception under Section 52(1)(a) of the Copyright Act, which protects fair dealing for the purposes of "private or personal use, including research". At the outset, the Court rejected ANI's proposition that commercial use is, by itself, incompatible with fair dealing. It went on to say that an analysis under Section	Sub-judice
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			52 requires a holistic assessment of the purpose and fairness of the impugned use. In the present instance, the Court held that the expression "private" is not confined to individuals and may extend to private entities where copyrighted material is stored and used in a closed internal environment, latter being relevant for AI training. It also observed that "research" is not limited to academic or non-commercial activities and that AI training may, depending on the nature, purpose and surrounding circumstances, qualify as research for the purposes of Section 52. Applying this assessment, the Court held that OpenAI had raised an arguable defence in favour of fair dealing, noting that the impugned storage of ANI's copyrighted material was for training purposes, there was no <i>prima facie</i> evidence of market substitution or economic harm to ANI, and the development of generative AI serves a broader public interest. (iii) Interim Relief: Applying the principles governing interim injunctions, the Court held that the balance of convenience favoured OpenAI. It observed that any loss suffered by ANI could, if infringement were ultimately established, be compensated through damages, whereas restraining OpenAI's training activities at the interim stage could significantly impede the continued development and deployment of AI technologies before the legal issues had been conclusively adjudicated. The Court finally stated that the substantive issues relating to AI training, copyright infringement and the scope of fair dealing remain to be finally determined during trial. As of September 08, 2026, ANI has appealed this decision before the Delhi HC. The summary published on the AZB website.	
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