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AI AND ITS INTERPLAY WITH DATA PRIVACY, DATA PROTECTION, AND ALLIED EXISTING REGIME

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ABSTRACT :

This article describes technology as fascinating and rapidly evolving as wisdom. Artificial intelligence is a simulation of human intelligence by machines, especially computer systems. Specific applications of AI include artificial intelligence, natural language processing, speech recognition, and machine vision. Artificial intelligence (AI) has developed rapidly in recent years. AI capabilities will create pervasive and beneficial outcomes for individuals, organizations, and communities now and in the future. The article also provides information about data privacy and its laws. Confidentiality is generally about a person deciding when, how and to what extent their personal information is shared or discussed with others. This personal information could be a person's name, location, contact information, or online or real-world behavior. Privacy is considered a human right in many jurisdictions and data protection laws are in place to protect this right. Privacy is also important because for people to be willing to participate online, they must believe that their personal information will be protected and that it will not violate their fundamental right guaranteed under Article 21 of the Indian constitution in the case of K.S. Puttaswamy v Union of India" (2017), also known as the Privacy Decision. There are many data protection practices and the Bureau of Indian Standards contributes to data privacy. Information Technology Act 2000 (IT Act), The Indian Penal Code 1860 and Indian Evidence Act 1872 are India's current data protection laws.

KEYWORDS :

ARTIFICIAL INTELLIGENCE, DATA PRIVACY, DATA PROTECTION, NATURAL LANGUAGE PROCESSING, SPEECH RECOGNITION, AND MACHINE VISION.

INTRODUCTION :

In today's world when technology is becoming fast-growing and applications like artificial intelligence, natural language processing, speech recognition, and machine vision is a very common thing that can be used by users. it is in the form of self-driving cars, robots, Chat GPT, or other AI chatbots, and artificially created images. AI can make life easy by introducing many useful applications to ease the life of users by time management for reducing working hours in the workplace making work efficient and effective.

WHAT IS ARTIFICIAL INTELLIGENCE?

The term "artificial intelligence" (AI) describes the broad goal of empowering "computer systems to perform tasks that normally require human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages."Artificial intelligence is the simulation of human intelligence processes by machines, especially computer systems.

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AI requires specialized hardware and software to write and train machine learning algorithms. The rapid development of AI techniques can create realistic texts, images, music, and other media.

AI Programming focuses on artificial intelligence and includes:

- **Education :-** This part of AI programming focuses on taking data and creating rules to turn it into actionable data. These rules, called algorithms, provide the computer with step-by-step instructions on how to complete certain tasks.
- **Thoughts :-** This part of AI programming focuses on choosing the right algorithm to achieve the desired result.
- **Personal treatment :-** This aspect of AI programming is about constantly improving algorithms and ensuring they deliver the best possible results.
- **Creativity :-** This type of AI uses neural networks, rule-based algorithms, statistical algorithms, and other artificial intelligence techniques to create new images, new text, new music, and new ideas.

TYPES OF AI

WEAK ARTIFICIAL INTELLIGENCE

also known as Narrow AI, is designed and trained to complete specific tasks. There are robots and virtual assistants that use weak AI, like Apple's Siri

STRONG ARTIFICIFICIAL INTELLIGENCE

also known as Artificial General Intelligence (AGI), describes a process that can replace the capabilities of the human brain. When faced with unknown tasks, powerful AI machines can use logical reasoning to apply knowledge from one domain to another and find a solution on their own.

EXAMPLES OF AI TECHNOLOGY AND ITS USE :

- ☞ **Automation.** When combined with AI techniques, automation tools can scale the number and type of tasks performed. An example is robotic process automation (RPA), which is software that automates repetitive, data-driven tasks normally performed by humans.
- ☞ **Machine Learning.** This is the science of operating a computer without programming it.
- ☞ **Deep learning** is a part of machine learning that can be thought of in very simple terms as a function of predictive modeling. There are three types of machine learning algorithms:
- ☞ **Supervised learning.** The data is tagged so that patterns can be detected and used to generate new data.
- ☞ **Unsupervised Learning.** Files do not have tags, but they are sorted by similarity or difference.
- ☞ **Reinforcement learning.** The data is not recorded, but the AI system receives feedback after performing one or more actions.
- ☞ **Machine Vision.** These systems support the vision system. It captures and analyses visual information using methods such as image sensors, cameras, analog-to-digital conversion, and

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digital signal processing. for example, it is used in a range of applications from signature identification to medical image analysis.

- Natural Language Processing (NLP). This is what the computer program does for human speech. An old and well-known example of NLP is spam detection, which looks at the text and text of an email and determines if it's spam. NLP activities include text interpretation, emotional assessment, and speech recognition.
- Robotics. This engineering field focuses on designing and building robots. For example, robots are used on automobile assembly lines or by NASA to move large objects through space.
- autonomous vehicles. Self-driving cars use a combination of computer vision, image recognition, and deep learning to improve their ability to control the vehicle in a given lane and avoid high stops, such as pedestrians.

APPLICATIONS OF AI :

Some examples of AI application is: -

1. **Artificial Intelligence in Health.** The big bet is on improving patient outcomes and reducing costs. Doctors and radiologists could use fewer resources to diagnose cancer, search for genetic variants associated with the disease, and identify molecules that could save many people through better medicine.
2. **Artificial Intelligence for Business.** Machine learning algorithms are integrated into analytics and customer relationship management (CRM) platforms to resurface knowledge about how to better serve customers. Chatbots are embedded in the web to provide fast customer service.
3. **AI in education** AI teachers can provide extra support to keep students on the right track. As Chat GPT, Bard, and other mainstream language models have demonstrated, generative AI can help educators create curricula and other teaching materials that support students in new ways.
4. **Law uses AI** to help streamline painstaking processes in the legal industry, save time, and improve the customer experience.Law firms use machine learning to interpret data and predict results, computer vision to classify data and extract information, and NLP to interpret claims.
5. **Artificial Intelligence in Banking.** Banks have successfully used chatbots to inform their customers about services and products and to run business processes that do not require human interaction. AI virtual assistants can be used to improve and reduce the cost of compliance with banking regulations.

WHAT IS DATA PROTECTION?

Confidentiality is generally about a person deciding when, how and to what extent their personal information is shared or discussed with others. This personal information could be a person's name, location, contact information, or online or real-world behavior. One of the challenges of big data analytics is to be effective while protecting human rights and human rights management. Just as a person might want to exclude others from private conversations, many online users also want to control or prevent the collection of certain types of personal information. As internet usage increases over the years, the importance of data privacy also increases.

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Right to Privacy : Constitutional Essence

The word "privacy" is difficult to understand. It has been interpreted in many ways. According to Black's Law Dictionary, the "right to privacy" includes "a set of rights considered inherent in the concept of freedom".These freedoms protect people's fundamental rights to choose how they want to live and how they interact with their families, other people, and their relationships and activities.

In Ram Jethmalani v UOI (2011) 8 SCC 1, the Supreme Court recognized the right to privacy as an integral part of section 21.

Maneka Gandhi v. UOI AIR 1978 SIB 597 is contained in Article 21, which can be limited to fair, just, and reasonable procedures as prescribed by law. personal understanding and personal information.

Nine-judge ofthe Supreme Court, in case K.S. Puttaswamy v. UOI, August 2017 the Court emphasized the right to life and personal freedom under Article 21.

PROTECTING DATA IN AI WORLD :

Our world is experiencing a data explosion, with data volume doubling every two years, making up half of the daily data. Now, millions of smart phones and other devices collect and transmit data across the world's high-speed networks, store it in larger databases, and analyze it using powerful and intelligent software. The impact of big data is often described as three "Vs": volume, variety, and velocity. The flow of information from mobile phones and other online devices has increased the volume, diversity, and speed of information in all areas of our lives and has brought privacy to the forefront as an international public policy issue.

When it comes to personal information, data protection law applies. Unfortunately, the line between "what is personal " and "what is not personal" is very blurred with the social and emotional aspects of collective knowledge. Data that once seemed impersonal now has the potential to become personal data, and data users and data controllers are faced with the task of making daunting decisions about what information should be managed.

NEED FOR DATA PROTECTION LAW IN INDIA :

- The data protection policy regulates the collection, use, transfer, and disclosure of personal data and the security of this data.
- It gives people access to their data, establishes standards of responsibility for businesses that process data, and includes remedies for inappropriate or harmful actions.
- The Law on Protection of Personal Data also offers remedies for false profiling and fraud that can be carried out using stolen data.
- When information is misplaced, it affects people's safety in many ways, including business, personal and personal security, so protecting important information protects users from fraud.
- In India, the intersection of the different laws for different fields creates ambiguity, which is one of the primary reasons behind the breach of a large amount of data. There is not yet a single codified law in India that pays close attention to all the aspects of data protection and keeps a record of the penalties that should be imposed.1

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- This is despite India being a member of several international organizations that focus on data protection mechanisms such as theUnited Nations Commission on International Trade and the provisions in Directive Principles of State Policies.Article 38 deals with public health.is related to the overall welfare of citizens. Privacy and data protection are essentially related to a welfare state. In addition, Article 51 states that states must try to comply with international treaties and laws to establish international peace and security.

LAWS GOVERNING PRIVACY IN THE ARTIFICIAL INTELLIGENCE ERA INFORMATION TECHNOLOGY ACT

On October 17, 2000, the Information Technology Act 2000 was passed. It is India's first law regulating e-commerce and cybercrime. The law was passed to strengthen e-government, provide legal support to online businesses and fight cybercrime.

The United Nations Commission on International Trade Law (UNCITRAL), an international organization, adopted and later adopted the UNCITRAL Electronic Commerce Model Act in 1996 to comply with the laws of many countries and for the Government of India to follow instructions from UNCITRAL2. From the Ministry of Electronics and Information Technologies. Amended and ratified, it was then known as the Information Technology Act 2000. India has become the twelfth country to revise its cyber laws.

The current privacy policy specified in the Information Technology Rules 2011 (IT Rules, 2011) is related to "collection, receipt, possession, storage, transfer, processing, storage, use, transfer, disclosure, security operations of personal information or data, practices, and procedures".

Sec 72. It says that: "any person who, in pursuance of any of the powers conferred under the IT Act Rules or Regulations made thereunder, has secured access to any electronic record, book, register, correspondence, information, document or other material without the consent of the person concerned, discloses such electronic record, book, register, correspondence, information, document or other material to any other person, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to Rs 1,00,000, (approx. US$ 3,000) or with both."3

Digital Personal Data Protection Bill (DPDP Bill, 2022)

All digital processing of personal data is now subject to the Digital Personal Data Protection Act (DPDP Act, 2022). This may include personally identifiable information collected both online and offline and converted into digital form for processing. The bill will affect the competitiveness of Indian entrepreneurs doing business abroad by affecting the legal protection afforded to their consumers. This draft is expected to be presented to the parliament for clearance in the upcoming session of the parliament in 2023.

Right To Be Forgotten

The right to be forgotten, which was previously forbidden to be published, has been extended following the Data Protection Act 2021 recommendations. In its most recent 2021 case, Jorawer Singh Mundy v. Union of India and Ors. 2021 SCC online Del 2306. Delhi High Court has directed Google to remove the verdict of acquitting a man in a drug case as it affected his job prospects.4

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some of the most important technologies for data privacy

- ☞ Encryption It is a method of hiding data by shuffling it to make it look like random data. Only parties that have the encryption key can decrypt the data.
- ☞ Access Controls to ensure that only authorized parties can access systems and information. Access control and data loss protection (DLP) can be combined to prevent data from leaving the network.
- ☞ Two-factor authentication is one of the most important methods for most users, as it makes it difficult for attackers to gain unauthorized access to personal accounts

Conclusion :

In today's global era, it's easier than ever to record and transfer information. However, this is not only useful but also has some drawbacks like nasty WhatsApp data breaches. Easier to use the information and violate citizens' privacy rights. Privacy is considered a human right and data protection laws are in place to protect this right. Privacy is also important because for people to be willing to participate online, they need to believe that their personal information will be protected. AI is the perfect cyber security solution for today's businesses looking to thrive online.

Security professionals need the strong support of technologies such as artificial intelligence and artificial intelligence to be effective and protect their organizations from cyber-attacks. AI has the power to change the way we work, our health, the way we use the media and go to work, ourselves, and more. But AI cannot work on its own, and while there are many routine tasks, data processing can work, people in other jobs can use tools like generative AI to be efficient and effective. But there are some ethical issues with AI including bias due to improperly trained algorithms and human bias; misuse due to fraud and deception; Legal issues, including AI libel and copyright issues; layoffs; medical and legal. However, India has made and continues to make many attempts to give legal status to the laws and regulations which can control the use and jurisdiction of the use of AI so that the right to privacy and the use of big data by AI for better services rendered. Currently, no law specifically provides the Right to be Forgotten so for the better protection of individual liberty it is very much important to make effective laws regarding artificial intelligence and for its violation make it punitive.

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