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EDITORIAL ANALYSIS

The Delhi High Court Ruling Is Unlikely to Be the Last Word on AI and Copyright

 MINT

31 July 2026

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CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

 linkedin.com/in/epicbharat

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INTERVIEW ANGLE

"India's 'fair dealing' exception was written decades before AI training on mass-scraped text existed as a legal question. Should Parliament amend the Copyright Act to address AI training explicitly, or is it better to let courts develop the doctrine case by case, as the Delhi High Court has just begun doing?"

✓ Every fact web-verified against primary sources

THE LIFT LINE

An interim order is a judge's best guess made under time pressure with an incomplete record, not a verdict. Treating this ruling as the final word on AI and copyright mistakes a placeholder for a monument.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

AI governance and intellectual property law intersecting is a genuinely emerging GS2/GS3 theme, and this editorial's core discipline, correctly weighting an interim judicial finding rather than overstating its permanence, is a precise legal-literacy skill UPSC increasingly tests in current-affairs-adjacent Mains questions.

GS Paper 2: Judiciary; important aspects of governance, transparency and accountability; e-governance.

GS Paper 3: Science and Technology, developments and their applications; intellectual property rights.

For **Prelims**, fix the "fair dealing" exception under the Copyright Act, 1957 and the ANI v. OpenAI case as the specific named legal fact pattern.

CONCEPT	MEANING	WHY UPSC TESTS IT
Fair dealing	A statutory exception under Section 52(1)(a) of the Copyright Act, 1957 permitting limited use of copyrighted material without infringement; the Court’s finding here rested specifically on the “private or personal use, including research” limb at Section 52(1)(a)(i)	The specific doctrine being stretched to cover AI training in this case
Interim finding	A preliminary judicial determination made during ongoing litigation, not a final, binding judgment	The key legal-weight distinction this editorial insists readers understand
ANI v. OpenAI	The specific Delhi High Court case testing whether AI training on copyrighted news content qualifies as fair dealing	The named case fact pattern likely to recur in current-affairs and legal-studies questions
AI training data copyright dispute	The broader, still-unsettled legal question of how copyright law applies to using copyrighted material to train AI models	The emerging policy area this specific case is one early instance of

BACKGROUND AND CONTEXT

The Copyright Act, 1957 provides a “fair dealing” exception permitting limited use of copyrighted works without the copyright holder’s permission for specified purposes, historically interpreted in contexts like criticism, review, news reporting and research, well before AI model training existed as a use case courts needed to consider. The ANI v. OpenAI matter tests whether ingesting copyrighted news content at scale to train a large language model falls within this exception, a question with substantial commercial and creative-industry stakes given the scale at which AI developers train models on publicly available text, much of which is copyrighted.

LEGAL ELEMENT	DETAIL
Governing statute	Copyright Act, 1957
Relevant exception	“Fair dealing”
Case	ANI v. OpenAI
Court	Delhi High Court
Finding stage	Interim, not final
Finding direction	Favourable to AI training as fair dealing, on the facts before the Court at this stage

THE CORE ARGUMENT / ISSUE

Why “interim” is the operative word

Litigation involving genuinely novel legal questions frequently produces interim findings, preliminary judicial views issued to guide the case’s next procedural steps, before the fuller evidentiary record and legal argument required for a final judgment have been developed. An interim finding reflects the court’s provisional reading of the law based on the record available at that stage, and explicitly remains open to revision as the litigation proceeds, meaning it should not be treated with the same weight as a final judgment, let alone an appellate or Supreme Court precedent.

Why the underlying legal question is genuinely hard

“Fair dealing” as originally conceived addresses discrete, human-scale uses of copyrighted material, a critic quoting a paragraph for review, a researcher citing a passage. AI training involves ingesting vast quantities of copyrighted material, often the practical entirety of a publisher’s output, to build a statistical model whose eventual commercial product may not directly reproduce any single copyrighted work but is nonetheless built substantially from that copyrighted corpus. Whether this qualifies as “dealing” with a work in the sense the exception originally contemplated is a genuinely unsettled interpretive question, not a straightforward application of existing doctrine.

Why this ruling still matters despite being interim

Even a preliminary, non-final finding carries real practical influence: it becomes a reference point other litigants and courts consider, shapes how AI developers and content creators structure their commercial and legal strategies, and signals, even if provisionally, which direction Indian judicial thinking may be leaning on a question with no settled precedent yet. Treating the ruling as influential but not final is the accurate, and analytically more useful, position.

The legislative-versus-judicial resolution question

A deeper unresolved question this case surfaces is whether AI-training copyright disputes are better resolved through case-by-case judicial doctrine-building, which develops gradually and unevenly across different fact patterns, or through legislative clarification, which could provide clearer, more uniform rules but requires Parliament to act on a fast-moving technical area where legislative processes typically move slower than the technology itself.

HOW TO THINK ABOUT THIS (ANALYTICAL FRAME)

Always weight a legal finding by its procedural stage before weighting it by its substantive conclusion. An interim order, a single-bench ruling, a final judgment, an appellate affirmation, and a Supreme Court precedent all carry categorically different levels of legal weight and durability, even when they

reach the same substantive conclusion. When current-affairs coverage reports a “court ruling,” the first analytical question should be which of these procedural categories the ruling actually falls into, since conflating an interim finding with a settled precedent is one of the most common analytical errors in reading legal news.

THE DIAGRAM IN WORDS

Picture a court case as a long river with several distinct crossing points: an interim order is the first, narrow footbridge built quickly to let the case continue moving forward; a final judgment is a sturdier road bridge built after the full case has been heard; and an appellate or Supreme Court ruling is a permanent, load-bearing bridge that other travellers, future litigants, can reliably build their own journeys around. The Delhi High Court’s finding in *ANI v. OpenAI* is currently sitting on that first, narrow footbridge, useful for keeping the case moving and worth noting, but not yet the permanent structure anyone should assume will still be standing, unchanged, once the river has been more fully explored.

WAY FORWARD

- ❶ **Report and discuss this ruling explicitly as an interim finding**, avoiding language that implies a settled, final resolution of AI-training copyright questions.
- ❷ **Track the case through to its final judgment and any appeal**, since the interim finding’s substantive conclusion may or may not survive fuller argument.
- ❸ **Consider legislative clarification of the fair-dealing exception’s application to AI training**, providing clearer, more uniform rules than gradual, fact-pattern-by-fact-pattern judicial development.
- ❹ **Develop a licensing or compensation framework for AI training on copyrighted content**, as a middle path between an absolute copyright bar and unrestricted fair-dealing coverage, worth exploring regardless of how this specific case resolves.
- ❺ **Monitor comparable international rulings** on AI-training copyright disputes, since Indian courts and legislators may draw on emerging global doctrine as the issue matures across multiple jurisdictions simultaneously.

PYQ LINKAGE AND PRACTICE

UPSC has increasingly tested emerging technology governance and intellectual property law as intersecting GS2/GS3 themes, and AI-training copyright disputes represent a genuinely new current-affairs area likely to recur as more cases and rulings emerge.

Practice question: “An interim judicial finding carries influence but not the weight of a settled precedent.”

Examine this claim with reference to the Delhi High Court’s finding in ANI v. OpenAI on AI training and India’s fair-dealing copyright exception. (250 words, 15 marks)

Interview angle: India’s “fair dealing” exception was written decades before AI training on mass-scraped text existed as a legal question. Should Parliament amend the Copyright Act to address AI training explicitly, or is it better to let courts develop the doctrine case by case, as the Delhi High Court has just begun doing?

Sources: Mint, Delhi High Court, Department for Promotion of Industry and Internal Trade

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• KEY ARGUMENTS AT A GLANCE

The Delhi High Court's interim finding that AI training on copyrighted news content falls under India's "fair dealing" exception is a preliminary judicial view in an unsettled, fast-evolving area of law, and treating it as a definitive resolution of how Indian copyright law applies to AI training overstates both its legal weight and its likely durability.



SUPPORTING

- India's "fair dealing" exception was drafted long before AI training on mass-scraped text existed as a legal question, meaning its application here necessarily involves judicial interpretation stretching old doctrine to a genuinely new fact pattern rather than applying settled, purpose-built law.
- An interim finding in ongoing litigation is explicitly preliminary, subject to revision as the case proceeds through fuller argument and potential appeal, and does not bind other courts considering similar but factually distinct AI-training disputes.
- The pace of AI capability development and deployment is likely to generate further, factually distinct disputes, different AI applications, different content types, different commercial structures, faster than a single ruling or even a single case's eventual final judgment can comprehensively resolve.



COUNTER

Even as an interim, non-final finding, this ruling still carries real practical weight, since it establishes an initial judicial benchmark that subsequent litigants, AI developers and content creators, will reference, cite and build arguments around, giving it influence beyond its formal precedential status while the broader legal question remains unsettled.



WAY FORWARD

Treat this ruling as one early data point rather than a settled doctrine, while pressing for either legislative clarification of the fair-dealing exception's application to AI training or a fuller appellate-level judicial resolution that carries more durable precedential weight.


MAINS ANSWER FRAMEWORK
QUESTION

Examine the Delhi High Court's interim finding in ANI v. OpenAI that AI training on copyrighted content falls under India's "fair dealing" exception, and assess whether India's existing copyright framework is adequate for addressing AI-training disputes. (250 words)

INTRODUCTION

The Delhi High Court's interim finding in the ANI v. OpenAI matter, that training an AI model on copyrighted news content falls within India's "fair dealing" exception under the Copyright Act, 1957, is a preliminary, first-instance view in a legal domain still in its formative stage, not a settled precedent resolving how Indian copyright law applies to AI training more broadly.

BODY

India's "fair dealing" exception, codified in the Copyright Act, 1957, was drafted decades before mass-scale AI training on scraped text existed as a legal or technical possibility, and its application to this genuinely novel fact pattern necessarily involves a degree of judicial interpretation stretching an old doctrine to a new context rather than applying settled, purpose-built law. The Delhi High Court's finding at this interim stage reflects one judicial reading of that stretch, favourable to AI developers on the specific facts before it, but interim findings in ongoing litigation are explicitly preliminary and subject to revision as the case proceeds to fuller argument, and as other courts and eventually appellate benches weigh in on similar fact patterns.

The broader unresolved questions, whether "fair dealing" was intended to cover wholesale ingestion of copyrighted material for training a commercial AI product, how to weigh the transformative nature of AI training against the original creators' economic interests, and whether legislative clarification is preferable to case-by-case judicial doctrine-building, remain open regardless of this specific ruling's outcome.

CONCLUSION

Given the pace at which AI capability and deployment are evolving relative to the slower pace of judicial and legislative response, India's copyright framework is likely to face repeated, distinct AI-training disputes before a stable doctrine, whether judicially or legislatively established, emerges, making this ruling an early data point rather than a resolved question.

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CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

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