
A CRITICAL ANALYSIS OF THE IMPACT OF ARTIFICIAL INTELLIGENCE (AI) IN INDAIN JUDICIAL SYSTEM AND EXISTING LEGAL FRMEWORK

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ABSTRACT

Artificial intelligence popularly known as AI is a great contribution of advancement of modern science and technologies. It is generally understood as a broad field of Computer Science where the technology experts creates such machines which are capable of performing works which normally requires human intelligence. Proper and authentic use of AI can enhance the ability of human beings to perform any task cost-effectively without any error. Although AI is applicable to variety of fields, it is also used in legal parlance generally known as Legal Artificial Intelligence. The term refers to use of AI in the various facets relating to technologies in the legal field. The application of AI in the India judicial system has its own pros and cons. The AI powered tools have the ability to bring revolution in the whole judicial system by analyzing large legal data in a speedy and efficient manner, enhancing quality of legal research, efficient management of cases. Through this paper the researcher will try to highlight the positive and negative impacts of AI in Indian judicial system, related case laws decided by the competent judiciary and suggestions for enhancing efficiency of AI powered tools in the judicial process.

Keywords: Artificial Intelligence, Indian Judiciary, Predictive Analytics, AI driven tools, human intelligence.

I. INTRODUCTION-

i. Concept of Artificial Intelligence:

Artificial Intelligence (AI) is a complex procedure which refers to the simulation of human intelligence in machines. These machines can think and learn like human and has the special characteristic to carry out tasks that require human intelligence. These activities include like simulating human-like cognitive functions, including problem-solving, reasoning, learning and perception. AI system uses algorithms and data to process information and makes informed decision.¹ AI can improve efficiency, reduce cost, enhance accuracy and improve client service.

Artificial intelligence can be classified into three main parts²-

- a) **Narrow AI (ANI):** Narrow AI is often considered as weak AI as the applicability of this type of AI is limited. Some uses of ANI are facial recognition, virtual assistance etc.
- b) **General AI (AGI):** As compared to the previous category, General AI is much more powerful, as it is a hypothetical AI that can perform almost all the task as of a human being. Through this process by using AI a wide range of domains can be learnt and adapted. AGI is not currently possible with existing AI system.
- c) **Super AI (ASI):** This is a speculative type of AI which will have the ability to surpass human intelligence in every respect. It kind is also not yet a reality.

Apart from these categories AI can also be classified into *Reactive Machine AI*, which can respond to external stimuli in real time but does not have the feature of saving the information for future; *Limited Memory AI*, which has the capacity of storing limited information for future reference; *Theory of Mind AI*, which can sense and respond human emotions and *Self-Aware AI*, which can recognize other's emotion also along with self and human level intelligence.

ii. Concept of Legal Artificial Intelligence:

The applicability of AI in different domains is increasing in a rapid speed and facets relating

¹ Yeshi Rinchhen and Akash Yadav, Artificial Intelligence and the Law: navigating the Legal Landscape in the Age of Artificial Intelligence, published on 26th Feb,2015, accessed from <https://www.livelaw.in> on 7th June,2025

² Lumenalta, What are the different types of AI, accessed from <https://www.lumenalta.com> on 7th June,2025

to legal profession are not exclusion. AI applicable to legal profession is named as Legal Artificial Intelligence which specifically deals with enhancing the capabilities of legal professionals through the use of various AI tools, applications and software. These technologies are used basically for peer review of legal documents, contract management and predictive analysis. Normally the legal professionals have to tackle and analyze a vast amount of data and here AI plays a significant role in segregating relevant data from irrelevant one. This specific characteristic of Legal AI aids the legal professionals in intelligent and informed decision making and forming strategy for litigation management.

iii. A quick view of the global AI regulations:

Artificial intelligence is a subject that penetrates through the legal as well as judicial regime of almost all the countries of the world. Most of the countries of the world have taken steps like development of comprehensive national AI legislations, national AI strategies or policies, voluntary guidelines and standards. In the global context, although there is no standard approach to bring AI laws under state regulation, there are some specific measures adopted by different countries of the world to keep check upon the activities relating to AI. Some of the significant efforts put forwarded by countries all over the world can be summarized as follows-

a) AI regulations in North America

- **AI in United States:** The United States has adopted a decentralized approach towards adopting regulatory framework relating to AI. The important regulatory frameworks include *CHIPS and Science Act of 2022*. In U.S. California is leading the state-level AI regulations by various laws relating to business accountability and combat discrimination. Here there is special mention of *Colorado AI Act, 2024* to regulate the activities of developers and deployers of AI systems.³
- **Developments in Canada:** In Canada, the government of Canada has launched in 2017 the world's first strategy for AI. But this effort was never fully implemented. It was the major criticism regarding AI implementation done by then government of Canada.

³ AI regulations around the world: Trends, takeaways & what to watch heading into 2025, accessed from <https://www.diligent.com> on 29th June, 2025

b) AI regulations in Europe:

Unlike the United States, the *EU AI Act* has done tremendous work for shaping corporate agendas. Among the European countries, *France* has launched a National AI Strategy focused on research and economic development.⁴ Moreover, *German* government is also adopting AI regulations for startup and environmental technology.

c) AI regulations in the Asia-Pacific:

- *Singapore's AI Strategy*: Among the Asia-Pacific Countries, *Singapore* was the first country to launch a Model AI Governance Framework in 2019 along with first edition of the National AI Strategy. This strategy has been updated in 2023 by inclusion of ChatGPT.
- *Japan's human-centered principles*: in 2019, the Government of Japan launched its *Social Principles of Human – Centered AI* to ensure respect for human dignity, sustainability and wellbeing of the common people in Japan.
- *Developments in Australia*: in September 2024, the Australian Government introduced *guardrails for AI use in high risk setting* and a *voluntary standard for AI safety* to include matters relating to privacy, consumer protection and corporate governance laws.
- *China's policy on AI*: China has taken a centralized approach to AI development and emphasizes on taking up corrective measures to regulate application of AI in all fields. It has adopted a smarter and more advanced AI regulation from August 2023.

d) AI regulations in Latin America:

In May 2024, Buenos Aires hosted UNESCO's first Regional Summit of Parliamentarians on Artificial Intelligence and the Latin America Agenda.⁵ This summit addressed nine important approaches relating to AI which are desired to be adopted by the Latin American countries. The countries like Brazil and Mexico incorporated many of these principles in their

⁴ ibid

⁵ ibid

national regulating relating to AI.

e) AI regulations in Middle East:

In recent years, AI regulations adopted by the Middle East countries like Saudi Arabia and United Arab Emirates (UAE) are gaining significant attention for their innovative AI regulations. Saudi Arabia's *National Strategy for Data & AI* has already transformed the nation into a global AI leader by 2030. The main objective of this Strategy is to boost economic growth through AI driven benefits in the core sectors like health care, education and transport and to enhance efficiency and innovation. It also emphasized on setting up high standard for responsible and ethical AI deployment.

Moreover, the adoption of the *National Artificial Intelligence Strategy, 2031* by UAE has made the nation determined to become a global AI hub by the year 2031. This strategy basically emphasizes on AI into government services and fostering economic benefits to the country. For achieving this purpose specialized research centers are already established and AI accelerators are also launched to support innovation and development.

iv. Object of the study:

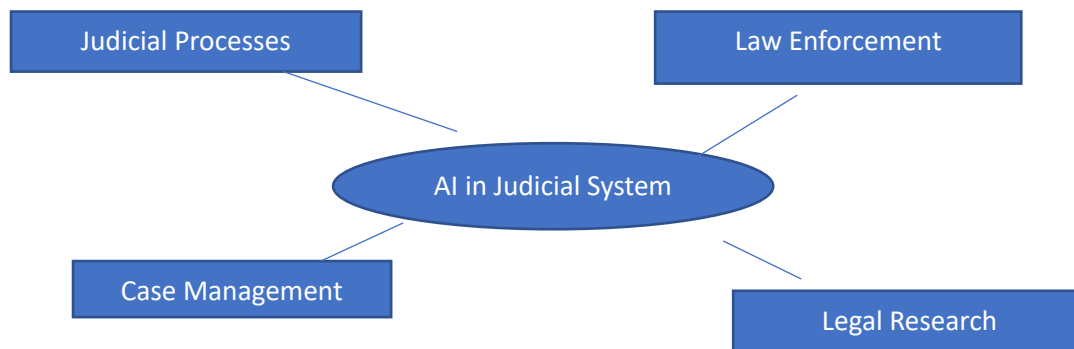
Through this article the researcher will try to highlight on-

- a)** Impact of AI in Indian judicial system
- b)** The existing legal framework in India to regulate the activities through the use of AI
- c)** Important case laws decided by the judiciary on AI
- d)** A critical analysis of the whole Indian scenario of AI with suggestion.

II. IMPACTS OF ARTIFICIAL INTELLIGENCE IN INDIAN JUDICIAL SYSTEM:

As now a days AI has great influence upon various subjects from different domains, the judicial system of India is not an exception. Through use of AI in Indian judicial system, we can witness a transformative shift in the whole judicial process which ensures efficiency

enhancement, adequate accessibility by public of the judicial processes and reasoned decision making by the judges.



The diagram shows the influence of AI in various facets of Indian judicial system.

The Indian judiciary is normally overburdened with lot of pending cases. Apart from it, language barriers and need for digital modernization are two major obstacles in the whole process of justice delivery. AI powered technologies include *Machine Learning (ML)*, *Natural Language Processing (NLP)*, *Optical Character Recognition (OCR)* and *Predictive Analysis* are now widely used for administrative tasks with the help of AI powered machineries, improve case tracking and enhance crime prevention.⁶ The impact of AI upon the Indian judicial system can be elaborately discussed under the following heads-

i. AI in e-Courts Project (Phase III):

The e- Courts project which is a noble initiative by the Supreme Court of India is an effort to provide needful response to the common people and to establish an impactful judiciary. The basic object of this project is to modernization of the judicial function through various innovations in the digital field. In Phase III, the project incorporated the advanced AI solutions to enhance management of cases and efficiency of administrative functions across courts in India.⁷ The key AI tools in e-Courts are-

a) Case management through AI machines:

The advanced AI driven tools are now used for efficient scheduling of cases before the courts, priority to urgent and important pending cases and adopts adequate measures to protect

⁶ Santosh Kumar and Sheetal Angral, Digital Transformation of Justice: Integrating AI in India's Judiciary and Law Enforcement, accessed from <https://pib.gov.in> on 9th June, 2025

⁷ Supra, note 3

the judiciary by reducing backlog cases. This automated case generation is done through using predictive analytics by the AI systems to apprehend potential delays and adjournments, ensuring timely resolution of cases through allocation of appropriate judicial resources.⁸

b) AI in Legal Research and Documentation:

AI has immense contribution in the field of legal research and documentation. These contributions can be categorized under the following heads:

- AI, through the use of specific tools can review large documents relating to legal research like case law, contract and statutes. These tools can abstract important information, learn patterns and offer content based classification.⁹
- AI can quickly search legal databases and identify relevant case laws relating to the subject matter to ensure compliance with regulations.¹⁰
- AI can help in the identification, collection and analysis of electronic documents relating to legal cases.

The benefits of using AI in legal research and documentation are immense. It helps the judiciary to work in an efficient manner with accuracy and precision. Proper application of AI technology makes the judicial process cost effective, consistent and helps the legal professionals to make informed decisions. Through AI quick search of legal database for gathering relevant information is possible which in turn helps in speedy disposal of cases.

Some examples of AI tools in legal research and documentation are- CoCounsel by Casetext, Luminance, Harvey AI, Spellbook and Bloomberg Law.

c) AI- Assisted Filing and Court Procedures

The inclusion of Optical Character Recognition (OCR) and Natural Language Processing (NLP) has brought revolution in digitalization of documents relating to judicial process. The use of these technologies make easier for the legal professionals the filing of court documents,

⁸ ibid

⁹ Ranjan T, How AI is Transforming Legal Document Review and Content?, accessed from <https://community.nasscom.in> on 9th June, 2025

¹⁰ ibid

faster processing and reducing manual errors in documentation processes.¹¹ Through the process of intelligent scheduling and case prediction, AI powered tools are utilized for optimizing court schedules, reduce delays and ensure timely hearings.

d) AI for User Assistance and Chabot:

AI powered virtual legal assistances and chatbots are important for generating real time information for case status, procedural guidance and essential legal updates to the clients. This is a 24 hour service which makes the judicial system more accessible and user friendly to the clients who are mostly unaware of the procedural formalities of an ongoing case.

e) AI for Predictive Analysis in case outcomes:

Predictive Analysis is a system through AI through the use of existing data and algorithms, forecast future outcomes and enhance decision making. Here use of AI can be classified into-

- *Case outcome Prediction*, where by analyzing past court rulings and case laws, AI can predict the likelihood of success of case. By using AI, the legal practitioners can decide appropriately whether to pursue litigation or negotiate a settlement.¹²
- *Settlement Prediction*, where AI can predict the potential settlement range and probabilities. This prediction aids the lawyers to suggest his client for accepting a specific offer or continue negotiation.¹³
- *Judicial Behavior Analysis*, where AI can even analyze judicial rulings and patterns so that it can predict the possible interpretation of law by a judge and accordingly suggest the legal practitioner to prepare his arguments.
- *Opposing Counsel Profiling*, where AI can analyze the litigation history of opposing lawyers so that it can anticipate their moves and develop counter strategies.
- *Contract Management*, where drafting, reviewing and managing of contracts is done through AI powered platforms. This helps the legal professionals to identify the

¹¹ Supra, note 6

¹² TB Studio, The Role of AI in Litigation: Prdictive Analytics and Case Outcomes, accessed from <https://tradebrains.in>, on 9th June,2025

¹³ Supra, note 9

deviations from market standards and providing clear explanations of the terms of contract.

- *Document Automation*, which includes document review, e- discovery, freeing up lawyers on more strategic aspects of their work etc.¹⁴
- *Litigation Strategy Development*, where by consideration of potential outcomes of an ongoing case and judge specific preferences, AI can suggest for more effective litigation strategies.¹⁵
- *Fraud detection* in civil as well as in criminal cases help the judges to deliver fair sentence.¹⁶

ii. AI for Legal Translation and Language Accessibility

As India is a multilingual country, AI can help the legal professionals to understand the language of his working place. AI is used for legal translation and language accessibility as follows-

- AI can translate a wide range of legal documents such as judgments, court forms and legislations.¹⁷
- Translation of legal language into vernacular language makes the people aware of their rights and obligations and ensures public participation in the process decision making.¹⁸
- AI helps the lawyers and legal researchers to find and analyze legal documents in different languages.
- In the processes like transcription and document formatting, AI has the capacity to

¹⁴ Connor Goodwin, The Role of Predictive Analytics in Law, accessed from <https://safelinkhub.in>, on 9th June,2025

¹⁵ Paras Madan, How AI powered Predictive Analytics is Revolutionizing Case Outcomes, accessed from <https://hub.athina.ai>, on 9th June,2025

¹⁶ *ibid*

¹⁷ *Supra*, note 3

¹⁸ Thaina Martin, Hoe does the Legal Industry Benefit from AI for their language need?, accessed from <https://www.lengoo.com>, on 9th June,2025

automate required tasks involved in those activities.

- In case of large volume of legal documents, AI tools are less time consuming and cost effective as compared to manual works.
- To maintain accuracy and consistency in the process of translation, AI can be trained to preserve legal terminology and nuances.¹⁹

The Indian judiciary is recently using certain AI-driven legal translations such as AI used by Supreme Court of India to translate cases to vernacular languages, E Courts projects to make websites and court documents more accessible in vernacular language and open- source judicial domain language translator named SUVAS and ANUVADINI

iii. AI in Law Enforcement and Crime Prevention:

Proper enforcement of law and prevention of crime are two most important aspects attached with the judicial proceedings as without proper implementation of a law, the Act enacted by the competent legislature will be meaningless. Likewise, prevention of crime before its commission is a major challenge before the judiciary and it is very crucial for survival of Rule of Law society. In this respect AI has played a tremendous role which is as follows:

- a) Predictive Policing* in which AI can analyze historical crime data and pattern of commission of the crime. Thereafter it can predict the likelihood of commission of same crime which enables the appropriate authorities to take up proactive preventive measures.²⁰
- b) Automated License Plate Readers (ALPR)* is a process through which enhancement can be made of poor quality images and create virtual fences to track vehicles within the stipulated geographical boundary.²¹
- c) Face recognition* through AI powered tools are used for identifying suspects and

¹⁹ Kenji Nakamua, The Role of AI in Legal Translation: Opportunities and Limitations, accessed from <https://www.globibio.com>, on 9th June, 2025

²⁰ Meena Rani, Impacts and Ethics of using Artificial Intelligence (AI) by Indian Police, Public Administration and Policy: An Asia Pacific Journal, accessed from <https://www.emerald.com>, on 9th June, 2025

²¹ Detective in the Machine: How AI is Revolutionizing Law Enforcement and Intelligence Work, accessed from <https://www.cognyte.com>, on 9th June, 2025

monitoring citizens.

- d) *Surveillance technologies* in collaboration with AI can be used for identifying and preventing potential threats.
- e) *Digital Evidence Analysis* of data by AI helps in identifying hidden links within data.
- f) *Criminal Intelligence* in which AI can help to analyze a large amount of information to identify patterns and trends of crimes committed, which helps in the anticipation and prevention of criminal activity.

The benefits of using AI in law enforcement and crime prevention are enhanced crime detection and prevention, optimize resource allocation so that there is proper arrangement of prevention of crime before they occur, increased efficiency of the officers by arranging their activities, faster investigation of the criminal cases by analyzing evidence and identifying patterns and reduction of bias by automating tasks and analyzing data objectively.

III. EXISTING LEGAL FRAMEWORK FOR ARTIFICIAL INTELLIGENCE IN INDIA

If we consider the current legal framework relating to Artificial Intelligence (AI) in India, we can find that till today, the legislature of India has not adopted any specific legislations providing guidelines for regulations on use of AI in different domains. Existing legislations like the Information Technology Act, 2000, the Digital Data Protection Act, 2023 and the Information Technology Rules, 2021 play a significant role in regulating activities involving AI in India.

On March 1, 2024, the Ministry of Electronics and Information Technology (MeitY) issued certain guidelines relating to application of AI for the platforms intending to introduce AI technologies.²² These guidelines are-

- AI models should not be biased, discriminatory or violate of the integrity of electoral process.
- If the AI model is apprehended as not properly tested and verified by appropriate

²² Aishwarya Agrawal, AI Laws in India, accessed from <https://lawbhoomi.com>. On 9th June, 2025

authorities, it must seek explicit permission from MeitY to prevent inaccurate AI outputs.

- To identify cases of deepfakes or misinformation, all AI generated media must be labeled with unique identifiers or metadata.

The existing laws relating to AI are discussed below-

i. Information Technology Act, 2000 (IT Act):

Although at the time of enactment of the IT Act, 2000, the AI technologies were known to the legislators, as this Act is primarily concerned with electronic transactions, digital governance and cyber security, some provisions of this Act has applicability to regulate AI also. These sections are-

- *Section 43A* provides that in case of negligent handling of sensitive personal data compensation has to be paid by the offender for breach of data privacy which is an important aspect of Right to life under Article 21. The AI processes must ensure privacy of personal data while processing any information.
 - *Section 66D* penalizes a person accused of cheating by misrepresentation. This section of the IT Act is mostly applicable in cases of AI driven deepfakes and other fraudulent content.
- ii.** *Section 67* provides for prohibition of obscenity. It states that the publishing or transmitting of obscene material in electronic form even through AI systems is a punishable offence under the provisions of the abovementioned Act.

iii. National Strategy for Artificial Intelligence (2018):

India's first National Strategy for Artificial Intelligence was released by NITI Ayog in 2018. This strategy mainly focused on inclusive social and economic growth, known as “#AIforAll”. Under this policy various core sectors like healthcare, education, agriculture, smart cities and sustainable development were included.²³ The key aspects of this policy are:

²³ NITI Ayog- National Strategy for Artificial Intelligence, accessed from <https://www.niti.gov.in>, on 9th June, 2025

- The first important concern of this policy was to ensure AI benefits to all segments of society, promoting social inclusion, affordability and skill gaps.
- Secondly, under this policy certain sectors like health, education, agriculture, smart cities and infrastructure were considered as the major areas where transformation can be expected through AI.²⁴
- The strategy put emphasis on creating workforce for AI- driven jobs through skilling and non-skilling programs.
- The strategy also emphasizes on ethical AI development and use, to address potential risks and ensure responsible implementation.
- Through this Strategy proper investment in AI research and development was encouraged so that the areas with high social and economic impact can be benefited.
- Lastly, participation in global partnerships and collaborations on AI was emphasized so that there is mutual participation among all the countries of the world relating to matters connected with AI.²⁵

Specific initiatives under the Strategy include:

- *AIRAWAT*: It is a cloud platform for big data analytics and AI computing infrastructure.
- *Data Sharing*: Data sharing is generally used to support AI development which makes datasets available for public use in machine readable formats.²⁶
- *Ethical Guidelines*: For ethical use of AI, there should be proper guidelines for addressing issues relating to job displacement and privacy concerns.²⁷

²⁴ supra, note 20

²⁵ Rahul Kapoor and Theresa T. Kalathil, AI Regulation in India: Current state and Future Perspective, accessed from <https://www.morganlewis.com>, on 15th June, 2025

²⁶ India AI Strategy- Digital Trade and Data Governance Hub, accessed from <https://datagovhub.elliott.gwu.edu>, on 15th June, 2025

²⁷ Jeremy Werner, India's Vision for AI: Dissecting the National Strategy for Artificial Intelligence, accessed on <https://babi.ai>, on 15th June, 2025

iv. Principles of Responsible AI (2021):

In 2021, an effort was made by the NITI Ayog to consider on the guiding principles relating to AI. These principles are important as they aimed to ensure that AI systems are created and implemented in such a way that is ethical, trustworthy and beneficial to the society.²⁸

The key principles of Responsible AI in 2021 are:

- a) **Transparency:** To maintain transparency, all AI systems should be understandable and explainable to the users and stakeholders. There should be clear information regarding working and decision making with the help of AI systems.²⁹
- b) **Accountability:** Individuals and organizations basically engaged in the activities of developing and deploying AI should abide by all the ethical and technical guidelines related to their core subject matter. They should be held responsible for their actions and any adverse impact of those actions.
- c) **Fairness:** Fairness means which is just and equitable. AI systems should be designed and used which is not discriminatory against any individual or community, which is equitable ensuring equal opportunities and outcomes.
- d) **Privacy:** Privacy is concept which has close nexus with right to life. Therefore, it is the responsibility of AI systems to protect privacy of individuals by maintaining security and confidentiality of personal data along with respecting data protection regulation.³⁰
- e) **Safety and Reliability:** To prevent harm and unintentional consequences, AI systems should be designed to be reliable and safe in their intended uses.
- f) **Inclusiveness:** By taking into account diverse needs and perspectives, the AI systems should be inclusive in nature and should be accessible to all.

²⁸ Aly Veenendaal, 5 Principles for Implementation Responsible AI, accessed from <https://www.blueprism.com>, on 15th June, 2025

²⁹ Alayana Kennedy, The 4 Pillars of Responsible AI, accessed from <https://www.datacamp.com>. On 15th June, 2025

³⁰ Supra, note 27

g) Governance: Proper governance of AI systems can be ensured by providing clear guidelines, policies and frameworks. There is also responsibility of ethical and legal compliance of these necessary measures.

h) Operationalization: There is need for proper implementation of the principles of responsible AI into concrete actions, processes and controls within various organizations.³¹

v. Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021:

The IT Rules, 2021 regulate basically the social media platforms, digital news media and Over The Top (OTT) services. While these rules do not explicitly deal with the subject matters related to AI, it recognized the use of AI by digital media platforms and provide for media accountability for the content they disseminate. The relevant provisions of these rules those are related to AI systems are-

a) Due Diligence and Content Regulation:

Due diligence under these rules mainly refers to-

- *Obligation to prevent harmful content:* The intermediaries are duty bound to take reasonable care to prevent harmful content in the digital media platforms.
- *Grievance Redressal:* It is the duty of the intermediaries to establish a mechanism of grievance redressal for resolving consumer complaints including AI generated contents. This mechanism should consider complaints from consumers within a stipulated time as provided by the appropriate authority.³²
- *Social Media Intermediaries:* As social media is a platform where AI powered content moderation can play a significant role, additional due diligence is required to deploy technology- based measures.

³¹ Gayathri Haridas and Sonia Kim Sohee, The Key Policy Frameworks Governing AI in India, accessed from <https://accesspartnership.com>, on 15th June, 2025

³² *ibid*

- *Traceability of Information:* There should be provision for identification of the first originator of information under specific circumstances, which can be facilitated through AI powered tools.³³

b) Impact on AI Development and Use:

While the IT Rules do not explicitly address the various facets relating to AI, there are certain important implications for how AI should be used by the digital media platforms. These implications are-

- Intermediaries can use AI powered tools for identification and removal of prohibited content, including misinformation, hate speech, matters prohibited under Article 19(2) of the Constitution of India.
- The digital media platforms can use AI based systems to track the origin of the content creators.
- By using AI, the intermediaries can analyze content and flag potentially problematic materials.

vi. National Data Governance Framework Policy (NDGFP):

National Data Governance Framework Policy (NDGFP) is a draft policy prepared by the Ministry of Electronics and Information Technology (MeitY). The basic object behind passing of this policy was to standardize data management and security across government entities and promoting responsible data sharing.³⁴ The relationship of this policy with AI can be summarized as-

- This policy basically supports AI developments by providing access to a large number of anonymous, non-personal data.³⁵
- These non-personal data can be used for training of AI models, for development of new

³³ Legal challenges to the traceability provision- What is happening in India? Accessed from <https://slfc.in>, on 15th June, 2025

³⁴ Public Consultation on Draft National Data Governance Framework, accessed from <https://www.pib.gov.in>, on 19th June, 2025

³⁵ *ibid*

AI applications and improving existing AI powered services.

- NDGFP also emphasizes on establishing data standards and protocols that are relevant for building reliable and trustworthy AI systems.

vii. Digital Personal Data Protection Act, 2023:

This Act is a step forward for achieving protection of personal digital data which came into enforcement on August 11, 2023. As this Act is mainly concerned with collection, storage, sharing and processing personal data, it is highly relevant for AI systems. The key provisions of this Act which are relevant to AI system are-

- The inclusion of the word “Automated Processing” directly covers AI systems that can collect, store, use or delete personal data.
- The Act considers AI driven entities as “artificial juristic person” which make them accountable under law.
- The data fiduciaries who are using AI must obtain prior consent for processing personal data, with clear notice regarding collection and purpose data along with user rights.³⁶
- For conducting specific tasks which are crucial for AI systems, only the required data can be processed by the AI systems so that protection of other relevant data can be ensured.
- While designing AI models, only the necessary data should be collected rather than collecting a large database.
- The principles of transparency included under the provisions of DPDP Act are also applicable as to how AI.

viii. Digital India Act, 2023 (Draft):

Through this draft legislation the Parliament of India is planning to replace the existing Information Technology Act, 2000. It is expected that this new Act will include provisions

³⁶Bilal Mohamed, Five ways in which the DPDA could shape the development of AI in India, accessed from <https://fpf.org>, on 19th June, 2025-

specially addressing the issues relating to AI.

ix. INDIAai Mission:

This mission aims to build a comprehensive ecosystem that fosters AI innovation. The key areas under this mission are-

- a) To democratize computing access
- b) To enhance data quality
- c) Develop capabilities of indigenous AI
- d) To attract top AI talent
- e) Providing start up risk capital
- f) To ensure socially impactful AI projects
- g) Promote ethical AI

The INDIAai Mission will give emphasis on the sectors like healthcare, education, agriculture, smart cities, infrastructure including smart mobility and transportation.³⁷ Ministry of Electronics and Information Technology has responsibility to implement the mission.

Recently, on 1st July, 2025, the Government of Telangana has taken a significant step for regulating the activities relating to AI. The Ministry of Information Technology and Data Exchange (TGDeX) has launched the first state- led infrastructure for digital public AI in collaboration and technological support from the Japan International Cooperation Agency, the JICA DXLab, Boston Consulting Group and the Center of Data for Public Good, IISc Bangalore. The key object of this initiative is to address the challenges in AI innovation and to remove the infrastructural obstacles for clean and useable database. It is obviously a welcoming effort by the government in the field of AI.

Although in India till now there is no specific legislation to address the legal issues exclusively related to AI, the government of India is focusing on balancing the promotion of

³⁷ Artificial Intelligence- Principal Scientific Advisor, accessed from <https://www.psa.gov.in>, on 27th June, 2025

AI innovation with the need to mitigate potential risks and ensure ethical development.

IV. IMPORTANT JUDGEMENTS OF INDIAN JUDICIARY RELATING TO ARTIFICIAL INTELLIGENCE:

The judiciary of India has through its landmark judgments cleared many aspects like intellectual property, data protection and use of AI in legal processes as these topics are closely related to Artificial Intelligence (AI). As there is still no exclusive legislation adopted by the Indian Parliament to address the issue of AI, the judiciary of India has considered several aspects of this debatable issue through its judgments.

a) Judgments relating to Right to Privacy and AI:

The jurisprudential basis of AI regulation can be traced to landmark constitutional case *Justice K.S. Puttaswamy (Retd.) vs. Union of India*³⁸. In this case the Apex Court held that right to privacy is an integral part of right to life enshrined under Article 21 of the Constitution of India. The decision emphasized on informational sovereignty and data protection as essential element of ensuring personal liberty. This decision has direct impact on AI as the whole process of AI involves processing of data which sometimes can turn into abridgement of right to life and personal liberty.

In the case of *K.S. vs. Union of India*³⁹, popularly known as Aadhaar judgment, although focused on biometric data, raised concern on the issue of centralization of personal information and risk of profiling, the judgment applies directly to the processes involved in the AI models.

In *Modern Dental College vs. State of Madhya Pradesh*⁴⁰ the Supreme Court opined that one of the aspects of right to privacy is freedom to form one's own ideas. According to this ruling, the use of AI should not interfere with a person's right to liberty of thought and ideas and where there is violation of this fundamental right, intervention by the judiciary becomes relevant.

³⁸AIR 2017 SC 4161

³⁹ supra note 48

⁴⁰ AIR 2016 SC 2601

In another case, *Google India Private Limited vs Visaka Industries*⁴¹ the Supreme Court discussed about intermediary liability and emphasized on the necessity of redefining roles in the digital ecosystem. This judgment has considerable impact on the AI developers.

b) Cases relating to Intellectual Property Rights and AI:

- ***AI- Generated content:***

A significant area of concern relating to intellectual property is the safeguarding of the original creation of the author. In India, under the Copyright Act, 1999 there is provision for registration of copyright which gives the original creator exclusive right over his own creation. In 2021, an Indian citizen named Ankit Sahni created an AI system named RAGHAV and made an application under the Copyright Act to register the AI system as the sole author of the creative work and at the initial stage the application was accepted by the copyright office. But later the copyright office directed for withdrawal of the registration and suggested the human author Mr. Sahni to take legal assistance for consideration of the matter of legal status of the AI system RAGHAV. This case is yet to be decided by the Apex Court.⁴²

In the case of *Shreya Singhal vs. Union of India*⁴³, the Supreme Court struck down Section 66 A of the Information Technology Act, 2000 as under this section posting of offensive content in social media was criminalized. The Apex Court was of the opinion that the abovementioned section was in violation of the fundamental right enshrined by Article 19(1)(a) which is right to freedom of speech and expression. Although this case did not directly discuss AI, it addressed the broader issue of right to freedom of speech and expression in the digital media platforms, which is now a day dominated by the AI systems. This case has provided for important insights regarding strategies to be adopted by the Indian courts to resolve issues relating to AI and algorithmic decision making affecting constitutional rights of the citizens.

- ***Trademark Infringement:***

The cases of trademark infringement particularly through AI generated content include misuse of trademark, voice, image and likeness through platforms like You Tube and Meta's

⁴¹ AIR 2020 SC 350

⁴² Rajiv Sharma and Ninad Mittal, Artificial Intelligence Lacks Personhood to Become the Author of an Intellectual Property, accessed from <https://www.livelaw.in> on 22nd June, 2025

⁴³ AIR 2015 SC 1523

Social Media. In this context we can refer to the Delhi High Court decision granting interim protection to *Sadhguru's* personality rights for restraining misuse of his rights through AI.

In the case of *Tata Son's Limited vs. Hakunamtataa Tata Founders and others*⁴⁴, the Apex Court emphasized on the importance of the issue of misuse of trademark in digital domain and urged for its protection.

In the case of *Dabur India Limited vs Emami Ltd.*⁴⁵, the Court ordered for certain guidelines regeding comparative advertisement. The court opined that with AI tools now crafting comparative ads, will set precedent for dealing with AI-driven advertisement and its impact on trademark.

Also, in the case of *Red Bull AG vs. Pepsico India Holdings Private Ltd.*⁴⁶, Supreme Court while discussing the issue of originality and distinctiveness for validity of trademark has considered the question of AI generated trademark. In case of AI generated trademark, the owner would likely be the entity owning the AI system.

In 20th September, 2023 the Delhi High Court delivered a significant judgment regarding the defense of personality rights of Indian actor Anil Kapoor.⁴⁷ This case is mostly relevant to the person engaged in entertainment industry, where for massive use of AI, many actors personal rights are violated. Through this suit, Mr. Kapoor claimed protection of his own name, image, persona, voice and various other attributes of his personality.

c) AI in healthcare:

In the case of *Indian Medical Association vs Union of India*⁴⁸, the Supreme Court elaborately discussed about the use of AI in health and medical diagnostics. The issue before the Court which was brought by the Indian Medical Association was use of AI-driven diagnostics tools which were without any regulatory measures. The Council pleaded before the Court for taking appropriate measure by the Central Government and was of the opinion that the existing tools were not safe and there is strong apprehension of misdiagnosis. The Apex court ordered the government to review the existing regulatory framework for AI in healthcare

⁴⁴ CS(COMM) 316/2021

⁴⁵CS(COMM) 532/2023

⁴⁶ CS(COMM) 1092/2018

⁴⁷ Anil Kapoor vs. Sipmle Life India and others, CS(COMM) 652/2023

⁴⁸ Writ PetitionICivil) No.645 of 2022

and take adequate steps to ensure that these systems are safe, transparent and accountable. This case has lot significance in the healthcare sector as it highlights growing concern about involvement of AI in critical sectors. The judiciary has directed the legislature and the executives for enactment and implementation of adequate regulations.⁴⁹

Moreover, in an another important case law *Jaswinder Singh vs. State of Punjab*⁵⁰, the Punjab and Haryana High Court considered the issue of ChatGPT for a broader understanding of bail jurisprudence when the case involved accusation of brutal fatal assault by the petitioner. Although in this case, the High Court took assistance of AI powered tool, it was of the opinion that the sole purpose of using ChatGPT was only to know the broader understanding of the whole procedure of bail where cruelty is involved. The application of AI will not abate the merit of the case and the trial court is not bound to follow the outcomes.

As we can see there is no “landmark case” as such decided by the Indian judiciary upon the matter of Artificial Intelligence. The ongoing legal challenges and regulatory efforts are gradually shaping the field in this context. These developments are crucial as these cases ensure application of AI in a developed, responsible and ethical way keeping in mind the protection of fundamental rights and promote fairness.

V. A CRITICAL EVALUATION OF THE ROLE OF AI IN INDIAN JUDICIAL SYSTEM:

As the researcher has already discussed the areas in which the Indian Judicial system has made application of the AI driven mechanisms to make a more efficient, cost effective and citizen friendly judicial system, here we have to discuss in detail the positive and also the down sides of the AI system involved in the Indian judicial procedures. Let us first discuss about the *positive aspects* of AI in Indian judicial system-

- i. Increased Efficiency and Reduced Delays:** AI has increased the efficiency of the whole judicial process through the processes of faster legal research, automated document processing, adequate case management and predictive analytics techniques. These important heads are discussed as follows-

⁴⁹ Jasleen Kaur, The Rise of Artificial Intelligence and the Legal Challenges of Algorithmic Accountability in India, accessed from <https://lawfullegal.in>, on 22nd June, 2025

⁵⁰ CRM-M No. 27696 of 2021

- a) AI driven tools can ensure *faster legal research* as these tools can quickly analyze large volumes of legal documents, statutes passed by the appropriate legislature, precedent setting case laws and other relevant materials which can facilitate the judges and lawyers to come up to a proper conclusion with a lesser time. Faster legal research is cost as well as time effective.⁵¹
- b) Through the process of *Automated Document Processing*, AI can automate the tasks like document drafting, translation and data entry. This special feature helps in reducing the administrative burden on the court's staff and saves valuable time of the court.⁵²
- c) AI driven systems can help with case prioritization, scheduling and rescheduling of the hearing of the cases. It also helps in tracking the progress of an ongoing case and contributes in faster resolution of cases. Moreover, *case management* through AI is generally error free and reliable.
- d) *Predictive Analytics* is a process through which the AI driven tools can predict case outcome and potential risks by analyzing the historical data available. This process helps the judicial officers to make more informed and accurate decisions.

ii. Enhanced access to justice:

Equal access to justice is one of the important characteristics of our Constitution and through inclusion of the chapter of fundamental rights and Directive Principles of State Policy (DPSP), the constitution makers wanted to achieve the goal of equal justice to all sections of the Indian society. The modern AI machineries have also contributed to this aspect as follows-

- a) *E Courts and Remote Hearing* are the major AI powered platforms which facilitate for virtual courtrooms and remote proceedings. These facilities make the person living in remote or underserved areas to avail legal services in equal footing with the other person living in urban areas.⁵³

⁵¹MD. Arif Imam, The Integration and Impact of Artificial Intelligence in Indian Judicial System, accessed from <https://www.linkedin.in> on 24th June, 2025

⁵² Dr. Nivas Jeevanandan, AI in Judicial Processes: Transforming India's Legal System, accessed from <https://indiaai.gov.in> on 24th June, 2025

⁵³ Navneet Kaur and Manpreet Kaur, Role of artificial intelligence in the Indian Courts, *International Journal of Law , Policy and Social Review*, Volume 6, Issue 1, page no.17-20.

- b)* As a multi lingual country, *AI driven translations* tools can break language barriers, making court's language understandable by majority of the Indian population.
- c)* The tools like *AI Powered chatbots and virtual assistants* can be used for knowing about basic legal information like guidance on court procedures, updates on case status and empowering citizens with access to legal information.

iii. Improved Legal Research and Decision Making:

- a)* AI can help in *efficient legal research* as it can quickly analyze vast amount of legal data within short time span. Moreover, it can identify relevant precedents and case laws relevant for deciding case which improves the quality of legal research.
- b)* AI can provide *data driven insights* which means thorough analysis of data to identify pattern of a particular legal problem. This feature can help in identification and mitigation of biases in judicial system, leading to more fair and impartial outcomes.⁵⁴
- c)* AI can also help the judges to maintain consistency in legal decisions by providing guidelines and recommendations based on historical data available.

iv. Other benefits:

Apart from the abovementioned benefits, the use AI driven tools the Indian Judicial system can enhance data security and privacy in legal system by implementing robust security protocols. It can also ensure active participation from the public in judicial processes by providing them with real time updates on their cases and answer basic legal queries. These benefits of AI are important as they improve transparency and active engagement in the judicial processes which is very essential for a successful democratic setup.

Along with the positive aspects the researcher would like to discuss the downside of AI in the Indian judicial system. The criticisms can be categorized as follows:

- i. Algorithmic Bias:* All AI systems basically have to depend on the data available in their systems. If any of the data reflects historical biases such as bias based on caste,

⁵⁴ Pranab Dutta and Lakhya Jyoti Nath, Artificial Intelligence in the Indian Judiciary: A Comprehensive Review Study, *International Journal of Creative Research Thoughts (IJCRT)*, Volume 13, Issue 1 January 2025, Page no- 501-516

gender or socioeconomic status, there is every possibility of error in decision making through the process of AI.

- ii. **Data privacy and Security:** AI systems rely on access of large amount of data which includes personal data. This access to personal data may sometimes tend to threaten the privacy and security of personal data as there is every possibility of misuse of personal data by the AI systems. Potential breaches of the ethical and other regulatory norms or unauthorized access to personal data may lead to multiplicity of litigation regarding violation of right to privacy.
- iii. **Lack of transparency and explainability:** The AI models using complex machine learning algorithms are difficult to understand as to how they arrive at their decisions. This criticism depicts lack of transparency in the whole procedure adopted by the AI machineries. Moreover, where there is doubt in the procedure itself, the outcome becomes *ipso facto* not trustworthy. In these circumstances, the judiciary will not be able to come to a conclusion which is error free.
- iv. **Over- Reliance on Deskillling:** There is every possibility that if the judges and the legal professionals become more dependent on the AI generated recommendations, their own legal reasoning and judgment skill will be at risk. As the AI relies mostly on the precedents, over emphasis on the AI recommendations will hamper the whole process of evolution of the Indian judicial system through new precedent setting case laws and legal theories. There will be less new legal ideas, theories and principles by the competent judiciary.
- v. **Legal and Regulatory Framework:** The most important criticism of AI in India is the lack of any binding statute on this topic. Here the judiciary and legislature in India is equally responsible as till now the judiciary has not provided any strict guidelines to the Indian Parliament for adequate enactment of AI related laws. On the other hand, although there are some regulations, the legislature is still reluctant to adopt any statutory measure to control the activities of AI powered tools.
- vi. **Digital divide and Accessibility:** Another downside of the AI in Indian judicial system is lack of equal accessibility of the AI innovations. In India, all the courts and legal professionals do not have the proper infrastructure and technology to avail

all the benefits of AI implementation. This shows inequality within the judicial system itself and inefficiency from the government's side to remove the obstacles in the path of accessing AI innovations.

- vii. ***Human Element in Justice:*** It is significant to have human oversight and intervention in the judicial processes, although there is application of AI driven tools. As the judicial system should be able to create faith upon the minds of general citizen, over emphasis on the AI outcomes rather than human reasoning may lead to disbelief upon the minds of the people which is not at all desirable by the Constitution of India.
- viii. ***Loss of Nuance:*** In every legal case, there are different types of complexities and subtleties. In every case human behavior changes although the subject matter of the dispute may be same. We cannot generalize the outcome of different cases involving almost same issues involved. Here AI systems may not analyze appropriately the human behavior, motivations and other relevant considerations which are very crucial in many legal cases.
- ix. ***Liability and Accountability:*** In case violation of any existing legal norms by the AI systems, it is very difficult to determine the liability and accountability. The position here is very unclear as to amongst the AI developer, the user or the legal institution, actually who should be held accountable.
- x. ***Lack of Context:*** The legal cases involving cultural and social factors are not generally understandable by the AI systems. Therefore, these kinds of cases may not be predicted by using the AI powered tools and can lead to unjustified outcomes if these tools are applied.

From the above discussion we can see that while the involvement of AI has significantly enhances the efficiency and accessibility of the judicial system, in certain cases its integration in the Indian judicial system raises serious ethical, legal and practical concerns that can hamper fair and just legal system.

VI. SUGGESTIONS FOR EFFECTIVE APPLICATION OF AI WITHIN INDIAN JUDICIAL FRAMEWORK:

Within the Indian judicial system, there is no doubt that AI has till now done tremendous work by making the judicial system speedy, cost effective and people friendly. But there are certain ethical, legal and other considerations attached to it which we cannot ignore. As proper execution of the AI powered tools is the demand of time, the researcher would like to suggest some measures through which effective application of AI can be ensured. These suggestions are-

- i. ***Establish AI ethical guidelines:*** There is urgent need for a statute exclusively on AI so that it will have binding effect upon all the citizens of India and this Act should set up the ethical guidelines related to the subject matter. Moreover, these guidelines will ensure fairness and transparency in AI driven legal decisions.
- ii. ***Strengthen AI infrastructure:*** The AI infrastructure in India is not up to the mark as all judges and legal personal can not avail the similar benefits of AI in various judicial processes. There is need for upliftment of the infrastructure along with proper training for judges and law enforcement personal .
- iii. ***Enhance public awareness:*** Most of the people in India are ignorant about the AI based legal resources and their benefits. The government and the public spirited organizations in collaboration with the appropriate government can organize awareness programmes for the benefit of the general public so that they become aware of the advantages of using AI in judicial process. Moreover, in case of infringement of their rights by these AI driven tools, people should be made aware of their rights and procedures for restoration of the rights.
- iv. ***Encourage AI research in Law:*** For effective application of the AI driven tools, there is need for financial and technological support so that legal AI applications can be innovated and updated. Here emphasis should be given on academic and industry partnership as the industries can sponsor for these AI projects in judicial system.
- v. ***Priority to fundamental rights:*** While designing and deploying AI in the judicial process, the developers have the responsibility to prioritize the fundamental rights of the citizens guaranteed under the Constitution of India. Some important fundamental rights like right to equality, right to privacy, right to free speech and

expression, right to fair trial etc. should not be violated by the AI powered machineries involved in the judicial process.

- vi. ***Equal treatment:*** The data and algorithms used by the AI machineries should ensure equality and objectivity. As the outcome of the AI driven tools are dependent upon the data available, if these data itself are biased, the constitutional principle of equality and non-arbitrariness will be violated. It is therefore crucial for the Indian judiciary to address both data and algorithmic bias to ensure fair and unbiased outcome.
- vii. ***Data security:*** Data security can be ensured by application of certified sources and unaltered data in the whole judicial process. Here implementation of multidisciplinary designed models within a secure technological environment is of utmost importance.
- viii. ***Transparency:*** The success of the judicial system of a country is dependent upon the faith of the general public upon this system. Therefore, while using AI driven facilities by the judiciary, the judges and the legal practitioners have the responsibility to process the data clearly and in a process which is understandable by the common people. The users of legal algorithms have to disclose publicly their choices of data and related assumptions regarding the case timely in an appropriate manner so that the public can access those findings and the entire process becomes transparent. Moreover, these thorough and timely disclosures help in robust legal protection and enable judicial review by the courts.
- ix. ***Strict supervision through human intelligence:*** Over emphasis upon the AI driven outcomes may lead to serious miscarriage of justice. Therefore while using the AI benefits the person engaged the judicial processes should use their best reasoning and judgment ability so that the AI driven tools cannot overpower human intelligence.

VII. CONCLUSION:

By the introduction of the AI powered tools and machineries, the Indian judicial system has witnessed revolutionary changes in the field of case management, legal research,

analysis of vast amount of data in a very lesser period, predictive analytics and transforming the judicial system into a citizen friendly system with the introduction of AI assisted legal translation. It is a much needed revolution in the Indian judiciary as it is always overburdened with pending case due to the procedural and other formalities which generally requires much time and effort by the legal practitioners. AI has given a fair chance to the judges and the legal practitioners to show their ability properly by making certain formalities easier for them. On the other side, over emphasis on the AI outcomes can lead to total miscarriage of justice if the required human intelligence is not applied. It is therefore of utmost importance to keep balance between AI intelligence and human intelligence so that the later is not overshadowed and the faith of the general citizen upon the judicial system of the country remains intact.

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