

---

# **LEX MACHINA: THE EMERGENCE OF ARTIFICIAL INTELLIGENCE AND THE TRANSFORMATION OF THE INDIAN LEGAL ORDER**

---

Priyanshu Bisht, B.A.LL.B. (Hons.), Graphic Era Hill University, Dehradun.

## **ABSTRACT**

This paper critically examines the integration of Artificial Intelligence (AI) into the Indian legal system, analysing the profound constitutional, ethical, and jurisprudential challenges that accompany its promise of enhanced efficiency. Against the backdrop of a judicial system burdened by immense case pendency, AI is increasingly positioned as an essential instrument of reform. This research evaluates the application of AI in both judicial processes, exemplified by the Supreme Court's SUPACE portal, and the legal profession, through tools for research, contract analysis, and case prediction. It argues that this technological adoption, occurring within a significant regulatory vacuum, creates a fundamental tension with India's constitutional ethos. The paper interrogates the compatibility of algorithmic decision-making with the guarantees of equality under Article 14 and due process under Article 21 of the Constitution. It further explores the ethical dilemmas confronting legal practitioners, the novel evidentiary challenges posed by AI-generated content like deepfakes, and the privacy implications of AI-driven surveillance in the criminal justice system. Through a comparative analysis with international frameworks, notably the European Union's AI Act, this paper critiques India's current "regulation by proxy" approach. It concludes by proposing a comprehensive, rights-based path forward, advocating for a bespoke legislative framework, robust judicial safeguards, and institutional reforms to ensure that the deployment of AI serves, rather than subverts, the principles of justice, fairness, and constitutional morality.

## **I. Introduction: The Algorithmic Turn in Indian Jurisprudence**

### **Conceptual Framework**

The confluence of law and Artificial Intelligence (AI) marks one of the most significant jurisprudential shifts of the twenty-first century. AI is not a monolithic entity but a constellation of technologies, including machine learning (ML), natural language processing (NLP), and predictive analytics, designed to execute tasks that traditionally necessitate human intelligence.<sup>1</sup> Its application in the legal domain—from automating legal research to predicting judicial outcomes—is rapidly moving from theoretical speculation to practical implementation.<sup>3</sup> The integration of AI into the Indian legal system, however, is not merely a technological upgrade to enhance efficiency; it represents a profound transformation that demands rigorous constitutional scrutiny and a re-evaluation of the foundational principles of justice delivery.<sup>5</sup> This paper posits that the uncritical adoption of AI, driven by the laudable goal of administrative efficiency, risks creating a new class of constitutional challenges related to bias, transparency, and accountability that the existing legal framework is ill-equipped to address.

### **The Indian Imperative**

The urgency of this research is underscored by the unique and formidable challenges confronting the Indian judiciary. Burdened by a colossal backlog of nearly five crore pending cases, the system faces a crisis of delay that often amounts to a de facto denial of justice.<sup>6</sup> This systemic inefficiency not only erodes public trust but also compromises the constitutional promise of timely justice, a core component of the right to life and personal liberty enshrined in Article 21 of the Constitution of India. In this context, AI is increasingly viewed as an "essential instrument of reform," a potential panacea for clogged dockets and procedural delays.<sup>5</sup> The state's constitutional duty to ensure access to justice provides a powerful impetus for embracing technological solutions that promise to streamline court administration, enhance legal research, and expedite case resolution.<sup>5</sup>

This imperative creates a compelling paradox. The judiciary's turn towards AI can be interpreted as a proactive, technology-driven effort to fulfill its constitutional obligation to deliver speedy justice where conventional methods have fallen short. Yet, this very solution, adopted in a near-complete regulatory vacuum, precipitates a potential clash with other

fundamental constitutional values.<sup>9</sup> The deployment of algorithms trained on historical data risks embedding and amplifying societal biases, thereby threatening the right to equality under Article 14. The opaque nature of complex AI models—the "black box" problem—challenges the principles of due process and natural justice guaranteed under Article 21.<sup>7</sup> Thus, AI acts as a constitutional catalyst, forcing a confrontation between the mandate for efficiency and the sacrosanct principles of fairness, transparency, and non-discrimination.

## **Scope and Objectives**

This paper aims to navigate this complex terrain by critically evaluating the applications, challenges, and regulatory landscape of AI within the Indian legal order. It will dissect the use of AI in judicial processes and the legal profession, analyse the adequacy of existing statutes such as the Indian Evidence Act, 1872, and the Advocates Act, 1961, and scrutinise the compatibility of AI-driven surveillance with the fundamental right to privacy. By drawing comparative insights from global regulatory models like the EU AI Act, this paper will critique India's current policy inertia and propose a constitutionally compliant, rights-based framework for the future. The ultimate objective is to chart a path that harnesses AI's potential to augment the justice delivery system while fortifying, rather than eroding, the democratic and humanistic values that underpin the Indian Constitution.

## **II. The Genesis of Legal-Tech in India: From Digitization to Intelligence**

### **Global Context**

The integration of AI into the legal profession is a global phenomenon that has been gaining momentum since 2016. Internationally, law firms and legal departments are increasingly leveraging AI for a variety of tasks, including legal research, document review, contract analysis, and predictive analytics.<sup>12</sup> This technological shift is no longer theoretical; it is a practical reality that is reshaping legal business models and delivering substantial productivity gains. Reports indicate that AI tools can save legal professionals nearly 240 hours per year, freeing them to focus on higher-value strategic work rather than monotonous tasks.<sup>4</sup> This has led to a cautious but growing optimism within the global legal community, with a majority of professionals viewing AI as a force for good in their profession.<sup>4</sup> The evolution has been from simple automation to sophisticated generative AI that can draft briefs, summarize documents,

and provide predictive insights into case outcomes, fundamentally altering the economics and practice of law.<sup>12</sup>

## **The Indian Trajectory**

India's journey into legal technology has followed a distinct, phased trajectory, shaped by its unique institutional context and a legal profession traditionally resistant to change.

### ***Phase 1 (c. 2000): The Dawn of Digitization***

The turn of the millennium marked the inception of legal-tech in India, catalysed by the dot-com boom and the enactment of the Information Technology Act, 2000. This era was not about intelligence but digitization. The pioneering effort of Manupatra, which launched an online searchable database of case laws and legislation, was a foundational step.<sup>14</sup> For the first time, lawyers could access vast legal archives with a click, moving away from the arduous process of manual library research. This phase represented an augmentation of existing processes—digitizing paper records—rather than a fundamental transformation of legal work itself.<sup>14</sup>

### ***Phase 2 (2005-2015): Diversification and Early AI***

The subsequent decade witnessed a diversification of legal-tech solutions. Building on the success of digital databases, new players entered the market, offering more nuanced research tools, including access to international journals and books.<sup>14</sup> This period also saw the emergence of early-stage AI and machine learning features. Platforms began introducing tools for analytics, data visualization, and smart search functionalities, marking the first real foray into "intelligent" legal technology.<sup>14</sup> Concurrently, the ecosystem expanded to include online legal news portals and ed-tech platforms, broadening the scope of technology's role in the legal domain.<sup>14</sup>

### ***Phase 3 (Post-2015): The AI Boom and Judicial Adoption***

The last decade has been characterized by a proliferation of legal-tech startups, a trend significantly accelerated by the operational necessities of the COVID-19 pandemic, which forced the adoption of virtual courts and digital workflows.<sup>14</sup> However, the most critical driver of change in this period has been the Indian judiciary itself. The legal profession in India has been described as "tight-knit," "averse to any change," and often treating technological

innovation as a "singular phenomenon" rather than a systemic necessity.<sup>16</sup> This institutional inertia meant that radical change was not primarily market-driven by law firms. Instead, the impetus came from the top. Facing an existential crisis of mounting case backlogs, the Supreme Court of India initiated large-scale projects like the digitization of its records in 2017 and the ambitious e-Courts Project.<sup>14</sup> This institutional push created a top-down innovation model, where the judiciary became a primary consumer and promoter of legal technology, including AI. This distinguishes India's path from more bottom-up, market-led adoption seen in other jurisdictions and has profound implications for how AI is developed, deployed, and regulated within the Indian legal ecosystem.

### III. AI in the Sanctum Sanctorum: The Indian Judiciary's Tryst with Technology

#### Efficiency as a Constitutional Mandate

The Indian judiciary's adoption of AI is framed not merely as a matter of convenience but as a response to the constitutional imperative of delivering timely justice. The e-Courts Project, a pan-India initiative, embodies this vision. Its third phase explicitly focuses on integrating advanced AI solutions to enhance case management and administrative efficiency.<sup>17</sup> Key applications include AI-driven tools for smart scheduling and case prioritization, which use predictive analytics to forecast delays and optimize the allocation of judicial resources.<sup>17</sup> Beyond case management, AI is being deployed to improve access and transparency. The Supreme Court has initiated the use of AI for live transcription of oral arguments in Constitution Bench matters and for translating judgments from English into various Indian languages through its SUVAS (Supreme Court Vidhik Anuvaad Software) tool.<sup>15</sup> These initiatives aim to break down language barriers and make judicial proceedings more accessible to a wider populace.

At the heart of the Supreme Court's AI adoption is the **Supreme Court Portal for Assistance in Court's Efficiency (SUPACE)**. Launched in 2021, SUPACE is a clear manifestation of the judiciary's intent to leverage AI.<sup>22</sup> Crucially, the official narrative, articulated by then-Chief Justice of India S.A. Bobde, has consistently emphasized that SUPACE is designed as a research tool to assist judges, not to supplant their decision-making authority.<sup>23</sup> Its purpose is to collect and organize relevant facts and laws, thereby improving the efficiency of judges in their preparatory work.<sup>21</sup> The tool remains in an experimental stage, overseen by the Supreme

Court's dedicated AI Committee, and is intended to augment, not automate, judicial reasoning.<sup>21</sup>

### **The Spectre in the Machine: Constitutional Challenges**

While the official messaging frames judicial AI as a purely "assistive tool," this distinction proves to be a precarious oversimplification. The very process of an AI selecting, summarizing, and presenting legal information is an interpretive act, not a neutral one. An algorithm designed to identify "relevant" precedents is making a form of decision that inevitably shapes the cognitive landscape of the human judge.<sup>17</sup> This introduces a subtle but powerful "automation bias," a documented psychological tendency for humans to over-rely on suggestions from automated systems.<sup>25</sup> Even if the final judgment is authored by a human, the intellectual groundwork—the universe of facts and precedents considered—may be framed by an opaque or biased algorithm. The line between "assistance" and "influence" is thus blurred, giving rise to profound constitutional challenges.

#### ***Algorithmic Bias and Article 14***

The most significant threat posed by AI in the judiciary is that of algorithmic bias. AI models trained on historical case data will inevitably learn and reproduce the societal biases embedded within that data, relating to caste, gender, religion, and class.<sup>8</sup> When such a system is used to summarize case facts or suggest relevant precedents, it may inadvertently privilege certain narratives or legal arguments over others, leading to discriminatory outcomes. This risk stands in direct violation of Article 14 of the Constitution, which guarantees equality before the law and prohibits arbitrary state action.<sup>7</sup> Indian jurisprudence, notably in cases like

*E.P. Royappa v. State of Tamil Nadu*, has established that equality is antithetical to arbitrariness.<sup>8</sup> An AI system that produces biased or inexplicable outputs is inherently arbitrary and, therefore, constitutionally suspect.

#### ***The "Black Box" Problem and Article 21***

Compounding the issue of bias is the "black box" nature of many advanced AI systems. The complex, multi-layered processes through which these models arrive at a conclusion are often opaque even to their creators, making their reasoning difficult to scrutinize or explain.<sup>5</sup> This

opacity is a direct affront to the principles of natural justice and due process, which are integral to the right to life and personal liberty under Article 21. As established in

*Maneka Gandhi v. Union of India*, any procedure that deprives an individual of their rights must be fair, just, and reasonable.<sup>11</sup> A cornerstone of this fairness is the provision of reasoned decisions, which allows for meaningful appeals and holds the decision-maker accountable. If a judicial decision is influenced by an AI tool whose logic cannot be explained, it deprives the litigant of their right to understand the basis of the judgment against them, rendering the right to an effective appeal illusory and undermining the very foundation of judicial accountability.<sup>8</sup>

#### IV. The Augmented Advocate: AI's Role in the Legal Profession

##### New Tools of the Trade

Parallel to its adoption within the judiciary, AI is rapidly transforming the daily work of legal professionals in India. Law firms and individual practitioners are increasingly turning to sophisticated AI platforms to enhance efficiency, accuracy, and strategic insight. These tools are no longer niche products but are becoming integral to modern legal practice.

In the realm of **legal research and case prediction**, platforms such as CaseMine's AMICUS AI, Manupatra AI, and VIDUR AI are offering capabilities far beyond traditional keyword searches. These tools use NLP to map intricate relationships between case laws, identify obscure precedents, and even employ predictive analytics to forecast litigation outcomes based on historical data.<sup>32</sup> This allows lawyers to build more robust arguments and provide clients with data-informed strategic advice.

Similarly, **contract review and drafting** have been revolutionized. AI-powered tools like Kira Systems can analyze thousands of pages of contractual documents in minutes, automatically identifying key clauses, flagging risks, and ensuring compliance.<sup>35</sup> This is particularly impactful in high-volume areas like mergers and acquisitions, due diligence, and real estate, where AI significantly reduces human error and accelerates timelines.

The efficiency gains promised by these tools are fundamentally incompatible with the "billable hour" model that has long dominated the Indian legal market.<sup>38</sup> When a task that previously took a junior associate ten hours can be completed by an AI in minutes, law firms face a critical "pricing paradox".<sup>13</sup> Continuing to bill for the human-equivalent time would be unethical, yet

billing for the actual time spent would decimate revenues. This economic pressure is forcing a necessary but disruptive shift towards alternative fee arrangements, such as value-based or subscription models.<sup>4</sup> Furthermore, the automation of routine tasks like document review and basic research—the traditional training ground for junior lawyers—threatens the profession's apprenticeship model. This could lead to a "bifurcated market," with a high demand for senior lawyers who can provide strategic oversight and a shrinking role for junior associates whose work is increasingly automated.<sup>38</sup> This represents not just a technological shift, but a systemic economic disruption to the structure of the legal profession itself.

### **Ethical Crossroads and Regulatory Gaps**

The rapid adoption of AI tools by lawyers has outpaced the development of ethical and regulatory guardrails, creating a landscape fraught with ambiguity and risk.

#### ***Client Confidentiality***

A paramount concern is the protection of **client confidentiality**. Many AI tools, particularly generative AI platforms, are cloud-based and operated by third-party vendors. When lawyers input sensitive case details or client information into these systems to generate summaries or drafts, they risk exposing confidential data to unauthorized access or use by the platform provider.<sup>40</sup> Such an inadvertent disclosure could constitute a serious breach of the lawyer's professional duty of confidentiality, a cornerstone of the attorney-client relationship.

#### ***Unauthorized Practice of Law (UPL)***

A more complex legal question arises around the concept of the **unauthorized practice of law**. The Advocates Act, 1961, restricts the practice of law to individuals duly enrolled with a State Bar Council. When an AI tool moves beyond mere research and begins to offer legal advice, draft substantive legal documents, or guide a litigant's strategy, it arguably engages in activities that constitute the "practice of law".<sup>40</sup> This raises the question of whether the use of such advanced tools, especially by non-lawyers, violates the statute. While this debate is nascent in India, jurisdictions like the United States are actively grappling with how to modernize UPL regulations to accommodate technology without compromising public protection.<sup>43</sup>

#### ***The Bar Council of India's Stance***

Currently, the **Bar Council of India (BCI)**, the apex regulatory body for the legal profession,

has remained largely silent on the issue of AI. There are no specific rules or ethical guidelines governing the use of AI by advocates.<sup>25</sup> The existing Bar Council of India Rules, which codify professional conduct, were drafted in an era oblivious to AI and are considered outdated and inadequate to address the novel challenges of technological competence, data protection, and algorithmic accountability.<sup>46</sup> This regulatory void leaves lawyers to navigate a complex ethical landscape without formal guidance, creating significant legal and professional risks.

### *Access to Justice*

Finally, AI presents a dual-edged sword for **access to justice**. On one hand, the high cost of sophisticated AI tools can widen the gap between large, well-resourced law firms and smaller practices or solo practitioners, exacerbating existing inequalities.<sup>8</sup> On the other hand, AI-powered chatbots and virtual legal assistants have the potential to democratize legal information, offering low-cost or free initial guidance to citizens who cannot afford traditional legal services, thereby helping to bridge the justice gap.<sup>32</sup> Balancing these competing possibilities is a key challenge for regulators.

## **V. AI, Evidence, and the Criminal Justice System: A New Frontier of Admissibility and Rights**

The intrusion of AI into the criminal justice system introduces some of its most formidable challenges, impacting the fundamental rules of evidence and the constitutional rights of the accused.

### **The Ghost in the Evidence: AI and Admissibility**

The Indian Evidence Act, 1872, a colonial-era statute, is the bedrock of evidentiary procedure in Indian courts. While amended to accommodate electronic records, its framework is being tested to its limits by AI-generated evidence.

### *Section 65B of the Indian Evidence Act, 1872*

The admissibility of electronic evidence is governed by the special provisions of Sections 65A and 65B of the Act. Section 65B lays down a specific procedure for proving the contents of electronic records, requiring a certificate to attest to the integrity of the computer output.<sup>47</sup> The Supreme Court, in landmark judgments like

*Anvar P.V. v. P.K. Basheer* (2014) and *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal* (2020), has held that compliance with Section 65B is mandatory for the admissibility of secondary electronic evidence.<sup>49</sup>

However, this framework was designed for conventional computer outputs like printouts or data copied to a CD, where the process is relatively straightforward and verifiable. It is fundamentally ill-equipped to handle outputs from opaque, autonomous AI systems.<sup>49</sup> How can a human operator certify the integrity of a "black box" algorithm's decision-making process? Who is the "person having lawful control over the use of the computer" when the "computer" is a self-learning neural network? These questions reveal a significant legislative gap, rendering the current law inadequate for authenticating AI-generated evidence.<sup>49</sup>

### ***The Deepfake Dilemma***

This evidentiary challenge is most starkly illustrated by the rise of **deepfakes**—hyper-realistic audio-visual content synthetically generated by AI.<sup>49</sup> Deepfakes can create compelling but entirely fabricated evidence, such as a video of a person confessing to a crime they never committed or an audio recording of a politician making an inflammatory statement they never uttered. This technology poses an existential threat to the integrity of the fact-finding process, which is the cornerstone of any trial.<sup>52</sup> Existing provisions under the Information Technology Act, 2000, and the Indian Penal Code, 1860, which cover offences like defamation, forgery, and publishing obscene content, are insufficient to address the unique threat of deepfakes, which can be created and disseminated anonymously and at scale.<sup>53</sup>

The introduction of AI-generated evidence effectively inverts the traditional evidentiary standard. In a conventional trial, the burden lies with the party introducing evidence to prove its authenticity and reliability, and the opposing party has the right to challenge it through cross-examination. With "black box" AI evidence, such as a facial recognition match or a predictive risk score, this is nearly impossible. The defense cannot cross-examine an algorithm.<sup>49</sup> To challenge its reliability would require access to proprietary source code, vast training datasets, and specialized technical expertise—resources that are often unavailable or protected as trade secrets.<sup>31</sup> This creates a profound procedural imbalance, where the court is asked to accept the machine's output as presumptively valid, effectively shifting the burden to the accused to prove the machine's fallibility. This subtle inversion undermines the presumption of innocence and the right to a fair trial, core tenets of India's criminal justice jurisprudence.<sup>29</sup>

## Predictive Policing and Surveillance vs. Privacy

The use of AI in law enforcement for surveillance and prediction raises direct conflicts with fundamental rights, particularly the right to privacy.

### *Predictive Policing*

Several police forces in India have begun experimenting with **predictive policing** software, which uses algorithms to analyse historical crime data to forecast crime "hotspots" or identify individuals likely to commit offenses.<sup>55</sup> While promoted as a tool for efficient resource allocation, this practice is fraught with constitutional peril. The historical data on which these systems are trained often reflects existing patterns of discriminatory policing that disproportionately target marginalized communities based on caste, religion, and socio-economic status. By using this biased data, predictive policing risks institutionalizing and amplifying discrimination, creating a "discriminatory feedback loop" where police are repeatedly dispatched to the same communities, leading to more arrests and further reinforcing the data bias.<sup>55</sup>

### *Facial Recognition Technology (FRT)*

The widespread deployment of **Facial Recognition Technology (FRT)** for mass surveillance presents an even more direct challenge to fundamental rights. The landmark nine-judge bench decision of the Supreme Court in *Justice K.S. Puttaswamy v. Union of India* (2017) unequivocally affirmed the right to privacy as a fundamental right protected under Article 21 of the Constitution.<sup>59</sup> The Court laid down a three-pronged test for any state intrusion into privacy: the action must be sanctioned by (1) **legality** (a valid law), (2) **necessity** (for a legitimate state aim), and (3) **proportionality** (the least intrusive means to achieve the aim).<sup>60</sup>

The deployment of a pervasive FRT network for public surveillance in India, which occurs in the absence of a specific data protection law governing its use, fails this constitutional test on multiple grounds.<sup>58</sup> It lacks a clear legal framework (failing the legality test), and its use for generalized surveillance is not a proportionate response to law enforcement needs, creating a chilling effect on freedoms of speech, assembly, and movement guaranteed under Article 19.<sup>58</sup>

## VI. Charting the Uncharted: India's Regulatory Conundrum

### The Governance Vacuum

India's approach to AI regulation is best described as a "governance vacuum," characterized by a "pro-innovation" stance that has, until recently, eschewed binding legislation in favour of policy guidelines.<sup>9</sup> This has resulted in a fragmented and non-binding landscape.

The **NITI Aayog**, the government's public policy think tank, has been at the forefront of shaping the discourse. Its 2018 **National Strategy for Artificial Intelligence (#AIForAll)** was a foundational document that identified key sectors for AI adoption and emphasized social and inclusive growth.<sup>68</sup> This was followed by the

"**Responsible AI**" principles in 2021, which outlined an ethical framework based on values like safety, equality, transparency, and accountability, grounded in India's constitutional morality.<sup>70</sup> While influential in setting a normative tone, these documents remain non-binding policy recommendations.

The **Ministry of Electronics and Information Technology (MeitY)** serves as the nodal executive agency for AI-related strategies.<sup>9</sup> Its approach has been largely reactive. For instance, in response to growing concerns over misinformation, MeitY issued an advisory in March 2024 directing platforms to prevent the deployment of biased or unreliable AI models and to label AI-generated content like deepfakes.<sup>71</sup> These advisories, however, are issued under the existing Information Technology Act, 2000, attempting to fit a new and complex technology into an old framework. This approach constitutes a form of "regulation by proxy." By treating AI platforms as "intermediaries" under the IT Act or focusing on data protection under the Digital Personal Data Protection Act, 2023 (DPDP Act), the government is regulating the periphery of AI—the data it consumes and the platforms that host it—rather than its core.<sup>71</sup> This fails to address the fundamental challenge posed by AI: the autonomous, and often opaque, decision-making *process* of the algorithm itself, which is the primary source of constitutional risk in high-stakes domains like justice and law enforcement.<sup>75</sup>

### A Comparative Lens: Learning from Global Frameworks

In stark contrast to India's hesitant approach stands the **European Union's AI Act**, the world's first comprehensive, binding legal framework for AI.<sup>77</sup> The Act adopts a risk-based approach,

classifying AI systems into four tiers:

1. **Unacceptable Risk:** Practices that are a clear threat to people's rights are banned outright (e.g., social scoring, real-time biometric surveillance in most cases).
2. **High Risk:** AI systems used in critical sectors like law enforcement, administration of justice, employment, and access to essential services are subject to strict obligations, including risk assessments, data governance requirements, human oversight, and transparency.
3. **Limited Risk:** Systems like chatbots must comply with transparency obligations, informing users they are interacting with an AI.
4. **Minimal Risk:** The vast majority of AI applications fall into this category and are largely unregulated.<sup>78</sup>

In addition to the EU's "hard law" approach, global "soft law" principles from bodies like **UNESCO** and the **OECD** provide an ethical baseline. UNESCO's Recommendation on the Ethics of AI emphasizes human rights, dignity, fairness, and transparency<sup>81</sup>, while the OECD AI Principles, endorsed by India, call for human-centered values, accountability, and robustness.<sup>76</sup>

While a wholesale "transplantation of Western models" may be ill-suited to India's unique constitutional framework and socio-economic realities, these global standards offer invaluable lessons.<sup>5</sup> They demonstrate a global consensus that a purely self-regulatory or "pro-innovation" approach is insufficient to mitigate the risks of AI, particularly in high-stakes applications.

### Comparative Regulatory Approaches

The following table provides a structured comparison of India's current approach with the EU AI Act and global ethical principles, highlighting the fundamental differences in regulatory philosophy.

| Parameter                                | India's Current Approach                                                                                                    | EU AI Act (2024)                                                                                                                                   | UNESCO/OECD Principles                                                                                                                            |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Regulatory Philosophy</b>             | "Pro-innovation," principles-based, largely non-binding advisories. <sup>10</sup>                                           | Risk-based, legally binding "hard law" framework with clear prohibitions and obligations. <sup>77</sup>                                            | Ethical, human-rights-centric "soft law" guidelines to inform national policies. <sup>76</sup>                                                    |
| <b>Risk Classification</b>               | No formal, legally defined risk classification. MeitY advisories refer to "under-tested" or "unreliable" AI. <sup>74</sup>  | Four-tiered system: Unacceptable (banned), High (strictly regulated), Limited (transparency rules), Minimal (unregulated). <sup>78</sup>           | Principles apply universally, with an implicit emphasis on mitigating harm and protecting fundamental rights in high-impact areas. <sup>82</sup>  |
| <b>Accountability &amp; Liability</b>    | Ambiguous; relies on extending existing laws (IT Act, CPA, DPDP Act). No specific AI liability regime. <sup>75</sup>        | Clear obligations on providers and deployers of high-risk systems. Establishes a framework for liability and conformity assessments. <sup>77</sup> | Emphasizes the need for accountability and responsibility mechanisms, with ultimate responsibility resting with human actors. <sup>82</sup>       |
| <b>Transparency &amp; Explainability</b> | Encouraged through advisories (e.g., labeling deepfakes). No mandatory "right to explanation." <sup>73</sup>                | Mandatory for high-risk systems. Users must be informed when interacting with AI. AI-generated content must be identifiable. <sup>78</sup>         | A core principle, advocating for transparency and explainability appropriate to the context to ensure decisions are understandable. <sup>82</sup> |
| <b>Enforcement</b>                       | Relies on existing mechanisms under the IT Act (e.g., loss of safe harbour). No dedicated AI regulatory body. <sup>72</sup> | Enforced by national authorities and a central European AI Board. Significant financial penalties for non-compliance. <sup>78</sup>                | Non-binding; relies on voluntary adoption and implementation by member states through their own legislative measures. <sup>85</sup>               |

This comparison starkly illustrates that India's current framework lacks the structure, specificity, and legal force necessary to govern AI in a domain as sensitive as the legal system. It underscores the urgent need for a more robust, risk-calibrated, and legally binding regulatory model.

## **VII. Judicial Philosophy in the Age of Algorithms**

### **The Judge vs. The Robot**

The integration of AI into the justice system forces a profound debate on the very nature of judicial philosophy. On one hand, proponents argue that AI is a powerful tool for augmentation. By automating repetitive and time-consuming tasks like document review, legal research, and case management, AI can free human judges and lawyers to focus on the quintessentially human aspects of their roles: empathy, moral reasoning, complex legal strategy, and contextual judgment.<sup>17</sup> In this view, AI does not replace the judge but empowers them, enhancing efficiency without sacrificing the quality of justice.

On the other hand, critics warn of the corrosive effects of over-reliance on technology. They argue that it risks de-skilling legal professionals and eroding the human-centric nature of justice, which depends on discretion and an intuitive understanding of human circumstances that cannot be captured in data.<sup>89</sup> This perspective highlights a fundamental tension: AI, by its very design, thrives on standardization, pattern recognition, and the consistent application of rules. This can be beneficial in reducing "noise"—irrelevant variations in judgment, such as the infamous "hungry judge" effect—and promoting formal equality.<sup>91</sup> However, the common law tradition, and Indian jurisprudence in particular, places immense value on judicial discretion. This discretion allows a judge to temper the rigidity of black-letter law with principles of equity, fairness, and individualized justice, ensuring that the outcome is just in the specific context of the case.

An over-reliance on AI-driven tools, such as those providing sentencing recommendations or predicting recidivism, could create a subtle but powerful pressure on judges to conform to the algorithmic "norm." This creates a philosophical clash between the algorithmic pursuit of consistency and the judicial pursuit of substantive, individualized justice. AI may strengthen the "rule application" function of a judge, but it simultaneously threatens to weaken the "equity and discretion" function, which is a cornerstone of a humane and just legal system.

## Constitutional Morality as a Guiding Precept

To navigate this philosophical impasse, the Indian legal system can turn to its own unique jurisprudential doctrine: **constitutional morality**. Evolved by the Supreme Court, constitutional morality is an interpretive device that requires laws and state actions to be tested against the foundational values of the Constitution—dignity, liberty, equality, and fraternity—rather than prevailing social norms.<sup>8</sup> It acts as a bulwark against majoritarianism and ensures that the Constitution remains a transformative, living document.

Applying this doctrine to AI governance means that the deployment of any AI system in the justice delivery process cannot be justified on grounds of efficiency alone. It must be rigorously evaluated for its alignment with these core constitutional values.<sup>76</sup> Is the system fair and non-discriminatory? Does it uphold the dignity of the individual? Does its opacity violate the principles of a fair and open trial? Does it foster or erode public trust in the judiciary? Constitutional morality demands that the use of AI in justice is not treated as a purely technocratic or administrative exercise, but as a profoundly moral and constitutional one. It provides a normative framework to ensure that the quest for an efficient judiciary does not lead to a dehumanized one, and that *Lex Machina* remains subservient to the principles of constitutional justice.

## VIII. The Path Forward: A Blueprint for Responsible AI in Indian Law

The analysis thus far reveals a critical need for a structured, proactive, and constitutionally grounded approach to governing AI in the Indian legal system. A strategy of inaction or reliance on outdated frameworks is no longer tenable. The path forward requires a multi-pronged effort involving legislative action, judicial safeguards, and institutional reforms.

### Legislative Action: The Need for an AI and Law Regulation Act

India's current "regulation by proxy" is inadequate. A comprehensive, *sui generis* legislative framework is essential to provide legal certainty, protect fundamental rights, and foster responsible innovation. Drawing lessons from the EU AI Act and adapting them to the Indian context, a proposed **AI and Law Regulation Act** should be enacted.<sup>93</sup> The cornerstone of this Act should be a **risk-based approach**, which imposes regulatory burdens proportionate to the potential for harm.<sup>94</sup>

Under this framework, any AI system intended for use in the administration of justice or law enforcement—including tools for judicial assistance, predictive policing, evidence analysis, and sentencing recommendations—should be classified as **"high-risk"** by default. For such systems, the Act must mandate:

- **Mandatory Algorithmic Impact Assessments:** Before deployment, developers and public bodies must conduct thorough assessments to identify and mitigate risks of bias, discrimination, and privacy infringement.
- **Transparency and Explainability:** High-risk systems must be designed for transparency. The logic behind their outputs must be explainable in a human-understandable format, ensuring that decisions can be meaningfully challenged. "Black box" systems should be prohibited in critical judicial functions.
- **Human-in-the-Loop Safeguards:** The Act must legally mandate meaningful human oversight for all high-risk AI systems, ensuring that the final decision always rests with a human judicial or law enforcement officer.<sup>76</sup>
- **Data Governance Standards:** Strict rules on the quality, representativeness, and privacy-preserving use of data for training AI models must be established to combat bias at its source.

A purely top-down legislative model, however, may be too rigid for India's diverse and fast-evolving technological landscape. A more effective approach would be a **"co-regulatory" model**. The central Act would establish the fundamental principles, risk categories, and non-negotiable rights-based protections. It would then empower sectoral regulators, such as the Bar Council of India and financial regulators like the RBI, to develop detailed, domain-specific rules and technical standards. This model would leverage sectoral expertise while ensuring a consistent, constitutionally compliant foundation, blending the certainty of "hard law" with the adaptability of "soft law."

### **Judicial Safeguards and Institutional Reforms**

Alongside legislative action, the judiciary must institute its own internal safeguards to govern the use of AI within its precincts.

### ***Guidelines for Ethical Use***

The Supreme Court of India, through its e-Committee and AI Committee, should issue **binding guidelines** for the ethical use of AI by all courts. The **Kerala High Court's AI usage policy**, released in July 2025, serves as a pioneering domestic model.<sup>26</sup> This policy wisely prohibits the use of AI for substantive judicial reasoning or decision-making, restricts its use to assistive tasks, mandates human verification of all AI outputs to guard against "hallucinations," and establishes clear accountability mechanisms.<sup>26</sup> Adopting a similar, uniform code across the Indian judiciary would provide immediate and crucial safeguards.

### ***AI Literacy and Training***

A critical institutional reform is the urgent need to foster **AI literacy** among all legal stakeholders. Technology cannot be governed effectively by those who do not understand it. This requires a two-pronged approach:

1. **Legal Education:** The Bar Council of India must mandate the integration of AI, law, and ethics into the curriculum of all law schools. Future lawyers must be trained not only in the law but also in the technological tools that are reshaping its practice.<sup>97</sup>
2. **Professional Development:** National and State Judicial Academies, along with Bar Councils, must develop and implement mandatory continuing education programs on AI for sitting judges, practicing lawyers, and court administrative staff. This training should cover not just the use of AI tools but also their limitations, ethical implications, and constitutional risks.<sup>97</sup>

### ***Transparency Audits***

To ensure accountability, the proposed legislative framework should provide for the creation of an independent, multi-disciplinary body tasked with conducting regular **transparency and bias audits** of all AI systems used in the public judicial and law enforcement sectors. These audits should assess the systems for accuracy, fairness, data security, and compliance with legal standards, with the findings made publicly available to foster trust and enable scrutiny.<sup>11</sup>

## **IX. Conclusion: Reconciling Legal Humanism with Technological Inevitability**

The emergence of Artificial Intelligence in the Indian legal field represents a pivotal moment,

a confluence of technological inevitability and jurisprudential challenge. This paper has sought to demonstrate that AI is a technology of profound duality: it is at once a powerful tool that offers a tangible path toward mitigating the chronic inefficiencies that plague the Indian justice system, and a potential threat to the very essence of legal humanism.<sup>5</sup> Its promise of speed, consistency, and data-driven insight is alluring, particularly in a system desperate for reform. Yet, this promise is shadowed by the risks of embedded bias, opaque decision-making, and the erosion of the human qualities of empathy, discretion, and moral reasoning that lie at the heart of justice.

The path forward, therefore, is not a Luddite rejection of technology, but a concerted effort to domesticate it—to bend its trajectory towards the service of constitutional values. India's current regulatory vacuum and its reliance on fragmented, ill-suited legal frameworks are untenable. A responsible embrace of AI requires a deliberate and thoughtful architecture of governance, built upon a bespoke legislative foundation, fortified by robust judicial safeguards, and supported by a culture of continuous learning and critical oversight.

The ultimate objective must be to ensure that the pursuit of a more efficient judiciary does not inadvertently create a less just one. The goal is not to build a system where justice is merely the output of an algorithm, but one where technology empowers human judges and lawyers to deliver justice that is not only faster and more accessible, but also fairer, more equitable, and more deeply aligned with the constitutional morality of dignity, liberty, and equality for all. In the final analysis, *Lex Machina* must be engineered to serve, not subvert, the enduring and indispensable values of the rule of law.

**Endnotes:**

1. Utilizing Artificial Intelligence in Legal System with Special Reference of India, accessed on October 4, 2025, [https://www.researchgate.net/publication/380453532\\_Utilizing\\_Artificial\\_Intelligence\\_in\\_Legal\\_System\\_with\\_Special\\_Reference\\_of\\_India](https://www.researchgate.net/publication/380453532_Utilizing_Artificial_Intelligence_in_Legal_System_with_Special_Reference_of_India)
2. UNVEILING THE FUTURE: THE INTERSECTION OF ARTIFICIAL INTELLIGENCE AND THE JUDICIAL SYSTEM - Indian Journal of Integrated Research in Law, accessed on October 4, 2025, <https://ijirl.com/wp-content/uploads/2023/07/UNVEILING-THE-FUTURE-THE-INTERSECTION-OF-ARTIFICIAL-INTELLIGENCE-AND-THE-JUDICIAL-SYSTEM.pdf>
3. A Comprehensive Review on Artificial Intelligence in Indian Law, accessed on October 4, 2025, <https://www.ijraset.com/research-paper/a-comprehensive-review-on-artificial-intelligence-in-indian-law>
4. See what legal professionals say about the role of AI and law, accessed on October 4, 2025, <https://legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/>
5. (PDF) Artificial Intelligence (AI) in the Indian Legal System ..., accessed on October 4, 2025, [https://www.researchgate.net/publication/395256349\\_Artificial\\_Intelligence\\_AI\\_in\\_the\\_Indian\\_Legal\\_System\\_Transformations\\_Challenges\\_and\\_Future\\_Propects\\_KAMKU\\_S\\_COLLEGE\\_OF\\_LAW](https://www.researchgate.net/publication/395256349_Artificial_Intelligence_AI_in_the_Indian_Legal_System_Transformations_Challenges_and_Future_Propects_KAMKU_S_COLLEGE_OF_LAW)
6. AI Use In Indian Courts, Need For Guardrails - Daily UPSC Current Affairs Blogs, accessed on October 4, 2025, <https://ekamiasacademy.in/ai-use-in-indian-courts-need-for-guardrails/>
7. ISSN 2581-5369 - INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES, accessed on October 4, 2025, <https://ijlmh.com/wp-content/uploads/Algorithmic-Bias-and-Constitutional-Safeguards-in-the-Indian-Judiciary.pdf>
8. Algorithmic Bias And The Quest For Equal Justice In India | Virtuosity ..., accessed on October 4, 2025, <https://virtuositylegal.com/algorithmic-bias-and-the-quest-for-equal-justice-in-india/>
9. Analysing the concept of artificial intelligence in the Indian legal system - International Journal of Law, accessed on October 4, 2025, <https://www.lawjournals.org/assets/archives/2024/vol10issue4/10268.pdf>

10. India's Advance on AI Regulation | Carnegie Endowment for International Peace, accessed on October 4, 2025, <https://carnegieendowment.org/research/2024/11/indias-advance-on-ai-regulation?lang=en>
11. UNFAIR BY DESIGN: FIGHTING AI BIAS IN E-GOVERNANCE IN INDIA - Jus Corpus, accessed on October 4, 2025, <https://www.juscorpus.com/unfair-by-design-fighting-ai-bias-in-e-governance-in-india/>
12. How AI is reshaping the future of legal practice | The Law Society, accessed on October 4, 2025, <https://www.lawsociety.org.uk/topics/ai-and-lawtech/partner-content/how-ai-is-reshaping-the-future-of-legal-practice>
13. The Impact of Artificial Intelligence on Law Firms' Business Models, accessed on October 4, 2025, <https://clp.law.harvard.edu/knowledge-hub/insights/the-impact-of-artificial-intelligence-on-law-law-firms-business-models/>
14. Evolution of Legal-tech in India - Asia Law Portal - A forum for ..., accessed on October 4, 2025, <https://asialawportal.com/evolution-of-legal-tech-in-india/>
15. THE SIGNIFICANCE OF TECHNOLOGY IN THE INDIAN LEGAL SYSTEM ANDLEGAL EDUCATION: A COMPREHENSIVE EXAMINATION - Russian Law Journal, accessed on October 4, 2025, <https://www.russianlawjournal.org/index.php/journal/article/download/4426/2839/5144>
16. Legaltech – the India perspective – The Legal Technologist, accessed on October 4, 2025, <https://www.legaltechnologist.co.uk/article/legaltech-the-india-perspective/>
17. Digital Transformation of Justice: Integrating AI in India's Judiciary and Law Enforcement - PIB, accessed on October 4, 2025, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2106239>
18. Digital Transformation of Justice: Integrating AI in India's Judiciary and Law Enforcement - PIB, accessed on October 4, 2025, <https://www.pib.gov.in/PressNoteDetails.aspx?NoteId=153773&ModuleId=3>
19. use of artificial intelligence in supreme court - PIB, accessed on October 4, 2025, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2148356>
20. From Backlogs to Breakthroughs: The Integration of AI in India's Judiciary - IndiaAI, accessed on October 4, 2025, <https://indiaai.gov.in/article/from-backlogs-to-breakthroughs-the-integration-of-ai-in-india-s-judiciary>
21. Use of AI in Supreme Court Case Management - Press Release ..., accessed on October 4, 2025, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2113224>

22. SUPACE in Supreme Court - TNPSC Current Affairs, accessed on October 4, 2025, <https://www.tnpscsthervupettagam.com/currentaffairs-detail/supace-in-supreme-court>
23. Artificial Intelligence and Judicial Bias - Centre for Law & Policy Research - CLPR, accessed on October 4, 2025, <https://clpr.org.in/blog/artificial-intelligence-and-the-courts/>
24. AI Portal SUPACE - Drishti IAS, accessed on October 4, 2025, <https://www.drishtiiias.com/pdf/1617793644-ai-portal-supace.pdf>
25. Artificial intelligence in the context of the Indian legal profession and judicial system, accessed on October 4, 2025, <https://www.barandbench.com/columns/artificial-intelligence-in-context-of-legal-profession-and-indian-judicial-system>
26. Kerala High Court's New AI Guidelines Set National Standard for ..., accessed on October 4, 2025, <https://ssrana.in/articles/kerala-high-courts-new-ai-guidelines-set-national-standard-for-judicial-integrity/>
27. Mitigating Bias in AI through Indian Laws - IJBMI, accessed on October 4, 2025, [https://www.ijbmi.org/papers/Vol\(14\)8/14080610.pdf](https://www.ijbmi.org/papers/Vol(14)8/14080610.pdf)
28. Code, Constitution and AI: Rethinking Fundamental Rights in the Algorithmic Era - IJSAT, accessed on October 4, 2025, <https://www.ijسات.org/papers/2025/3/8087.pdf>
29. Implications of the Use of AI Algorithms in the Criminal Justice System from a Constitutional Perspective - Jus Corpus Law Journal, accessed on October 4, 2025, <https://www.juscorpus.com/wp-content/uploads/2024/02/26.-Mahanth-P-A.pdf>
30. Ethical Concerns: Fairness, Accountability, and Transparency in AI, accessed on October 4, 2025, <https://www.iipa.org.in/GyanKOSH/posts/ethical-concerns-fairness-accountability-and-transparency-in-ai>
31. Responsible AI in the context of Indian Judicial System | The CCG ..., accessed on October 4, 2025, <https://ccgnludelhi.wordpress.com/2024/12/17/responsible-ai-in-the-context-of-indian-judicial-system/>
32. How AI is Transforming the Legal Profession in India - Lawvs, accessed on October 4, 2025, <https://lawvs.com/articles/how-ai-is-transforming-the-legal-profession-in-india>
33. Future of Law in India: How AI is Reshaping Legal Practice - Siddharth lawcollege, accessed on October 4, 2025, <https://www.siddharthlawcollege.org/future-of-law-in-india/>
34. AI IN LEGAL RESEARCH AND CASE PREDICTION: TRANSFORMING THE FUTURE OF LAW - GAP INTERDISCIPLINARITIES, accessed on October 4, 2025,

[https://www.gapinterdisciplinarity.org/res/articles/\(324-326\)-AI-IN-LEGAL-RESEARCH-AND-CASE-PREDICTION-TRANSFORMING-THE-FUTURE-OF-LAW-20250707012207.pdf](https://www.gapinterdisciplinarity.org/res/articles/(324-326)-AI-IN-LEGAL-RESEARCH-AND-CASE-PREDICTION-TRANSFORMING-THE-FUTURE-OF-LAW-20250707012207.pdf)

35. Top 10 AI Tools for Lawyers in India (2025 Edition) - VIDUR, accessed on October 4, 2025, <https://vidur.in/top-10-ai-tools-for-lawyers-in-india/>
36. The Use of Artificial Intelligence in Legal Practice with Reference to ..., accessed on October 4, 2025, <https://drbgrpublications.in/wp-content/uploads/2025/Special-Issue/01-ijber-14.-Dr.-B.-Nandhini-drbgr.pdf>
37. How AI is Transforming Legal Document Review and Contract Management | nasscom, accessed on October 4, 2025, <https://community.nasscom.in/communities/ai/how-ai-transforming-legal-document-review-and-contract-management>
38. Beyond the hype: AI disruption in India's legal practice - Bar and Bench, accessed on October 4, 2025, <https://www.barandbench.com/columns/beyond-the-hype-the-ai-disruption-in-indias-legal-practice>
39. How Is AI Changing the Legal Profession? - Bloomberg Law, accessed on October 4, 2025, <https://pro.bloomberglaw.com/insights/technology/how-is-ai-changing-the-legal-profession/>
40. Ethical And Professional Responsibility In AI- Enhanced Legal ..., accessed on October 4, 2025, <https://www.ijllr.com/post/ethical-and-professional-responsibility-in-ai-enhanced-legal-practice-need-for-a-new-code-of-condu>
41. Legal issues with AI: Ethics, risks, and policy - Thomson Reuters Legal Solutions, accessed on October 4, 2025, <https://legal.thomsonreuters.com/blog/the-key-legal-issues-with-gen-ai/>
42. The Ethical Challenges of AI-Assisted Legal Practice: Lawyers and ChatGPT, accessed on October 4, 2025, <https://www.apslaw.com/its-your-business/2023/06/26/the-ethical-challenges-of-ai-assisted-legal-practice-lawyers-and-chatgpt/>
43. Unauthorized Practice of Law - Virginia State Bar, accessed on October 4, 2025, <https://vsb.org/Site/Site/lawyers/unauthorized-practice.aspx>
44. Modernizing unauthorized practice of law regulations to embrace ..., accessed on October 4, 2025, <https://www.ncsc.org/resources-courts/modernizing-unauthorized-practice-law-regulations-embrace-technology-improve>
45. We should focus on—and invest in—AI that serves people without lawyers, accessed on October 4, 2025, <https://law.stanford.edu/publications/we-should-focus-on-and-invest-in-ai-that-serves-people-without-lawyers/>

46. REGULATING THE ETHICS OF THE UNKNOWN: ANALYSING ..., accessed on October 4, 2025, <https://nujlawreview.org/wp-content/uploads/2021/11/14.3-Gotety.pdf>
47. AI And Admissibility of Evidence - ljrvoice.com, accessed on October 4, 2025, <https://ljrfvoice.com/ai-and-admissibility-of-evidence/>
48. ADMISSIBILITY OF ELECTRONIC EVIDENCE UNDER THE INDIAN EVIDENCE ACT, 1872, accessed on October 4, 2025, <https://articles.manupatra.com/article-details/ADMISSIBILITY-OF-ELECTRONIC-EVIDENCE-UNDER-THE-INDIAN-EVIDENCE-ACT-1872>
49. AI-Generated Evidence in Indian Courts: Admissibility and Legal ..., accessed on October 4, 2025, <https://lawjurist.com/index.php/2025/07/02/ai-generated-evidence-in-indiancourts-admissibility-and-legal-challenges/>
50. digital evidence and proof required to establish - Supreme Today AI, accessed on October 4, 2025, <https://supremetoday.ai/issue/digital-evidence-and-proof-required-to-establish>
51. Deepfakes in India: Legal Landscape, Judicial Responses, and a Practical Playbook for Enforcement - NeGD - National e-Governance Division, accessed on October 4, 2025, <https://negd.gov.in/blog/deepfakes-in-india-legal-landscape-judicial-responses-and-a-practical-playbook-for-enforcement/>
52. Deepfake in the Courtroom: Legal Challenges and Evidentiary Standards - ResearchGate, accessed on October 4, 2025, [https://www.researchgate.net/publication/390200521\\_Deepfake\\_in\\_the\\_Courtroom\\_Legal\\_Challenges\\_and\\_Evidentiary\\_Standards](https://www.researchgate.net/publication/390200521_Deepfake_in_the_Courtroom_Legal_Challenges_and_Evidentiary_Standards)
53. LEGAL CHALLENGES OF DEEPFAKE TECHNOLOGY AND AI ..., accessed on October 4, 2025, <https://www.juscorpus.com/legal-challenges-of-deepfake-technology-and-ai-generated-content-in-india/>
54. The-Use-of-Artificial-Intelligence-in-Criminal-Trials.pdf - INTERNATIONAL JOURNAL OF LEGAL SCIENCE AND INNOVATION, accessed on October 4, 2025, <https://ijlsi.com/wp-content/uploads/The-Use-of-Artificial-Intelligence-in-Criminal-Trials.pdf>
55. StyleSheet IJIE - The International Review of Information Ethics, accessed on October 4, 2025, <https://informationethics.ca/index.php/irie/article/download/487/467/718>
56. Predictive Policing: Discrimination, Due Process and Democratic Accountability, accessed on October 4, 2025, <https://p39ablog.com/2022/03/predictive-policing-discrimination-due-process-and-democratic-accountability/>

57. AI POLICING IN CRIMINAL JUSTICE: METHODS & CONCERNS IN CRIME DETECTION AND PREVENTION IN INDIA, accessed on October 4, 2025, [https://jlai.nfsu.ac.in/Uploads/EJournal/2/2/\(7-15\)%20AI%20POLICING%20IN%20CRIMINAL%20JUSTICE%20METHODS%20&%20CONCERNS%20IN%20CRIME%20DETECTION%20AND%20PREVENTION%20IN%20INDIA.pdf](https://jlai.nfsu.ac.in/Uploads/EJournal/2/2/(7-15)%20AI%20POLICING%20IN%20CRIMINAL%20JUSTICE%20METHODS%20&%20CONCERNS%20IN%20CRIME%20DETECTION%20AND%20PREVENTION%20IN%20INDIA.pdf)
58. Predictive policing in India: Deterring crime or discriminating minorities? - LSE Blogs, accessed on October 4, 2025, <https://blogs.lse.ac.uk/humanrights/2021/04/16/predictive-policing-in-india-deterring-crime-or-discriminating-minorities/>
59. The Intersection of Artificial Intelligence and Cyber Legislation in India - LAW Notes, accessed on October 4, 2025, <https://lawnotes.co/tag/the-intersection-of-artificial-intelligence-and-cyber-legislation-in-india/>
60. JUSTICE K.S. PUTTASWAMY VS. UNION OF INDIA - South Asian Translaw Database, accessed on October 4, 2025, <https://translaw.clpr.org.in/case-law/justice-k-s-puttaswamy-anr-vs-union-of-india-ors-privacy/>
61. Fundamental Right to Privacy - Supreme Court Observer, accessed on October 4, 2025, <https://www.scobserver.in/cases/puttaswamy-v-union-of-india-fundamental-right-to-privacy-case-background/>
62. Facial Recognition Technology and Data Privacy in India: Challenges and Case Laws, accessed on October 4, 2025, <https://supremetoday.ai/issue/FACIAL-RECOGNITION-TECHNOLOGY-AND-DATA-PRIVACY-IN-INDIA:-CHALLENGES.-Case-laws-pertaining-to-it>
63. An Analysis of Puttaswamy: The Supreme Court's Privacy Verdict, accessed on October 4, 2025, [https://www.ssoar.info/ssoar/bitstream/handle/document/54766/ssoar-indraglobal-2017-11-bhandari\\_et\\_al-An\\_Analysis\\_of\\_Puttaswamy\\_The.pdf?sequence=1](https://www.ssoar.info/ssoar/bitstream/handle/document/54766/ssoar-indraglobal-2017-11-bhandari_et_al-An_Analysis_of_Puttaswamy_The.pdf?sequence=1)
64. The Right to Privacy in India's Digital Era: A Post-Puttaswamy ..., accessed on October 4, 2025, <https://ijlsss.com/the-right-to-privacy-in-indias-digital-era-a-post-puttaswamy-perspective/>
65. Generative AI Regulations in India: Must-Know These in 2025 - American Chase, accessed on October 4, 2025, <https://americanchase.com/generative-ai-regulations-india/>
66. AI Regulation in India: Current State and Future Perspectives - Morgan Lewis, accessed on October 4, 2025, <https://www.morganlewis.com/blogs/sourcingatmorganlewis/2024/01/ai-regulation-in->

india-current-state-and-future-perspectives

67. AI Watch: Global regulatory tracker - India | White & Case LLP, accessed on October 4, 2025, <https://www.whitecase.com/insight-our-thinking/ai-watch-global-regulatory-tracker-india>
68. National Strategy for Artificial Intelligence - NITI Aayog, accessed on October 4, 2025, <https://www.niti.gov.in/sites/default/files/2023-03/National-Strategy-for-Artificial-Intelligence.pdf>
69. National Strategy for Artificial Intelligence (AI) - Insights Mind maps, accessed on October 4, 2025, <https://www.insightsonindia.com/wp-content/uploads/2018/06/National-Strategy-for-Artificial-Intelligence-AI.pdf>
70. AIFORALL - Approach Document for India Part 1 ... - NITI Aayog, accessed on October 4, 2025, <https://www.niti.gov.in/sites/default/files/2021-02/Responsible-AI-22022021.pdf>
71. Global AI Governance Law and Policy: India - IAPP, accessed on October 4, 2025, <https://iapp.org/resources/article/global-ai-governance-india/>
72. AI Regulation in India: A Dawn of Digital Governance - NM Law Chambers, accessed on October 4, 2025, <https://nmlaw.co.in/ai-regulation-in-india-a-dawn-of-digital-governance/>
73. Navigating AI Regulation in India: Unpacking the MeitY Advisory on AI in a Global Context, accessed on October 4, 2025, <https://elplaw.in/leadership/navigating-ai-regulation-in-india-unpacking-the-meity-advisory-on-ai-in-a-global-context/>
74. advisory - Ministry of Electronics and Information Technology, accessed on October 4, 2025, <https://www.meity.gov.in/static/uploads/2024/02/9f6e99572739a3024c9cdaec53a0a0ef.pdf>
75. AI On Trial: Rethinking Liability In India's Current Legal Framework - Legacy Law Offices, accessed on October 4, 2025, <https://www.legacylawoffices.com/ai-on-trial-rethinking-liability-in-indias-current-legal-framework/>
76. Algorithmic Bias and Discrimination: Legal Accountability of AI Systems - IJIRMPs, accessed on October 4, 2025, <https://www.ijirmps.org/papers/2025/4/232659.pdf>
77. Zooming in on AI – #10: EU AI Act – What are the obligations for “high-risk AI systems”?, accessed on October 4, 2025, <https://www.aoshearman.com/en/insights/aoshearman-on-tech/zooming-in-on-ai-10-eu-ai-act-what-are-the-obligations-for-high-risk-ai-systems>

78. AI Act | Shaping Europe's digital future, accessed on October 4, 2025, <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai>
79. Key Issue 3: Risk-Based Approach - EU AI Act, accessed on October 4, 2025, <https://www.euaiact.com/key-issue/3>
80. EU AI Act: first regulation on artificial intelligence | Topics - European Parliament, accessed on October 4, 2025, <https://www.europarl.europa.eu/topics/en/article/20230601STO93804/eu-ai-act-first-regulation-on-artificial-intelligence>
81. Ten UNESCO Recommendations on the Ethics of Artificial Intelligence - ResearchGate, accessed on October 4, 2025, [https://www.researchgate.net/publication/374234687\\_Ten\\_UNESCO\\_Recommendations\\_on\\_the\\_Ethics\\_of\\_Artificial\\_Intelligence](https://www.researchgate.net/publication/374234687_Ten_UNESCO_Recommendations_on_the_Ethics_of_Artificial_Intelligence)
82. Ethics of Artificial Intelligence | UNESCO, accessed on October 4, 2025, <https://www.unesco.org/en/artificial-intelligence/recommendation-ethics>
83. UNESCO's Recommendation on the Ethics of AI - Montreal AI Ethics Institute, accessed on October 4, 2025, <https://montrealethics.ai/unescos-recommendation-on-the-ethics-of-ai/>
84. Legal liability for AI- Driven Decision: Who's Responsible In India?, accessed on October 4, 2025, <https://theacademic.in/wp-content/uploads/2025/08/169.pdf>
85. UNESCO Recommendation on the ethics of artificial intelligence | Digital Watch Observatory, accessed on October 4, 2025, <https://dig.watch/resource/unesco-recommendation-on-the-ethics-of-artificial-intelligence>
86. From Case Law to Code: Evaluating AI's Role in the Justice System, accessed on October 4, 2025, <https://montrealethics.ai/from-case-law-to-code-evaluating-ais-role-in-the-justice-system/>
87. Humanizing Justice: The transformational impact of AI in courts, from filing to sentencing, accessed on October 4, 2025, <https://www.thomsonreuters.com/en-us/posts/ai-in-courts/humanizing-justice/>
88. (PDF) India's Courts and Artificial Intelligence: A Future Outlook, accessed on October 4, 2025, [https://www.researchgate.net/publication/377062808\\_India's\\_Courts\\_and\\_Artificial\\_Intelligence\\_A\\_Future\\_Outlook](https://www.researchgate.net/publication/377062808_India's_Courts_and_Artificial_Intelligence_A_Future_Outlook)
89. AI and the Rule of Law: Capacity Building for Judicial Systems - UNESCO, accessed on October 4, 2025, <https://www.unesco.org/en/artificial-intelligence/rule-law/mooc->

judges

90. Judge v robot? Artificial intelligence and judicial decision-making, accessed on October 4, 2025, [https://www.judcom.nsw.gov.au/publications/benchbks/judicial\\_officers/judge\\_v\\_robot.html](https://www.judcom.nsw.gov.au/publications/benchbks/judicial_officers/judge_v_robot.html)
91. THE DUTIES AND JOYS OF DIGITAL JUDGING, ARTIFICIAL JUSTICE? THE INTEGRITY PROBLEM FACING JUDICIAL AI1, accessed on October 4, 2025, <https://www.ijjsj.ie/assets/uploads/documents/2024%20edition%201/2.%20Keegan%20The%20duties%20and%20joys%20of%20artificial%20judging.pdf>
92. Constitutional Morality: An Indian Framework | The American ..., accessed on October 4, 2025, <https://academic.oup.com/ajcl/article-abstract/71/2/354/7326760>
93. India Proposes Comprehensive AI Regulation Framework (India), accessed on October 4, 2025, [https://www.reviewofailaw.com/Tool/Evidenza/Single/view\\_html?id\\_evidenza=334](https://www.reviewofailaw.com/Tool/Evidenza/Single/view_html?id_evidenza=334)
94. AI Regulation in India 2025: Key Proposals Explained, accessed on October 4, 2025, <http://hereandnowai.com/ai-regulation-india-2025/>
95. Legal Implications of Algorithmic Bias in Decision-Making - Lawvs, accessed on October 4, 2025, <https://lawvs.com/articles/legal-implications-of-algorithmic-bias-in-decision-making>
96. Kerala High Court Bans Use Of AI Tools In Judicial Decision-Making - NDTV, accessed on October 4, 2025, <https://www.ndtv.com/india-news/kerala-high-court-bans-use-of-ai-tools-in-judicial-decision-making-8911028>
97. The Need for AI Literacy in Indian Legal Education - The Times of India, accessed on October 4, 2025, <https://timesofindia.indiatimes.com/blogs/legal-brief/the-need-for-ai-literacy-in-indian-legal-education/>
98. AI's Impact on Legal Education in India: Opportunities, Challenges ..., accessed on October 4, 2025, <https://completeaitraining.com/news/ais-impact-on-legal-education-in-india-opportunities/>