

AI and the Indian Legal System: Navigating Rights, Regulation, and Responsibility

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Abstract:

The use of artificial intelligence technology has been widely acknowledged as a significant solution to numerous issues. It has brought about a radical shift in our mode of operation and lessened human suffering and burden. Artificial intelligence (AI) is now a voice for ethical work practices in all fields, including agriculture, health, AI technology is currently being adopted by the banking and education sectors. However, the question of ethics and law is raised by whether AI can be used everywhere and whether it is totally safe. Along with a rise in cybercrimes, AI and cyberspace have brought up significant privacy concerns. Along with the digital economy's reliance on AI, AI is viewed as a significant privacy concern in India revolutionary for the region's economic growth and advancement. There haven't been many technological advancements in the Indian legal system. Today's lawyers continue to solve issues using conventional approaches. The concept of artificial intelligence, its impact on daily life, its significance in the Indian legal system, the future of law firms following the introduction of AI systems, and much more have all been attempted to be clarified in this research paper.

Keywords: Artificial Intelligence, Law, Legal system, Cyber-Space, Digital economy, Right to privacy. Courts, Law firms.

Introduction:

Since India is a developing nation, artificial intelligence is still in its infancy and has arrived late. This technology is a result of 21st-century technological advancements, including the emergence of social networking sites and investments from multinational corporations in India, which have started artificial intelligence research and development. As we can see, there is a new and exciting technology that affects how people think. Artificial intelligence is currently being used globally in all economic sectors. Based on intelligent technology, it has not only lessened the load but also improved working efficiency. Niti Aayog, the policy-making body of the Indian government, has established the importance of artificial intelligence.¹ India currently lacks a sufficient legal framework regarding artificial intelligence; however, it is applying artificial intelligence control and governance indirectly through the Information Technology Act 2000.

The data protection bill 2019 was recently passed by the government to give shape to its digital governance and privacy issues pertaining to data and cyberspace, which will directly involve the application of ethics and intelligence. These days, artificial intelligence is receiving a lot of attention. The countless

¹ NITI Aayog, *Responsible AI for All: Part 1 – Principles for Responsible AI* (Feb. 2021), <https://niti.gov.in/sites/default/files/2021-02/Responsible-AI-22022021.pdf>.

opportunities it presents are undeniable. It challenges, integrates, and adds to a variety of disciplines outside of the legal field. ²Machine learning and artificial intelligence have increased any system's or industry's efficiency. Effective use has the potential to significantly alter and transform a number of industries. AI has had an impact on the legal system in a number of ways. It can greatly speed up the process and decrease the number of pending cases. The idea of artificial intelligence is very common these days, and many different industries use it to operate more effectively. It is a robot or machine that functions and thinks similarly to a human brain.

Artificial Intelligence; Defined:

A fascinating subject, artificial intelligence is thought to be the next big technological development. "Intelligence is the capacity to integrate computers, artificial intelligence (AI), and embedded systems—like robots—that exhibit cognitive development, intelligence, learning, adaptability, and decision-making skills." Artificial intelligence is now a part of our everyday lives due to the increasing use of smartphones and other technologies. The revolution in Artificial Intelligence (AI) is widely recognized. With the growth and evolution of the technological world, it is progressively occupying the academic landscape. Globally, organizations—especially educational institutions—have embraced AI and implemented it in a range of settings and contexts.

It is clear that AI has the potential to drastically alter academics' thought, teaching, and learning processes as well as the way they collaborate, publish papers, and conduct research. As a result, scientists worldwide are becoming increasingly interested in AI due to its immersive benefits. Furthermore, Pokrivcakova (2019) ³asserts that artificial intelligence makes it possible to create and deploy intelligent training systems and adaptive content that are tailored to the individual learning requirements and skills of every student. One example of this is intelligent virtual reality and its use in simulation-based teaching and learning. This representation of AI will be demonstrated with a few examples. AI technology has been successfully used by researchers to automate a number of challenging tasks, such as driving cars, translating languages, and playing chess. Why are these AI tasks different from tasks involving automation in general? The reason for this is that they all have one thing in common: people use a variety of higher-order cognitive processes linked to human intelligence when engaging in these activities. ⁴The humans use a variety of cognitive skills, such as reasoning, planning, strategy, and decision-making, when they play chess, for example. Similarly, higher-order brain centers for processing language, meaning, context, and symbols are activated when people translate between languages.

The Growing Significance of Artificial Intelligence in the Indian Legal Framework:

These days, we can observe that artificial intelligence is being applied in a modest but very efficient manner across a range of industries. ranging from smartphones to hotel robot concierges. Artificial intelligence is being used extensively, and it has altered the structure of numerous industries. There haven't been many technological advancements in the Indian legal system. Today's lawyers continue to solve issues using conventional approaches. They feel more at ease using techniques that were developed many

² IndusLaw, *The Personal Data Protection Bill, 2019: Key Changes and Analysis*, MONDAQ (Jan. 6, 2020), <https://www.mondaq.com/india/privacy-protection/880200/the-personal-data-protection-bill-2019-key-changes-and-analysis>.

³ S. Pokrivčáková, Preparing Teachers for the Application of AI-Powered Technologies in Foreign Language Education, 7 *J. Language & Cultural Educ.* 135 (2019).

⁴ J.M. Unterrainer et al., Planning Abilities and Chess: A Comparison of Chess and Non-Chess Players on the Tower of London Task, 97 *Brit. J. Psychol.* 299–300, 302 (2006).

years ago. The way advocates practice and how the Indian legal system is perceived could both be altered by artificial intelligence. Artificial intelligence's intervention has resulted in numerous changes.

The area of legal research conducted by the legal profession is one of the most significant disruptions that artificial intelligence in law has the potential to cause. The vast and ever-evolving Indian legal system is continuously evolving. Lawyers will be able to gain insights into the legal domain in a matter of seconds thanks to the application of artificial intelligence in the legal field. The law firm's capacity to turn a profit is diminished if we attempt to conduct legal research because it takes a certain amount of time and manpower. Artificial intelligence has the potential to properly balance the entire legal system.

Whether a lawyer practices alone or a law firm employs 300 lawyers, an artificial intelligence platform for research can complete the work in seconds. Artificial intelligence can make research consistent across the board and balance the costs associated with legal research. AI can give lawyers access to contemporary tools that will improve their ability to litigate cases and market to clients.⁵

Natural language processing (NLP)-based procedures are being developed by numerous Indian legal technology start-ups, including SpotDraft, CaseMine, NearLaw, Pensieve, Practice Legal, and many more. Law firms will be able to conduct advanced levels of research that were previously impossible thanks to the introduction of next-generation research platforms, which will also speed up the process. Artificial intelligence is being used by a growing number of legitimate start-ups for analytical purposes. A few of the legitimate startups have their own labs dedicated to artificial intelligence.⁶

India's legal system ensures both procedural equity and substantive justice through a complex fusion of common law principles, statutory enactments, and constitutional mandates. A careful analysis of the implications of AI's integration into this legal framework for judicial independence, access to justice, and the inviolability of fundamental rights is required. The function of AI in India's legal system, its jurisprudential ramifications, and the necessary precautions to guarantee its moral application are all critically important.

Artificial Intelligence's Effect on the Indian Justice System:

We can only observe judicial delays when we examine the Indian legal system. Justice for the people is delayed as a result of the judiciary's overwhelming backlog of pending cases, and the phrase "Justice delayed is justice denied," goes the saying. Various actions were taken to improve the situation, such as reducing vacation time and bolstering judicial authority, but they have not been very successful and more needs to be done. The introduction of artificial intelligence turned out to be very beneficial. Numerous studies and sources indicate that artificial intelligence is very beneficial during the evidence stage of cases, which is a crucial phase in any legal proceeding.

It takes up a specific amount of court time because it is one of the crucial phases of any case. Artificial intelligence-based analysis can assist judges in reaching decisions more quickly. The judges will find the predictive technology very useful in deciding how best to handle the case. Incorporating artificial intelligence into the Indian legal system, according to the Chief Justice of India, will greatly aid in the appropriate handling of cases. It is thought to support and prove beneficial for the Indian judicial system if the implementation is carried out with appropriate guidelines, frameworks, norms, and regulations.

⁵ Mirza Aslam Beg, *Impact of Artificial Intelligence on Indian Legal System*, LEGALSERVICEINDIA.COM, <https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html> (last visited Feb. 4, 2025).

The Supreme Court of India introduced SUPACE (Supreme Court Portal for Assistance in Court Efficiency), a sophisticated artificial intelligence tool. This system is intended to help the court increase efficiency and decrease the number of pending cases by comprehending the legal procedures that call for computerization. This can be accomplished by providing an overview of legal procedures that could potentially be automated by AI systems.

In a similar vein, SUVAS, another artificial intelligence system, was introduced to assist in translating case rulings into regional languages. It is said that this is yet another attempt to ensure that everyone has access to justice.

Other difficulties with translation in case filing are also resolved by this technology. It will assist the court in creating a rapid and effective system and in cutting down on the time required to file a case. By taking the aforementioned actions, the Supreme Court rose to the top of the world in integrating machine learning and artificial intelligence into legal procedures. However, this should always be remembered. Even though the Supreme Court has made significant strides, the most recent advancements in artificial intelligence are only surface-level.⁷

Challenges in Implementing AI in the Indian Legal System:

Through increased productivity, better access to justice, and the facilitation of data-driven decision-making, artificial intelligence (AI) holds the potential to revolutionize the Indian legal system. However, there are many ethical, legal, and structural obstacles to its implementation. Before AI can be successfully incorporated into India's justice delivery system, a number of obstacles must be carefully considered, ranging from the lack of a clear legal framework to the complexities of data protection and judicial accountability.

Lack of a Statutory Provisions:

The lack of a thorough legislative framework governing AI's application in judicial and quasi-judicial proceedings is one of the main obstacles to its integration into the Indian legal system. India does not currently have any specific laws governing AI in legal research, adjudication, or procedural management. The Digital India Act, which attempts to update the legal framework pertaining to digital technologies, has been the subject of government discussions; however, its implications for AI governance in the judiciary are still unclear and undeveloped.

When AI is used in legal contexts, the absence of legislative clarity raises questions about accountability, supervision, and procedural justice. The creation of a specialized Artificial Intelligence and Law Commission is necessary to fill this gap. Such a body could look into the ethical duties, legal requirements, and extent of AI use in judicial institutions. In order to guarantee that the framework created is both technically sound and constitutionally compliant, this would also offer a forum for stakeholder consultations, including those with legal expertise, technological expertise, and human rights advocacy.⁸

⁷ Kartik Pant, *AI in the Courts*, INDIAN EXPRESS, <https://indianexpress.com/article/opinion/artificial-intelligence-in-the-courts-7399436/> (last visited Feb. 7, 2025).

⁸ Advocate Tanwar, *Artificial Intelligence in the Legal System in India: A Jurisprudential Analysis*, ADVOCATETANWAR.COM (Mar. 19, 2025), <https://advocatetanwar.com/artificial-intelligence-in-the-legal-system-in-india-a-jurisprudential-analysis/>.

Ethics of AI and Data Protection:

Large amounts of data, frequently containing private and legal information, are processed by AI systems. This could include criminal histories, financial records, witness statements, and case files in the context of court proceedings. Strict guidelines for data collection, processing, and storage have been enforced since the passage of the *Digital Personal Data Protection Act, 2023*. To protect privacy and stop data breaches, any AI tool used in the legal industry must adhere to these standards. Furthermore, worries about data sovereignty—the notion that information ought to be processed and kept inside national borders—have grown in importance. Risks associated with unauthorized access or misuse of important legal data may arise from AI systems created and run by foreign organizations. As a result, cross-border data flows require strong encryption standards, safe cloud infrastructures, and well-defined data transfer protocols—all of which India's legal and technological environment has not yet fully adopted.

Furthermore, the ethical principles of transparency, non-discrimination, and fairness must guide the legal application of AI. Particularly in areas like bail decisions, sentencing, or predictive policing, algorithms trained on biased datasets have the potential to replicate or even magnify systemic injustices. Many AI models have a "black box" or lack of transparency, which makes due process and accountability even more difficult.⁹

Judicial Commitment:

Concerns regarding accountability and constitutional supremacy are raised by the use of AI in court decision-making. Any reliance on AI-generated recommendations needs to be closely examined, even though these tools can help judges by offering precedents, assessing evidence, or proposing conclusions. At the moment, there is no legal requirement to reveal whether a judge used these tools at all or how they affected a decision. The principle of constitutional supremacy is upheld by India's legal system, which is based on the Constitution. Therefore, it is imperative that any AI system utilized in the legal system be subject to constitutional checks and balances and function under judicial supervision. The idea of an AI-powered "judge" is incompatible with the idea of judicial independence and poses a risk to the public's confidence in the legal system. Regardless of technology support, human judges must be guaranteed to have the last say and be held responsible for all rulings in order to preserve the integrity of the legal system.

Absence of Legal Professionals' Knowledge of AI:

The ability of legal professionals to comprehend and interact with these technologies is crucial to the successful implementation of AI in the legal industry. However, there is still a startling lack of AI literacy among Indian judges, attorneys, court employees, and legislators. This raises the possibility of relying too much on AI tools without critically analysing their drawbacks and possible biases. It is imperative that law schools and judicial training academies include courses on legal technology, digital literacy, and AI ethics in their curricula. In order to give current judges and practitioners the skills they need to assess and manage AI-based systems, it should be mandatory for them to participate in ongoing professional development programs. AI might unintentionally undermine judicial reasoning and lessen the room for interpretive jurisprudence in the absence of such interventions.

Ethical Aspects of AI Implementation

⁹ Lee In Hae & Joyce He, *Navigating Cross-Border Data Transfers: Privacy Risks and Compliance Strategies*, MONDAQ (Apr. 24, 2025), <https://www.mondaq.com/uk/privacy-protection/1615162/navigating-cross-border-data-transfers-privacy-risks-and-compliance-strategies>.

Legally governing AI ethically is not just desirable; it is essential. Integrity, independence, and propriety are among the values emphasized by the Bangalore Principles of Judicial Conduct, which serve as the moral foundation for judicial behavior in many jurisdictions. AI-powered legal systems need to be built with these values in mind at all times. There are significant ethical conundrums brought on by issues like algorithmic bias, decision-making opacity, and manipulation vulnerability. Another problem is "automation bias," which occurs when people give machine-generated outputs too much weight, even when they are flawed. Independent oversight organizations made up of technologists, ethicists, and jurists must be established in order to reduce these risks. These organizations ought to be in charge of impact assessments, AI tool certification, and making sure AI

AI has the potential to completely transform the Indian legal system by improving access to justice and procedural efficiency, but its integration requires careful consideration. A strong legal, institutional, and ethical framework is desperately needed, as evidenced by the current issues, which range from judicial accountability and ethical oversight to statutory gaps and data privacy issues. The application of AI in the legal field runs the risk of compromising fundamental democratic values and the rule of law in the absence of such a foundation. The path towards an AI-assisted judiciary in India must be guided by ethical vigilance, capacity-building, and thoughtful regulation.

The Path Ahead: Including Artificial Intelligence in India's Laws

The Indian legal system must get ready for the integration of artificial intelligence (AI) in a way that is organized, moral, and consistent with the constitution as it continues to permeate many aspects of human life. There has never been a more urgent need for a clear implementation roadmap for AI due to the growing reliance on AI for legal research, administrative case management, predictive analytics, and judicial data processing. Five fundamental pillars should support this roadmap: training and capacity building, judicial oversight, ethical AI development, legislative enactments, and participatory AI regulation.

Legislative regulations:

The creation of a strong legislative framework to control the application of AI in the legal sphere is the most important prerequisite. There is currently no specific law in India that addresses the use of AI in court or quasi-court proceedings. To specify the extent, constraints, and acceptable applications of AI in the legal system, a thorough "AI and Law Act" must be passed. Independent regulatory agencies should be established by this law with the responsibility of keeping an eye on AI applications, enforcing compliance guidelines, and guaranteeing algorithmic decision-making is transparent. The law must also include procedures for recourse in situations where decisions made with AI result in unfair or incorrect outcomes. In addition to guaranteeing accountability, these legislative protections will increase public confidence in the application of AI in legal contexts.

Development of Ethical AI:

The use of AI in the legal system must be consistent with India's constitutional values, especially the equality, justice, and fairness tenets. Clear ethical standards guiding AI design and use are required due to ethical concerns about bias, a lack of transparency, and the possibility of abuse. In light of this, it is advised that the Supreme Court of India establish an AI Ethics Committee. As an oversight body, this committee should examine AI algorithms for any indications of discrimination, ambiguous reasoning, or dangers to

the independence of the judiciary. In order to guarantee that all AI applications in the legal sphere respect human rights norms and constitutional morality, it should also periodically publish guidelines.

The oversight of the judiciary:

The potential loss of human oversight is one of the biggest risks associated with the uncontrolled use of AI in legal decision-making. AI should be used as an auxiliary tool to support human judges' decision-making, not as a replacement. A specific AI-Judicial Review Mechanism needs to be established in order to protect judicial autonomy. Before AI-generated recommendations are used in court decisions, this mechanism would assess and validate them. The judiciary can only guarantee that its decisions remain accountable and consistent with constitutional mandates when AI outputs are examined through a human lens. Such a system would use AI to manage caseloads and increase efficiency while preserving the importance of human judgment.

Building Capacity and Training:

The current lack of AI literacy among legal professionals must be addressed if AI is to be successfully and morally incorporated into the legal system. To interpret and assess AI outputs, judges, attorneys, clerks, and court administrators need to have the requisite knowledge. This means that the judicial education system should include mandatory AI training modules. Organizations like the National Judicial Academy ought to lead the way by providing specialized courses in data ethics, algorithmic accountability, and AI jurisprudence. AI modules should be incorporated into the curricula of law schools and bar associations in order to prepare the upcoming generation of legal professionals for a technologically advanced future.

AI Regulation and People contribution:

Legal regulation of AI must be inclusive, democratic, and participatory. Members of the Bar Council of India, Supreme Court judges, legal technology specialists, civil society organizations, and academic representatives must all participate in stakeholder consultations prior to the implementation of any regulatory framework. By ensuring that a range of viewpoints are considered, these discussions will lower the possibility of regulatory gaps and unforeseen consequences. Public trust is essential for the long-term viability of AI integration in the legal ecosystem, and it can be gained through an open and consultative process.

AI has enormous potential to change India's legal system, but only with a carefully thought-out plan can its full potential be realized. This approach must strike a balance between legal caution and technological advancement to make sure that the application of AI strengthens rather than weakens the fundamental principles of the Indian Constitution. India can take the lead in creating a legal system where AI functions as a servant of justice rather than as a master if it has the proper legislative framework, ethical standards, judicial oversight, training programs, and participatory governance.

Conclusion:

The integration of Artificial Intelligence (AI) into the Indian legal system marks a transformative shift with the potential to address long-standing issues such as judicial backlog, procedural inefficiency, and access to justice. While AI technologies like SUPACE and SUVAS have shown promising results in aiding judicial decision-making and language translation, their current implementation remains nascent. The full-scale integration of AI into the legal system must be approached with caution, given the far-

reaching implications for judicial independence, due process, and fundamental rights. AI, when ethically and efficiently deployed, can be a powerful tool to assist legal professionals with legal research, case prediction, document review, and administrative efficiency. It can also ensure a more democratized legal process by enhancing transparency and reducing human error and bias. However, without a comprehensive legal framework and regulatory oversight, its unregulated use could potentially result in algorithmic bias, data breaches, and violations of individual rights, particularly the right to privacy. Currently, India lacks statutory provisions specifically regulating the use of AI in legal adjudication or research. Existing laws such as the Information Technology Act, 2000, and the Digital Personal Data Protection Act, 2023 provide only indirect governance and are insufficient for the complex ethical and operational challenges AI poses. Hence, there is an urgent need for the establishment of a robust legal and institutional framework that defines the scope, limits, and accountability mechanisms for AI in legal settings.

To ensure responsible AI deployment, multidisciplinary collaboration is necessary—between technologists, jurists, policymakers, and civil society actors—to strike a balance between innovation and constitutional safeguards. A dedicated regulatory body or commission on AI and Law should be constituted to oversee the development and deployment of AI systems in legal environments. Furthermore, AI systems must be explainable, transparent, and aligned with India’s democratic ethos and principles of natural justice.