International Journal for Multidisciplinary Research (IJFMR)
E-ISSN: 2582-2160 ● Website: www.ijfmr.com ● Email: editor@ijfmr.com

From Data to Dignity: Ethical and Human Rights Challenges in India's Ai Framework

Shreya Sharma[1], Saharshad Pandey[2]

[1]3rd Year BA LLB, School of Law, CHRIST (Deemed to be University), Delhi NCR, Mariam Nagar, Nandgram Rd, 201003, Ghaziabad, Uttar Pradesh
[2]2nd Year BBA LLB, School of Law, CHRIST (Deemed to be University), Delhi NCR, Mariam Nagar, Nandgram Rd, 201003, Ghaziabad, Uttar Pradesh

Abstract
Artificial Intelligence (AI) is rapidly growing in sectors such as governance, the economy, and in our day-to-day life. It has quick response systems, unique innovations, and it creates a pool of opportunities, yet there are some serious concerns related with to the user's privacy and human-rights. The automated decision-making, data collection at large level, and AI-driven surveillance mechanism can create an issue, which lead to the discrimination and bias, and threaten the dignity of the individual. In K.S. Puttaswamy v. Union of India, The Hon'ble Supreme Court of India, recognised the Right to Privacy as an integral part of Fundamental Rights under Article 21, which provides a safeguard to ensure that AI does not violate individual's privacy. This paper aims to conduct a comparative analysis of the current statutes in India, specifically Digital Personal Data Protection Act, with the statutes in UK, US and International Regulations. Based on Legal and Policy evaluation of case studies, it shows consistent gaps such as weak governance, bias, and lack of public awareness. This paper concludes by proposing targeted reforms, capacity-building measures, and better alignment, in accordance with best global practices to ensure that India's AI governance framework becomes more reliable and robust, rights protective, and responsive to contemporary challenges.

Keywords: Artificial Intelligence, Bias, Ethics, Fundamental Rights, Governance, Human Rights, International, Privacy.

Introduction

Every morning in Indian homes, routines unfold with unseen help from smart systems. Far beyond research rooms or big companies, these tools now move through ordinary places. Government aid uses them. So do officers keeping order, lenders approving loans, teachers handling classrooms, clinics diagnosing illness, employers reviewing applicants, even how content appears on phones. Fingerprint scans tied to identity numbers make access faster. Cameras watch public spaces, matching faces in seconds. Software weighs credit risk instead of clerks. Algorithms choose which updates show up no person involved. What people think of you might depend on hidden systems working out of sight. Pushed as quick, smart, efficient ways forward, such tools also bring tough concerns like who's watching, who holds power, and if fairness lasts for all.

One decade ago, few could have predicted how deeply artificial intelligence would weave into daily life across India. Now, fingerprints unlock phones and national IDs through systems like Aadhaar. In big urban

centers, police test software that guesses crime before it happens. Banks run lending choices through hidden code instead of loan officers. Hiring too leans on machines scanning resumes without human eyes. Speed comes at a cost people lose control over decisions once made by neighbors or managers. Who checks if the machine is biased? Oversight lags behind rollout. Fairness fades when rules operate in silence. Power moves quietly from citizens to coders.

Should cracks already run through a community split by money, belief, gender, or status AI risks making them wider. Feeding machines data built on old routines means they soak up past biases too. So instead of cleaning unfairness, systems may just echo it. Often, decisions come from black boxes; users get outcomes without seeing the steps taken. Without visibility, spotting mistakes becomes nearly impossible. When decisions inside software stay hidden, figuring out who to blame becomes tricky. Not seeing the logic behind automated choices makes accountability fade. Code shapes lives more than most notice, stepping in where people once decided things. Behind screens, systems sort opportunities without showing their reasoning. Those affected rarely get a look at why outcomes favour some over others. Machines now steer access to jobs, loans, even healthcare without public explanation. The quiet influence of algorithms replaces human judgment in subtle ways. Power shifts happen not through laws but lines of unexamined programming.

A new page turned in India's legal journey when justices backed a core right to privacy during the K.S. Puttaswamy verdict[1]. Far beyond mere detail, that decision linked personal space to wider notions of existence and autonomy under Article 21[2]. Who you are, choices made quietly, control over your own path these pieces now form part of what being private truly holds. As tech learns patterns from people's actions, clear boundaries gain weight. Information drives smart systems, gathering fragments from moments spent on screens or scanned by sensors, from clicks to fingerprints.

Now Article 21 offers a way to judge what algorithms do. Control over personal data how it's gathered, handled, or applied becomes key when looking at artificial intelligence. When AI harms privacy or human worth, ideas like fairness and equal treatment lose meaning. Still, rules in India haven't fully reached this point. The 2023 law on digital[3] data covers collection practices and permission processes. But it skips issues unique to AI: hidden biases in code, machine made choices, or watching masses through tech.

Out in the real world, AI does more than just sit in research papers. Banks now use machines to decide loan approvals, which might repeat old biases against certain groups. Schools lean on smart software for picking candidates or awarding aid those online advantages could tilt outcomes unfairly. What people see online gets filtered by hidden code, quietly steering thoughts and choices with no one watching closely. Building rules around these tools means going deeper than efficiency or money; values like respect, equity, and personal space must be part of the foundation.

Problem Analysis

Speed defines AI's rise in India, yet strong rules built around human rights lag far behind. Shaping everyday life from loans to jobs, welfare access to police behaviour now happens through hidden algorithmic steps. Without solid laws watching closely, these systems run unchecked most times. When fairness fades or bias creeps in, privacy risks grow quietly. Legal blind spots leave people facing machine-driven outcomes with almost no shield.

[1] K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1
[2] The Constitution of India, art. 21
[3] The Digital Data Protection Act, 2023 (Act 22 of 2023)

Few realize how much ground AI covers just to work right. From where someone walks to what they buy, patterns form through constant tracking. Because companies and officials run the show, people seldom see how their details get handled. Who sees your records matters just as much as whether saying yes means anything at all. Decisions appear without explanation, nudged by hidden inputs. Power slips slowly elsewhere, leaving confusion in its wake.

Wrong turns in code often come from old records filled with prejudice. When systems learn from years of unfair choices, they copy them without knowing better. People already pushed aside might get watched too closely, left out of help programs, or treated unjustly. In India, layered gaps in wealth and status let such flaws grow worse, shaking faith in shared services. These outcomes hit hard someone refused aid meant for survival, a learner blocked at the gate by hidden math the weight is real, felt deeply.

What stands out now is a lack of clarity. Some artificial intelligence setups work like hidden engines no one sees inside, not users, sometimes not even creators. When choices are made automatically, people on the receiving end can't follow the path that led there. That blocks any real chance to question what was decided. Blame gets fuzzy if nobody clearly owns the outcome. Rules about how these tools must behave remain thin, barely holding things together.

Still, rules around control and oversight in India stay weak. Although the 2023 Digital Personal Data Protection Act[4] sets up the Data Protection Board, it cannot watch over AI tools or make sure automated choices are fair. Because of this, damage might happen with no way to fix it. Rules from places like the European Union[5] push for required human checks and evaluations based on danger levels ideas that might help India but aren't used yet. If these safeguards don't come soon, artificial intelligence could quietly change lives, widen unfairness, and weaken basic rights guaranteed by law.

Altogether, artificial intelligence across India blends breakthrough tech with serious risks to personal freedoms. Benefits like faster services, broader access, better forecasting exist but shaky rules, unchecked biases, hidden processes, and missing responsibility put people at risk. Fixing this means stepping past code fixes or data tweaks, weaving fairness, justice, dignity into how systems are built and watched.

Literature Review

What's been explored already shows research on AI and human rights in India usually fits one of three patterns. Constitutional questions come up often privacy matters, how people are treated, freedom to choose. Then another path looks at laws tied to data rules, including newer ones like the 2023 Digital Personal Data Protection Act along with earlier versions such as the Information Technology Act[6]. Lately, global researchers have started digging into systems meant to manage AI and how they affect basic freedoms. These angles each add something useful. Yet put them side by side, and missing pieces stand out pointing toward a fuller picture needing connection.

Freedom lives quietly in how people choose what to share. Following the 2017 ruling in K.S. Puttaswamy v. Union of India[7], courts now see privacy as more than hiding facts it's about control over personal details. Experts say dignity grows where private space exists. Because when surveillance shadows daily actions, even thoughts may shrink without notice. Choices around identity, belief, expression often bend under

[4] Supra note 3 at 3
[5] Regulation (EU) 2024/1689 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act)
[6] The Information Technology Act, 2000 (Act 21 of 2000)
[7] Supra note 1 at 3

unseen observation. This quiet pressure shapes society in hidden directions. Control over information means power over one's own path.

When it comes to oversight tech, some populations get watched more closely than others. People living at society's edges those marked by poverty, status, or background are often hit hardest by constant tracking. Think about smart policing software or digital aid distribution it sometimes repeats old unfair patterns buried in past records. That repetition isn't planned, yet it still happens. Work in this area shows how personal space, fairness, and basic respect are tied together when machines make choices. Still, much of what experts write zeroes in on broad rules around data control instead of digging into unique issues like shadowy code logic, decisions made without humans, or silent prejudices nested inside learning models.

One set of research papers zeroes in on the Digital Personal Data Protection Act, 2023 (DPDPA). Seen as a major shift for India, this law puts into place clear rules about how data gets collected, used, what consent means, and who must act responsibly when managing private details. Clear definitions around individual rights and organizational duties earn approval from several writers. Still, not everything draws praise. Widespread exceptions given to government bodies stand out as a repeated issue these let officials sidestep parts of the law under claims like public benefit or safety concerns. Though tasked with enforcing the rules, the Data Protection Board faces skepticism because ties to state institutions might weaken its ability to operate freely.

One concern experts mention: laws such as the DPDPA guard personal information yet miss some dangers tied to automated choices. Though artificial intelligence works within legal lines, results might still be unjust, unclear, or biased. Take hiring tools powered by algorithms these could reject applicants due to trends rooted in past inequities, despite following every rule about gathering data. That shows why standards should look past permission slips and how info is collected, focusing instead on real-world damage, balanced treatment, and who answers when things go wrong.

Looking beyond borders brings fresh insights. Take the EU's AI Act[8] it sorts artificial intelligence into categories based on danger: minor, serious, or completely off limits. Systems tagged as high-stakes must pass strict checks, stay under human control, and clearly explain how they work, tying their use to basic freedoms. In parallel, across the UK[9], rules shift depending on industry needs lighter touch but watchful nudging groups toward responsible choices without choking progress. Across America, rules split between government directives, industry-specific policies, one beside another with company-led standards. Around the world, approaches keep returning to people-first design, clear decision paths, answerability, stopping harm before it spreads.

Nowhere is the gap clearer than in how little has been done linking India's constitution[10] to worldwide AI rules. Lately, a few academics from India have started bringing up foreign models while talking about local AI policies. Yet deep research tying together national laws, foundational rights, and broader global standards remains scarce. Often, discussions drift toward broad privacy concerns or float around ethical ideals, never quite landing on real legal pathways inside India's framework.

What stands out in reviewing these studies? Awareness of AI dangers climbs steadily across India. Still missing, though, are methods that blend real-world usability with legal protections and human rights. Here lies the shortfall -

[8] Supra note 5 at 5
[9] Department for Science, Innovation and Technology (UK), "A Pro-Innovation Approach to AI Regulation" (2023)
[10] The Constitution of India.

1. Questions around fairness, openness, how decisions are tracked when it comes to artificial intelligence are hardly looked at.
2. Fresh rules like DPDPA care more about how information gets gathered, also whether people agree. They pay less attention to real damage caused by choices made through artificial intelligence.
3. A few comparisons exist, yet connecting India's methods to global norms remains rare when shaping rules. Policy often lacks clear direction from such analysis.

This work steps into spaces left open before. Looking at India's Constitution alongside the Puttaswamy[11] verdict and DPDPA, shaped beside models from the EU, UK, and US[12], it forms a base where human worth guides AI rules. Real examples like algorithms in patrols, aid systems, or loan decisions show exactly where laws fall short. From these snapshots, weak points emerge clearly, along with fixes inspired by what works elsewhere, giving useful ground for lawmakers, researchers, and learners.

Putting it together, past research covers privacy, data safety, and ethical AI well, yet remains scattered. Drawing from constitutions, laws, real-world examples, and global views, this work builds a fuller picture of how artificial intelligence affects human rights in India. What stands out is the need to place respect and justice at the heart of AI rules going beyond meeting requirements toward truly shielding people, particularly those most exposed to unfair treatment or watchful systems.

Objectives

The objectives of this study are as follows:

1. To examine the ethical and human rights implications of Artificial Intelligence in India, particularly in relation to the constitutional guarantees of privacy, dignity, and equality.
2. To assess whether India's existing legal framework, including the Digital Personal Data Protection Act, 2023, is adequate to address challenges arising from the use of Artificial Intelligence.
3. To analyse the impact of the use of Artificial Intelligence by the State, especially in areas such as law enforcement, welfare delivery, and financial administration.
4. To examine how international approaches to Artificial Intelligence governance can inform the development of a rights-based and dignity-centred regulatory framework in India.

Hypotheses of the Study

This research takes shape around a few core assumptions

1. A fresh look at India's current laws shows gaps when it comes to handling artificial intelligence. While the Digital Personal Data Protection Act exists, its reach falls short.
2. When machines help run systems without clear rules, unfair results can slip through. Decisions made by algorithms might favor some while leaving others behind. Without proper oversight, hidden patte rns could push certain groups to the edges.
3. Facing risks associated with Artificial Intelligence requires moving beyond data protection, as automated decision-making can silently shape individual freedoms through opaque processes.
4. Drawing from global standards that prioritise safety and human rights can help shape an Artificial Intelligence regulatory framework that aligns with India's constitutional and legal system.

[11] Supra note 1 at 3
[12] National Institute of Standards and Technology (NIST), "Artificial Intelligence Risk Management Framework" (2023)

Limitations

Looking into laws, court rulings, policies, and writings forms the core of this work. Analysis here stays away from numbers or real world testing of artificial intelligence tools. What matters most are certain rights tied to constitution[13] and people's freedom. Other angles related to governance simply do not fit within this look. The path taken leans heavily on written rules rather than observed outcomes.

Methodology and Methods

This study adopts a doctrinal and comparative research methodology to examine the ethical and human rights challenges posed by Artificial Intelligence in the Indian context. A fresh look at how rules shape up when machines make choices that drives this work. Legal ideas about privacy, fairness, identity notions rooted in India's Constitution get sifted through real cases and laws like the 2023 data act. Instead of theory alone, court rulings plus government papers show what stands today. Laws on paper meet outcomes in practice, revealing gaps where smart systems stretch current limits. What courts have said joins what lawmakers wrote, forming a patchwork response to fast-moving tech.

Looking into old rules shows how law handles new tech tricks. Because machines decide things without clear reasons, court views on basic freedoms matter a lot here especially those tied to fairness and life. Rulings from the top court about private space, fair steps, and respect for people shape much of what follows. When laws lag behind harm caused by hidden code, uneven results, or constant watching, this way of thinking spots where fixes might be needed.

This research uses more than just doctrine. It adds comparison to show where India fits in worldwide AI rule-making. Looking at chosen global policies helps see how different places try to match tech progress with people's rights. Some countries' methods get reviewed not to copy them outright. The aim is learning what might work here, shaped by India's Constitution and society. Insights come not from imitation, but thoughtful adaptation.

Looking at different countries shows how rules can work in various ways India sticks to data protection, while others build wider systems tied to human rights. Ways of managing risk, ensuring responsibility, or demanding openness appear more advanced outside India. This contrast helps see what might be missing locally when it comes to ethics in artificial intelligence. The existing laws there do not always cover deeper issues raised by these technologies.

Starting with laws already written, this work builds from court rulings, official documents, scholarly texts, and global standards instead of gathering new facts through surveys or interviews. Without firsthand evidence collected on site, it focuses on meaning rather than measurement when examining rules around artificial intelligence. What drives the approach is a desire to shape fair regulation that respects core freedoms built into constitutions. By looking at legal frameworks across nations alongside traditional law interpretation techniques, the exploration forms connections between technology oversight and basic rights always returning to foundational justice ideals.

Results

One result stands out: more artificial intelligence in India brings tough questions about ethics and people's rights, gaps the law hasn't closed yet. Even though rules on privacy, respect, and fairness set a clear direction, how they work with AI systems feels scattered, unclear at times. What we see now is legislation

[13] Supra note 10 at 7

zeroing in on data safety and permission this covers little ground when machines make choices, sort individuals into groups, shape lives behind the scenes.

Looking at the Digital Personal Data Protection Act, 2023 shows it brings key protections for handling personal information. Yet when it comes to how artificial intelligence operates, there's no clear oversight built in. Matters like fairness in algorithms, clarity on how results are reached, hidden biases, and who takes responsibility slip through the cracks. Because of this gap, people facing outcomes shaped by machines may find little real help especially if those systems run behind closed doors or operate in ways hard to follow.

A closer look shows how artificial intelligence in government work like policing, handing out benefits, or managing money matters can go wrong more easily than expected. Systems that watch people, decide who qualifies for aid, or label someone a risk might shut others out, treat them unfairly, or deliver odd results when built carelessly. Without strong rules or real people watching closely, those problems tend to grow worse over time.

A closer look reveals how some global models sort artificial intelligence by potential harm while balancing civil liberties with progress. Not having such a structure in India leaves an opening one that could let tech growth overlook foundational legal principles unless changed.

Discussion

What stands out here is how fast tech moves compared to how slowly rights protections adapt across India. Machines driven by code may speed things up, yet they shake the foundation of laws built on people making choices and owning their actions. Decisions handed off to hidden formulas bring doubt about blame when mistakes happen, about fairness when patterns favor some over others, about justice when someone harmed wants answers. At the core lies a growing gap: progress powered by data versus safeguards shaped by humans.

What we see now is how focusing only on data misses the bigger picture when regulating AI. It's not just about who holds the information anymore, yet what happens once it gets turned into decisions. Systems that run by themselves decide things like job chances, aid eligibility, or loans sometimes behind closed doors. These choices reshape lives quietly, without anyone giving reasons. Human worth and fairness start slipping when machines make unchecked calls.

It turns out the state has a heavier duty when using AI tools after all, its choices face close examination under the constitution. When law enforcement or benefit programs rely on automated decisions without limits, gaps in justice can widen while constant monitoring creeps in. Should rules stay vague, these technologies might drift into territory where basic fairness no longer holds firm.

A fresh look at global methods shows practical ways forward. Not just rules but checks built into systems show balance can exist between control and progress. Still, what works elsewhere might need reshaping once it reaches Indian ground. Laws here must grow from local values and conditions, not copy pages from distant rulebooks.

Conclusion and Recommendations

A fresh look at India's laws shows promise when it comes to privacy, fairness, and respect. Yet gaps remain where artificial intelligence steps in. Though built on solid constitutional ground, today’s rules struggle with machine-driven choices. The 2023 data law marks progress true but only goes so far. When

algorithms decide outcomes, oversight often falls short. What exists now cannot fully handle the speed or scale of automated systems.

It stands out now guarding data alone isn't enough. What matters more is shaping AI rules around people's rights. Not just because it powers apps or boosts economies, yet due to how deeply it shapes lives. Think fairness, freedom, respect. Mistakes happen not simply when information leaks, rather when systems decide unfairly behind closed doors. Clarity fades, bias creeps in, responsibility vanishes. Laws ought to see these moments as damage too not just stolen files but skewed outcomes. Power shifts quietly, often without consent. Justice needs visibility into who decides what and why.

Looking ahead, India might craft a distinct set of rules for artificial intelligence, centering on who is responsible, how decisions are made visible, and keeping people in control. Instead of broad laws, specific guidance could help shape how these tools behave, especially when mistakes happen. When government uses AI, tougher checks may make sense like required reviews before launch and ways for citizens to challenge outcomes. Built-in safeguards could reflect core constitutional ideas, making sure innovation does not override basic rights. Learning from global examples offers value, so long as adaptations fit India's unique societal fabric and democratic foundation.

Fundamental values must shape how India handles artificial intelligence. When rules grow from respect for people, technology supports fairness instead of shaking it. Constitutional ideals like justice and equal worth stay intact only if innovation follows ethical guardrails. Without such direction, progress might harm what laws aim to protect. So grounding AI policy in human dignity isn't optional it's necessary.