
ANI V. OPENAI: TRADITIONAL LAW IN THE AGE OF ARTIFICIAL INTELLIGENCE AND THE FUTURE OF INDIAN JURISPRUDENCE

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ABSTRACT

The rise of Artificial Intelligence has created significant legal and philosophical hurdles for modern legal systems. The ongoing dispute between ANI Media Pvt. Ltd. and OpenAI before the Delhi High Court shows how traditional legal frameworks are struggling to regulate rapidly evolving AI technologies within laws originally designed for human conduct. While the dispute concerns copyright infringement and AI training, it also raises broader issues regarding authorship, liability, morality, human agency, constitutional values, and the future of jurisprudence itself.

This article analyses the ANI v. OpenAI case as a symbolic confrontation between traditional law and machine learning. It examines how statutes such as the Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS), the Copyright Act, and the Indian Evidence Act face difficulty when applied to AI systems lacking human consciousness, intention, and moral reasoning.

Drawing from judicial developments, comparative jurisprudence, and scholarly literature, the article argues that ANI v. OpenAI represents a foundational moment in Indian AI jurisprudence and reflects a broader global transition where courts are compelled to reinterpret existing legal doctrines in response to artificial intelligence technologies.

Keywords: Artificial Intelligence; ANI v. OpenAI; Delhi High Court; Copyright Law; Machine Learning; Jurisprudence; Human Agency; Algorithmic Governance; Constitutional Morality; BNS; BNSS; Digital Sovereignty.

Introduction

Artificial Intelligence has transformed modern society by influencing communication, education, governance, commerce, healthcare, and legal systems. Generative AI tools are now capable of producing articles, judgments, images, research summaries, and legal drafts that closely represent human creativity. However, the growth of AI has also created serious and concerning legal and philosophical concerns. Traditional legal systems were constructed around assumptions of human conduct, morality, intention, and accountability. Artificial intelligence challenges each of these assumptions.

In India, the ongoing dispute between ANI Media Pvt. Ltd. and OpenAI before the Delhi High Court emerged as one of the first major judicial confrontations involving generative AI technologies. The matter formally concerns copyright infringement but it also reflects a broader struggle between traditional legal frameworks and rapidly evolving machine intelligence.

Background of ANI v. OpenAI

ANI Media Pvt. Ltd., one of India's leading news agencies, instituted proceedings before the Delhi High Court alleging that OpenAI unlawfully used ANI's copyrighted content to train ChatGPT and related AI systems. ANI argued that its news articles were reproduced, stored, and commercially exploited without authorization.

OpenAI defended its practices by arguing that AI models merely "learn" patterns from publicly available information in a manner comparable to human learning. According to OpenAI, the training process does not necessarily amount to copyright infringement merely because copyrighted material forms part of the training dataset.

Copyright, AI Training, and Traditional Legal Frameworks

The ANI litigation highlights the inability of traditional copyright law to fully regulate generative AI systems. Copyright law as seen in past protects human creativity, originality, and authorship. AI systems indulge between these concepts because they generate outputs through machine learning processes trained upon vast amounts of human-created data.

One central issue before the Delhi High Court is whether AI training constitutes "reproduction" under the Copyright Act, 1957. Traditional copyright frameworks were drafted in a period

where copying involved direct human action. Machine learning systems, however, process enormous datasets algorithmically without human reading or understanding.

The Supreme Court's decision in *Eastern Book Company v D B Modak* becomes relevant because the Court recognized that copyright protects works involving sufficient creativity and intellectual effort. ANI can argue that journalistic reporting and editorial work involve creative labour that cannot be freely utilized for commercial AI training.

In *The New York Times Company v Microsoft Corporation and OpenAI Inc*, where The New York Times alleged that OpenAI and Microsoft unlawfully used copyrighted news articles to train AI systems such as ChatGPT. The newspaper argued that AI-generated outputs produced portions of journalistic content and endangered the economic viability of independent journalism.

In *Getty Images (US) Inc v Stability AI Ltd* and *Getty Images Ltd v Stability AI Ltd*, Getty Images alleged that Stability AI copied millions of copyrighted photographs to train image-generation systems. Getty argued that the AI company unlawfully produced protected works during the machine learning process. In *Andersen v Stability AI Ltd*, where artists alleged that AI companies used copyrighted artwork without permission for training image-generation systems. The litigation reflects broader anxieties regarding protection of human creativity and artistic labour in the age of machine-generated content.

OpenAI's comparison between human learning and machine learning raises a deeper jurisprudential problem. Humans learn through consciousness, interpretation, morality, and social experience. AI systems function through computational probability and statistical prediction. While AI may imitate human language, it lacks true cognition or ethical understanding.

Human Intelligence v. Machine Intelligence

The ANI case raises broader philosophical questions concerning the distinction between human intelligence and artificial intelligence. Modern legal systems are by root based upon assumptions of human rationality and moral responsibility. Artificial intelligence challenges these assumptions by producing outputs similar to human without possessing consciousness or morality.

Human intelligence involves empathy, ethical reasoning, interpretation, emotions, and

contextual understanding. AI systems, in contrast, function through algorithms trained to predict probable outputs based upon patterns in data. AI does not understand information in the human sense but statistical sense.

This distinction becomes legally important because law depends upon human accountability. Criminal liability, civil negligence, and constitutional morality are all based upon assumptions of human agency. AI systems cannot experience guilt, regret, fairness, or justice.

The growing use of AI-generated content therefore creates uncertainty regarding authorship, responsibility, and authenticity. Courts worldwide are increasingly confronted with questions concerning deepfakes, AI-generated evidence, algorithmic bias, and synthetic media.

AI, Morality, and the “Soul of Law”

Law is not merely a mechanical system of rules. Legal systems are deeply connected with morality, fairness, justice, and constitutional values. Judges interpret laws through human reasoning, social context, and ethical principles rather than pure computation.

Artificial intelligence, however, lacks moral consciousness. It cannot independently evaluate fairness, dignity, or justice. This creates a fundamental jurisprudential conflict between algorithmic systems and the “soul of law.”

The ANI litigation symbolizes this conflict. While AI systems may efficiently generate information and imitate human expression, they do not possess human morality. Yet their outputs may significantly influence public opinion, political discourse, commerce, and legal processes.

The Supreme Court’s judgment in *Justice K S Puttaswamy (Retd) v Union of India* becomes relevant because it recognized informational privacy and individual autonomy as constitutional values in the digital age. AI systems heavily depend upon data collection and processing, thereby raising concerns regarding informational control and digital dignity.

Similarly, *Shreya Singhal v Union of India* reflects judicial recognition that digital technologies create new constitutional and regulatory challenges requiring careful balancing between innovation and protection of rights.

Challenges under BNS, BNSS, and Indian Criminal Law

The rise of AI technologies creates significant challenges for Indian criminal law frameworks as the Bharatiya Nyaya Sanhita and Bharatiya Nagarik Suraksha Sanhita continue to rely heavily upon traditional criminal law principles such as intention, knowledge, negligence, and voluntary conduct. Artificial intelligence complicates these concepts because harmful consequences may arise through automated systems without direct human intention. AI technologies may facilitate deepfake pornography, financial fraud, manipulated evidence, cyber offences, and automated misinformation campaigns.

Procedural and evidentiary frameworks also face challenges from AI-generated material. In *Anvar PV v PK Basheer*, the Supreme Court clarified standards for admissibility of electronic evidence under Section 65B of the Evidence Act. The Court emphasized authenticity and reliability of digital records. In *Arjun Panditrao Khotkar v Kailash Kushanrao Gorantyal*, where the Supreme Court reaffirmed the mandatory nature of Section 65B certification. Courts in the future will increasingly encounter synthetic media, AI-generated documents, and manipulated digital evidence.

Algorithmic Governance

AI systems operate through cloud infrastructure, distributed networks, and transnational data systems. Traditional territorial legal principles were not designed for technologies functioning simultaneously across multiple jurisdictions.

Scholars such as Lawrence Lessig have argued that “code is law,” meaning that technological architecture increasingly regulates behaviour similarly to legal systems. Algorithms now influence communication, visibility, information access, and even democratic discourse.

As AI systems become increasingly integrated into society, technological companies may begin exercising forms of influence traditionally associated with governments and legal institutions. The ANI litigation therefore raises not merely copyright concerns, but also broader questions regarding sovereignty, technological power, and democratic accountability.

Conclusion

ANI v. OpenAI is far more than a conventional copyright dispute. The litigation represents a

historic confrontation between traditional human-centred legal systems and rapidly evolving artificial intelligence technologies.

The case reveals significant limitations within existing frameworks such as the Copyright Act, Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, and the Indian Evidence Act when applied to machine learning systems lacking consciousness, morality, and human intention.

At its core, the dispute raises fundamental questions concerning creativity, authorship, accountability, morality, and the future relationship between humans and intelligent machines. Artificial intelligence may imitate human expression, but law ultimately remains rooted in human dignity, ethical reasoning, and constitutional values.

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