
REGULATING ARTIFICIAL INTELLIGENCE IN INDIA'S JUSTICE DELIVERY SYSTEM: A CRITICAL ANALYSIS OF LEGAL, ETHICAL AND CONSTITUTIONAL CHALLENGES

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ABSTRACT

Artificial Intelligence (AI) has emerged as one of the most transformative technologies of the twenty-first century, significantly influencing governance, commerce, healthcare, education, finance, and legal systems. In the judicial sector, AI offers considerable opportunities to improve efficiency, reduce case backlogs, strengthen legal research, facilitate multilingual access to justice, and modernize court administration. In India, initiatives such as the e-Courts Mission Mode Project, SUPACE (Supreme Court Portal for Assistance in Court Efficiency), and SUVAS (Supreme Court Vidhik Anuvaad Software) demonstrate the judiciary's gradual adoption of AI-enabled technologies. However, the increasing use of AI also raises critical legal, ethical, and constitutional concerns relating to algorithmic bias, transparency, accountability, privacy, due process, and judicial independence.

This paper critically examines the role of Artificial Intelligence in India's justice delivery system from constitutional, statutory, ethical, and comparative perspectives. It analyses the adequacy of the existing legal framework, including the Constitution of India, the Information Technology Act, 2000, the Digital Personal Data Protection Act, 2023, and the Bharatiya Sakshya Adhiniyam, 2023, in addressing the challenges associated with AI-assisted judicial administration. The study further evaluates international regulatory approaches, particularly the European Union AI Act, the UNESCO Recommendation on the Ethics of Artificial Intelligence, and the OECD AI Principles, to identify best practices relevant to India.

Adopting a doctrinal and comparative research methodology, the paper argues that AI should function as a decision-support tool under meaningful human oversight rather than as an autonomous adjudicator. It recommends the enactment of a comprehensive legal framework governing AI that incorporates transparency, accountability, ethical governance, and robust constitutional safeguards to ensure that technological innovation strengthens, rather than compromises, the administration of justice.

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CHAPTER I

INTRODUCTION

1. INTRODUCTION

Artificial Intelligence (AI) has emerged as one of the most transformative technological innovations of the modern era. By enabling machines to simulate aspects of human intelligence such as learning, reasoning, problem-solving, and decision-making, AI has profoundly influenced nearly every sector of society. Governments increasingly rely on AI for public administration, industries employ AI to optimize productivity, healthcare institutions utilize AI for diagnosis and treatment planning, educational institutions integrate AI into learning systems, and legal institutions are beginning to explore AI as a tool for improving the administration of justice.

India possesses one of the largest judicial systems in the world, comprising the Supreme Court, twenty-five High Courts, district courts, and numerous specialized tribunals. Despite its constitutional robustness, the Indian judiciary continues to face persistent structural challenges, including an overwhelming backlog of pending cases, shortages of judicial personnel, infrastructural limitations, and delays in adjudication. Millions of litigants experience prolonged waiting periods before receiving judicial remedies, thereby affecting the constitutional promise of timely justice. Recognizing these concerns, the Indian judiciary has increasingly embraced digital technologies through initiatives such as the e-Courts Mission Mode Project, virtual hearings, electronic filing systems, digital case management, SUPACE, and SUVAS.²

Artificial Intelligence presents significant opportunities to improve judicial administration by automating repetitive tasks, organizing case files, facilitating legal research, translating judicial documents, and supporting judges in managing complex litigation. AI-based legal research platforms enable lawyers to locate precedents more efficiently, while

² Supreme Court of India, *Vision Document for Phase III of the e-Courts Project* (2023); e-Committee, Supreme Court of India, *Phase III of the e-Courts Project* (2023).

machine learning techniques assist courts in scheduling cases and managing judicial workflows. Such innovations contribute to greater institutional efficiency and improved access to justice.

However, the growing adoption of AI also raises profound constitutional and ethical questions. Judicial decision-making extends beyond the mechanical application of legal rules; it requires interpretation, contextual understanding, empathy, and the balancing of competing constitutional values. Excessive reliance on algorithmic systems risks undermining judicial independence, procedural fairness, and public confidence in the justice delivery system. Algorithmic bias may disproportionately affect vulnerable communities, opaque AI systems may compromise transparency, and inadequate regulatory oversight may expose sensitive judicial data to privacy and cybersecurity risks. These concerns become particularly significant because judicial decisions directly affect fundamental rights guaranteed under the Constitution of India.

1.1 MEANING OF ARTIFICIAL INTELLIGENCE

Artificial Intelligence refers to the capability of computer systems to perform functions that ordinarily require human intelligence. These functions include learning from experience, recognizing patterns, understanding natural language, reasoning logically, making predictions, and solving complex problems. Unlike traditional computer programs that operate solely on predetermined instructions, AI systems employ sophisticated algorithms capable of analyzing vast quantities of data, identifying relationships, and continuously improving their performance through machine learning techniques.

John McCarthy, widely recognized as the "Father of Artificial Intelligence," first introduced the term "Artificial Intelligence" during the Dartmouth Conference in 1956. He defined AI as the science and engineering of creating intelligent machines capable of performing tasks that typically require human cognitive abilities. Since then, AI has evolved into an interdisciplinary field encompassing computer science, mathematics, statistics, cognitive science, robotics, and law.

Modern AI technologies include machine learning, deep learning, natural language processing, computer vision, robotics, and generative AI. These technologies are increasingly integrated into legal systems to assist in document analysis, legal research, translation,

predictive analytics, and judicial administration. However, despite their computational capabilities, AI systems lack human qualities such as moral reasoning, empathy, intuition, and contextual judgment, making human oversight indispensable in judicial decision-making.

1.2 EVOLUTION OF ARTIFICIAL INTELLIGENCE

The concept of Artificial Intelligence (AI) has evolved over several decades through interdisciplinary contributions from computer science, mathematics, cognitive psychology, neuroscience, linguistics, and philosophy. Although the expression "Artificial Intelligence" was formally introduced by John McCarthy in 1956 during the Dartmouth Summer Research Project, the intellectual foundations of AI can be traced back to earlier philosophical and mathematical inquiries into human reasoning and machine computation.

In 1950, Alan Turing proposed the famous "Turing Test" in his landmark paper *Computing Machinery and Intelligence*. Instead of asking whether machines could think, Turing suggested a practical test to determine whether a machine could imitate human intelligence convincingly enough to deceive a human evaluator. This work laid the conceptual foundation for modern AI research and continues to influence discussions concerning machine intelligence.

The first phase of AI development, often referred to as the **Symbolic AI Era (1956–1980)**, focused primarily on rule-based systems. Researchers believed that human intelligence could be replicated by encoding logical rules into computer programs. During this period, expert systems were developed to solve specialized problems in fields such as medicine, engineering, and law. However, these systems lacked flexibility and were incapable of learning from new experiences.

The second phase, beginning in the 1980s and continuing into the early 2000s, witnessed the emergence of **Machine Learning (ML)**. Instead of relying solely on predefined rules, machine learning enabled computers to identify patterns within data and improve their performance through experience. Significant advancements in computational power, digital storage, and internet connectivity accelerated AI research during this period.

The current phase is characterized by **Deep Learning** and **Generative Artificial Intelligence**. Deep learning employs artificial neural networks capable of processing enormous

quantities of structured and unstructured data. Generative AI systems such as ChatGPT, Gemini, and other large language models have demonstrated remarkable capabilities in understanding natural language, generating human-like text, summarizing legal documents, drafting contracts, and assisting legal research. These developments have transformed AI from a theoretical concept into a practical tool capable of supporting complex professional activities, including judicial administration.

Today, AI has become a strategic priority for governments worldwide. The European Union has enacted the AI Act to regulate high-risk AI systems, while countries such as the United States, the United Kingdom, Singapore, and Japan have introduced policy frameworks promoting trustworthy AI. India has also recognized AI as a critical driver of economic growth and public administration through initiatives such as the National Strategy for Artificial Intelligence and Digital India³.

1.3 ARTIFICIAL INTELLIGENCE IN THE LEGAL PROFESSION

The legal profession has traditionally relied upon human expertise, analytical reasoning, statutory interpretation, and judicial precedent. Lawyers, judges, academicians, and policymakers are required to analyze extensive legal materials, evaluate factual complexities, interpret legislation, and deliver reasoned conclusions. The rapid advancement of Artificial Intelligence has significantly transformed these professional activities by introducing technological tools that improve accuracy, efficiency, and accessibility.

Modern legal AI applications assist legal professionals in several important ways. AI-powered legal research platforms enable advocates to identify relevant statutes, judicial precedents, scholarly articles, and procedural rules within seconds, thereby substantially reducing research time. Natural Language Processing (NLP) algorithms facilitate semantic searches, enabling lawyers to locate relevant authorities even when exact legal terminology is absent.

Despite these benefits, AI cannot replace the essential functions performed by legal professionals. Legal practice requires moral reasoning, ethical responsibility, contextual interpretation, empathy, negotiation, advocacy, and strategic judgment qualities that remain

³ Stuart Russell & Peter Norvig, *Artificial Intelligence: A Modern Approach* 1–35 (4th ed. 2021); OECD, *OECD Principles on Artificial Intelligence* (2019).

uniquely human. Consequently, AI should be viewed as an assistive technology designed to enhance professional competence rather than substitute human expertise.

1.4 ARTIFICIAL INTELLIGENCE IN THE INDIAN JUSTICE DELIVERY SYSTEM

The Indian judiciary has increasingly recognised technology as an essential instrument for improving judicial administration and enhancing access to justice. Faced with a substantial backlog of pending cases, shortages of judicial personnel, procedural delays, and infrastructural challenges, courts have progressively adopted digital technologies capable of improving institutional efficiency.

The **e-Courts Mission Mode Project**, launched under the National e-Governance Plan, represents one of India's most significant judicial modernisation initiatives. The project aims to computerise courts, digitise judicial records, facilitate electronic filing, provide online access to case information, and improve judicial transparency. By integrating information technology into court administration, the initiative seeks to make justice more accessible, efficient, and citizen-centric.

The **Supreme Court Portal for Assistance in Court Efficiency (SUPACE)** is another important AI-based initiative. SUPACE functions as a decision-support system that assists judges by organising case records, summarising relevant facts, identifying applicable precedents, and facilitating legal research. Importantly, SUPACE does not make judicial decisions; instead, it supports judges in managing large volumes of legal information more efficiently.

Similarly, the **Supreme Court Vidhik Anuvaad Software (SUVAS)** employs Artificial Intelligence to translate judicial documents into various Indian languages. Given India's linguistic diversity, accurate translation plays a crucial role in ensuring broader access to justice. SUVAS contributes significantly to reducing language barriers while promoting judicial inclusiveness.

The COVID-19 pandemic further accelerated digital transformation within the judiciary. Virtual court hearings, electronic filing systems, video conferencing, online payment of court fees, and digital document management became essential components of judicial functioning. These developments demonstrated that technology could maintain judicial

continuity even during unprecedented public emergencies.

Artificial Intelligence also supports judicial administration through intelligent scheduling systems, automated cause lists, document classification, legal analytics, and digital case management. Such technologies reduce administrative burdens, allowing judges to devote greater attention to substantive adjudication.

However, the increasing use of AI within judicial institutions also raises legitimate concerns. Judicial decisions involve constitutional interpretation, assessment of evidence, evaluation of witness credibility, and balancing competing rights. These functions require human wisdom, ethical judgment, and contextual understanding that cannot presently be replicated by AI systems. Consequently, AI should remain a complementary tool rather than an autonomous judicial decision-maker.

1.5 LITERATURE REVIEW

A comprehensive review of existing literature is essential to understand the current state of research on Artificial Intelligence (AI) and its implications for the justice delivery system. Over the past decade, scholars, policymakers, judicial institutions, and international organisations have extensively examined the opportunities and challenges associated with AI in legal systems. While most studies recognise AI's potential to improve judicial efficiency and access to justice, they also emphasise concerns relating to constitutional rights, algorithmic bias, transparency, accountability, and ethical governance.

John McCarthy, regarded as the pioneer of Artificial Intelligence, conceptualised AI as the science and engineering of creating intelligent machines capable of performing tasks that ordinarily require human intelligence. His foundational work established the theoretical basis for subsequent research into machine intelligence and automated decision-making. Alan Turing's seminal work, *Computing Machinery and Intelligence* (1950), further advanced AI scholarship by proposing the "Turing Test," which remains a significant benchmark in discussions concerning machine intelligence.

Stuart Russell and Peter Norvig, in their influential book *Artificial Intelligence: A Modern Approach*, argue that AI systems should be viewed as rational agents capable of perceiving their environment and taking actions that maximise the likelihood of achieving

specific objectives. Their work highlights the technical capabilities of AI while acknowledging that human oversight remains indispensable in domains requiring ethical reasoning and value-based decision-making.

Richard Susskind, one of the foremost scholars on technology and law, contends that the legal profession is undergoing a digital transformation driven by AI, automation, and online legal services. According to Susskind, AI is unlikely to replace judges or lawyers entirely; rather, it will redefine legal practice by automating repetitive tasks and enabling legal professionals to focus on complex analytical and advisory functions.

Within the Indian context, several scholars have examined the role of technology in judicial reforms. Research concerning the e-Courts Mission Mode Project indicates that digitalisation has significantly improved case management, transparency, and public access to judicial information. However, empirical studies also reveal continuing challenges relating to digital infrastructure, technological literacy, cybersecurity, and uneven implementation across different jurisdictions.

International organisations have made significant contributions to AI governance. UNESCO's *Recommendation on the Ethics of Artificial Intelligence* emphasises that AI systems must respect human dignity, fundamental rights, fairness, transparency, and accountability. Similarly, the OECD AI Principles advocate human-centred AI that promotes inclusive growth while safeguarding democratic values and the rule of law⁴. These international instruments provide important guidance for countries seeking to regulate AI responsibly.

The European Union has adopted the AI Act, the world's first comprehensive legal framework specifically regulating Artificial Intelligence. The Act classifies AI systems according to their potential risks and imposes stricter regulatory requirements upon high-risk applications, including those used within judicial and public administrative systems. The EU model has become an important reference point for comparative legal studies concerning AI regulation.

Indian policy initiatives, including the National Strategy for Artificial Intelligence prepared by NITI Aayog, primarily focus on promoting innovation and economic development.

⁴ *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225.

Although these initiatives recognise the importance of responsible AI, India currently lacks dedicated legislation specifically governing AI within judicial institutions. Existing legal frameworks, including the Information Technology Act, 2000, and the Digital Personal Data Protection Act, 2023, regulate certain aspects of digital technologies but do not comprehensively address AI-specific legal and constitutional concerns.

The literature demonstrates a growing consensus that AI has considerable potential to improve judicial administration. Nevertheless, existing scholarship reveals a significant research gap concerning the constitutional regulation of AI within India's justice delivery system. Most studies focus either on technological innovations or broader AI governance without comprehensively examining the interaction between AI, constitutional principles, judicial independence, and procedural fairness. This paper seeks to bridge that gap by providing an integrated legal analysis supported by comparative international perspectives and policy recommendations.

1.6 STATEMENT OF THE PROBLEM

The Indian judiciary is confronted with an unprecedented increase in litigation, resulting in substantial case backlogs, prolonged judicial delays, and increasing demands for institutional efficiency. Artificial Intelligence has emerged as a promising technological solution capable of improving case management, legal research, document analysis, language translation, and administrative efficiency. Consequently, judicial institutions have begun incorporating AI-based technologies into various aspects of court administration.

Despite these developments, the increasing use of AI within judicial processes raises significant legal, constitutional, and ethical concerns. Unlike administrative functions, judicial decision-making involves interpretation of law, evaluation of evidence, appreciation of facts, balancing of competing rights, and application of constitutional principles. These functions require human reasoning, empathy, moral judgment, and contextual understanding, qualities that AI systems presently cannot replicate.

Furthermore, AI systems frequently operate through complex algorithms whose internal decision-making processes remain opaque. Such lack of transparency may compromise judicial accountability and public confidence in the administration of justice. Algorithmic bias, discriminatory outcomes, privacy violations, cybersecurity risks, and

uncertain liability frameworks further complicate AI adoption within judicial institutions.

India presently lacks comprehensive legislation regulating Artificial Intelligence in judicial administration. Existing statutory frameworks do not adequately address issues concerning explainability, algorithmic accountability, constitutional safeguards, or judicial oversight. Consequently, there exists an urgent need to examine whether current legal mechanisms sufficiently regulate AI-assisted judicial processes or whether specialised legislation is required.

The present study therefore addresses the legal, constitutional, and ethical challenges arising from the integration of Artificial Intelligence into India's justice delivery system and proposes an appropriate regulatory framework capable of balancing technological innovation with constitutional governance.

1.7 RESEARCH OBJECTIVES

The present research seeks to achieve the following objectives:

1. To examine the concept, evolution, and applications of Artificial Intelligence within the legal profession and justice delivery system.
2. To analyse the role of Artificial Intelligence in enhancing judicial efficiency and access to justice in India.
3. To critically examine the legal framework governing Artificial Intelligence in India.
4. To evaluate the constitutional implications of AI-assisted judicial administration with particular reference to Articles 14, 19, and 21 of the Constitution of India.
5. To identify the ethical challenges associated with algorithmic decision-making, transparency, accountability, fairness, and judicial independence.
6. To undertake a comparative analysis of international AI regulatory frameworks, including the European Union AI Act, UNESCO Recommendation on the Ethics of Artificial Intelligence, and OECD AI Principles.
7. To propose a comprehensive legal and policy framework for the responsible adoption

of Artificial Intelligence within the Indian justice delivery system.

1.8 RESEARCH QUESTIONS

The present study seeks to answer the following research questions:

1. What is the role of Artificial Intelligence in the Indian justice delivery system?
2. How can AI improve judicial efficiency while safeguarding constitutional values?
3. Are the existing Indian legal frameworks adequate to regulate AI-assisted judicial functions?
4. What constitutional challenges arise from the integration of AI into judicial administration?
5. What ethical concerns accompany algorithmic decision-making in courts?
6. How have other jurisdictions regulated Artificial Intelligence within judicial and public institutions?
7. What legislative and policy reforms should India adopt to ensure responsible AI governance in the justice delivery system?

1.9 RESEARCH METHODOLOGY

Research methodology constitutes the systematic framework through which a research problem is investigated and analysed. The selection of an appropriate methodology ensures that the study is scientifically valid, logically coherent, and capable of producing reliable conclusions. Considering the nature of the present study, which examines the legal, constitutional, and ethical implications of Artificial Intelligence (AI) in the Indian justice delivery system, a **doctrinal research methodology** has been adopted⁵.

The research is **descriptive, analytical, and comparative** in nature. The descriptive approach is employed to explain the concept, evolution, and application of Artificial

⁵ C.R. Kothari & Gaurav Garg, *Research Methodology: Methods and Techniques* 3–7 (4th ed. 2019); S.N. Jain, *Legal Research and Methodology* 45–61 (2d ed. 2018).

Intelligence within the legal system. The analytical approach critically evaluates existing legal principles, constitutional provisions, judicial decisions, and policy initiatives concerning AI governance. A comparative approach has also been adopted to analyse international regulatory frameworks, particularly the European Union AI Act, the UNESCO Recommendation on the Ethics of Artificial Intelligence, and the OECD AI Principles, with a view to identifying best practices that may be adapted within the Indian legal system⁶.

The study primarily relies upon **secondary sources of data**. Primary legal sources include the Constitution of India, the Information Technology Act, 2000, the Digital Personal Data Protection Act, 2023, the Bharatiya Sakshya Adhiniyam, 2023, judicial decisions of the Supreme Court and various High Courts, and relevant policy documents issued by governmental authorities. Secondary sources comprise scholarly books, peer-reviewed journal articles, reports published by national and international organisations, conference papers, government publications, and reliable online legal databases⁷.

A comparative analysis has been undertaken to understand how different jurisdictions regulate Artificial Intelligence within judicial and public institutions. This comparison assists in identifying legislative models capable of balancing technological innovation with constitutional governance⁸.

The study follows a **qualitative research approach**, focusing on legal interpretation, doctrinal analysis, judicial reasoning, and policy evaluation rather than empirical data collection. Since the research does not involve human participants, surveys, or interviews, issues concerning informed consent or research ethics involving human subjects do not arise⁹.

The citation of authorities follows the **Bluebook system of legal citation**, ensuring consistency, academic integrity, and compliance with recognised legal writing standards. The methodology has been designed to facilitate a comprehensive examination of the legal and

⁶ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act), 2024 O.J. (L); UNESCO, *Recommendation on the Ethics of Artificial Intelligence* (2021); Organisation for Economic Co-operation and Development (OECD), *OECD Principles on Artificial Intelligence* (2019)

⁷ INDIA CONST.; Information Technology Act, No. 21 of 2000, India Code (2000); Digital Personal Data Protection Act, No. 22 of 2023, India Code (2023); Bharatiya Sakshya Adhiniyam, No. 47 of 2023, India Code (2023).

⁸ NITI Aayog, *National Strategy for Artificial Intelligence #AIForAll* (2018); Richard Susskind, *Online Courts and the Future of Justice* (Oxford Univ. Press 2019).

⁹ S.N. Jain, *Legal Research and Methodology* 62–70 (2d ed. 2018).

constitutional dimensions of Artificial Intelligence while maintaining scholarly objectivity throughout the study¹⁰.

1.10 SCOPE OF THE STUDY

The scope of this research extends to the examination of Artificial Intelligence within the Indian justice delivery system from legal, constitutional, ethical, and comparative perspectives. The study analyses the role of AI in judicial administration, legal research, case management, document translation, and court automation while evaluating the opportunities and challenges associated with these technological developments.

The research critically examines constitutional safeguards relating to equality, privacy, due process, judicial independence, and access to justice. It also evaluates India's existing legal framework governing digital technologies and compares it with international regulatory approaches adopted by the European Union, UNESCO, and the OECD.

The study is confined to the legal implications of Artificial Intelligence within the justice delivery system and does not undertake a technical analysis of AI algorithms, software architecture, or engineering principles. Its primary objective is to assess whether existing legal institutions are adequately prepared to regulate AI-assisted judicial processes while preserving constitutional values and public confidence in the administration of justice.

1.11 LIMITATIONS OF THE STUDY

Although the study endeavours to provide a comprehensive legal analysis, certain limitations must be acknowledged.

First, Artificial Intelligence is a rapidly evolving field characterised by continuous technological developments and changing regulatory frameworks. Consequently, legal and policy developments occurring after the completion of this research may influence some of the observations and recommendations presented herein.

Secondly, the study is confined primarily to doctrinal and comparative legal analysis and does not include empirical research involving judges, lawyers, litigants, or policymakers.

¹⁰ *The Bluebook: A Uniform System of Citation* (Columbia L. Rev. Ass'n et al. eds., 21st ed. 2020).

Future empirical studies may provide additional insights regarding the practical implementation of AI within judicial institutions.

Thirdly, the comparative analysis is limited to selected jurisdictions that have developed significant AI governance frameworks. While these jurisdictions provide valuable guidance, their legal systems differ from India's constitutional and institutional framework. Therefore, their regulatory models cannot be transplanted without appropriate modifications.

Notwithstanding these limitations, the study seeks to provide a balanced, objective, and comprehensive analysis capable of contributing meaningfully to contemporary legal scholarship concerning Artificial Intelligence and judicial governance.

CHAPTER II

ARTIFICIAL INTELLIGENCE AND THE INDIAN JUSTICE DELIVERY SYSTEM

2.1 INTRODUCTION

The administration of justice constitutes one of the most significant functions of a constitutional democracy. An effective justice delivery system safeguards the rule of law, protects fundamental rights, resolves disputes, and promotes public confidence in legal institutions. In India, the judiciary occupies a central position within the constitutional framework by ensuring that legislative and executive actions remain consistent with constitutional principles. However, the growing volume of litigation, increasing judicial workload, shortage of judges, and procedural delays have created significant challenges for the efficient administration of justice.

According to the National Judicial Data Grid (NJDG), **more than five crore cases are pending before various courts in India**, including the Supreme Court, High Courts, and subordinate courts. The persistent backlog has generated widespread concern regarding timely access to justice and has highlighted the urgent need for structural reforms. Delayed justice not only affects litigants but also undermines public confidence in judicial institutions and weakens the constitutional guarantee of effective legal remedies.

This chapter examines the evolution of digital justice in India, the principal AI initiatives adopted by the judiciary, the opportunities presented by AI, and the challenges associated with its integration into the justice delivery system.

2.2 EVOLUTION OF DIGITAL JUSTICE IN INDIA

The movement towards digital justice formally began with the **National e-Governance Plan (NeGP)** launched by the Government of India in 2006. Under this initiative, the **e-Courts Mission Mode Project** was introduced with the objective of modernising the judicial infrastructure through the use of Information and Communication Technology (ICT). The project aimed to computerise courts, digitise judicial records, facilitate electronic filing of cases, enable online access to court information, and improve overall judicial administration.¹¹

The implementation of **Phase I** of the e-Courts Project primarily focused on establishing computer infrastructure, networking district and subordinate courts, digitising case records, and creating judicial databases. Phase II expanded these efforts by introducing electronic filing (e-filing), electronic payment of court fees (e-payment), online case status portals, National Judicial Data Grid (NJDG), and video conferencing facilities.

The COVID-19 pandemic significantly accelerated digital reforms within the judiciary. Physical court proceedings became impracticable due to public health restrictions, compelling courts to adopt virtual hearings using video conferencing technology. The Supreme Court of India, High Courts, and subordinate courts successfully conducted thousands of hearings online, thereby ensuring continuity of judicial functioning even during the national lockdown. This unprecedented transition demonstrated that technology could substantially improve judicial accessibility while reducing geographical barriers.

Following the success of virtual courts, digital justice has expanded to include Artificial Intelligence-based applications. AI technologies now assist courts in document translation, legal research, case categorisation, intelligent scheduling, and administrative decision-support systems. These developments indicate that India's justice delivery system is gradually evolving from simple digitalisation towards intelligent judicial administration supported by Artificial Intelligence.

2.3 THE E-COURTS MISSION MODE PROJECT

The **e-Courts Mission Mode Project** is the flagship initiative of the Indian judiciary aimed at integrating Information and Communication Technology (ICT) into judicial administration. Sponsored by the Department of Justice, Government of India, and

¹¹ NITI Aayog, *National Strategy for Artificial Intelligence #AIForAll* (2018).

implemented under the guidance of the e-Committee of the Supreme Court of India, the project seeks to transform conventional court administration into an efficient, transparent, and citizen-centric digital system.

The principal objectives of the e-Courts Project include:

- Computerisation of courts.
- Digitisation of judicial records.
- Electronic filing of cases.
- Online access to case status and orders.
- Video conferencing facilities.
- Electronic payment systems.
- Digital case management.
- Improved judicial transparency.

One of the most significant achievements of the project is the **National Judicial Data Grid (NJDG)**. The NJDG is an online database containing real-time information regarding pending and disposed cases across district and subordinate courts. It enables judges, lawyers, policymakers, researchers, and citizens to monitor judicial performance, analyse case pendency, and identify systemic bottlenecks.¹²

The e-Courts Project has also introduced **Virtual Courts**, allowing specific categories of cases, particularly traffic violations, to be disposed of electronically without requiring the physical presence of litigants. Such innovations significantly reduce administrative costs while improving convenience for citizens.

Electronic filing (e-filing) has further simplified litigation by enabling advocates and litigants to submit pleadings digitally from any location. Electronic service of notices, online certified copies, digital cause lists, and electronic payment facilities have substantially reduced procedural delays.

¹² Supreme Court e-Committee, *Phase III Vision Document* (2023).

However, challenges remain. Uneven digital infrastructure, inadequate internet connectivity in rural regions, cybersecurity concerns, lack of technical training, and digital illiteracy continue to affect effective implementation. Addressing these issues remains essential for achieving the project's long-term objectives.

2.4 SUPACE (Supreme Court Portal for Assistance in Court Efficiency)

Artificial Intelligence entered the Indian judiciary in a significant manner through the development of the **Supreme Court Portal for Assistance in Court Efficiency (SUPACE)**.

SUPACE is an AI-based decision-support system developed to assist judges in handling large volumes of legal information. Importantly, SUPACE **does not decide cases**. Instead, it performs administrative and research-oriented functions designed to improve judicial efficiency.

The primary functions of SUPACE include:

- Organising case records.
- Summarising lengthy pleadings.
- Identifying relevant precedents.
- Highlighting important legal issues.
- Assisting legal research.
- Reducing administrative workload.

By automating repetitive research tasks, SUPACE enables judges to devote greater attention to legal reasoning, interpretation of statutes, appreciation of evidence, and constitutional analysis. Consequently, the system serves as an intelligent assistant rather than an autonomous decision-maker.¹³

The introduction of SUPACE reflects an important principle within AI governance: **human oversight**. Judicial authority continues to remain exclusively with judges, while AI

¹³ Supreme Court of India, SUPACE Project Documentation.

merely facilitates access to relevant legal information. This approach preserves judicial independence while improving institutional efficiency.

2.5 SUVAS (Supreme Court Vidhik Anuvaad Software)

India's extraordinary linguistic diversity presents unique challenges for judicial administration. Court proceedings, statutes, judgments, and legal documents are frequently prepared in English, whereas litigants may be more comfortable in regional languages. Language barriers often impede meaningful access to justice.

To address this challenge, the Supreme Court introduced the **Supreme Court Vidhik Anuvaad Software (SUVAS)**.

SUVAS is an Artificial Intelligence-powered translation system that facilitates the translation of judicial documents from English into several Indian languages. The software assists judges, lawyers, litigants, and court staff by providing rapid translations while preserving legal terminology as accurately as possible.

The principal objectives of SUVAS include:

- Promoting linguistic accessibility.
- Reducing translation delays.
- Enhancing judicial efficiency.
- Improving public understanding of judicial decisions.
- Strengthening access to justice.

Although human verification remains necessary to ensure legal accuracy, SUVAS represents a significant step towards democratising justice in a multilingual society. By making judicial information accessible to citizens irrespective of language, the software strengthens constitutional principles of equality and fairness.¹⁴

¹⁴ Supreme Court of India, SUVAS Documentation.

2.6 ARTIFICIAL INTELLIGENCE IN LEGAL RESEARCH

Legal research is one of the most fundamental aspects of the legal profession. Every judicial decision, legal opinion, legislative proposal, or academic discussion is based upon the identification and analysis of constitutional provisions, statutes, judicial precedents, and scholarly literature. Traditionally, legal research required extensive manual examination of books, law reports, journals, commentaries, and legislative materials, making it both time-consuming and resource-intensive. The emergence of Artificial Intelligence has significantly transformed this process by introducing intelligent legal research platforms capable of analysing vast quantities of legal information within seconds.

Artificial Intelligence employs **Natural Language Processing (NLP)**, **Machine Learning (ML)**, and **predictive analytics** to search, classify, and interpret legal information. Unlike conventional keyword-based search engines, AI-powered legal research tools understand the context and semantic meaning of legal queries, enabling researchers to retrieve more accurate and relevant judicial precedents. These systems continuously improve their search capabilities by analysing user interactions and legal databases.

Several AI-enabled legal research platforms, such as **SCC Online**, **Manupatra**, **Lexis+ AI**, and **Westlaw Precision**, have transformed legal practice by providing intelligent search functions, citation analysis, case summarisation, and precedent mapping. These platforms assist judges, advocates, researchers, and law students in locating relevant authorities efficiently, thereby reducing research time and improving the quality of legal analysis.

The integration of Artificial Intelligence into legal research demonstrates how technology can enhance efficiency without undermining the central role of human expertise in legal reasoning.

2.8 ADVANTAGES OF ARTIFICIAL INTELLIGENCE IN THE JUSTICE DELIVERY SYSTEM

The integration of Artificial Intelligence into judicial administration offers numerous advantages capable of significantly improving the efficiency and accessibility of the justice delivery system. Although AI cannot replace judges, it can substantially enhance institutional functioning by assisting judicial officers in administrative, analytical, and research-related

functions.

- Reduction of Case Backlog
- Improved Legal Research
- Increased Judicial Efficiency
- Enhanced Access to Justice
- Greater Transparency
- Cost Effectiveness
- Linguistic Accessibility

2.9 CHALLENGES AND RISKS OF ARTIFICIAL INTELLIGENCE IN JUDICIAL ADMINISTRATION

Despite its considerable advantages, Artificial Intelligence also presents significant legal, constitutional, and ethical challenges that must be carefully addressed before widespread implementation within judicial institutions.

- Algorithmic Bias
- Lack of Transparency
- Accountability
- Privacy and Data Protection
- Threat to Judicial Independence
- AI Hallucinations
- Digital Divide

2.10 CONCLUSION

Artificial Intelligence has the potential to transform India's justice delivery system by improving efficiency, reducing delays, enhancing legal research, strengthening transparency, and expanding access to justice. Initiatives such as the e-Courts Mission Mode Project,

SUPACE, and SUVAS demonstrate that the Indian judiciary has already begun integrating AI into judicial administration. However, these technological innovations also raise important constitutional, legal, and ethical questions concerning transparency, accountability, equality, privacy, and judicial independence.¹⁵

The future of AI in judicial administration should therefore be guided by the principle of **human-centred justice**, where technology complements but never replaces human judicial reasoning. A robust legal framework ensuring transparency, explainability, accountability, and meaningful human oversight is essential to preserve the constitutional values underpinning the administration of justice.

CHAPTER III

CONSTITUTIONAL AND JUDICIAL CHALLENGES OF ARTIFICIAL INTELLIGENCE IN INDIA

3.1 INTRODUCTION

Artificial Intelligence has transformed the manner in which information is processed, analysed, and utilised in decision-making across diverse sectors. Within judicial administration, AI offers significant advantages by assisting courts in legal research, document management, case scheduling, translation, and administrative functions. However, unlike commercial applications, judicial decision-making directly affects the life, liberty, dignity, and property of individuals. Consequently, the use of AI in courts must conform to constitutional principles and the rule of law.

This chapter critically examines these constitutional challenges by analysing the interaction between Artificial Intelligence and the constitutional framework of India. It further evaluates leading judicial decisions that provide guidance for regulating emerging technologies within a constitutional democracy.

3.2 ARTICLE 14: EQUALITY BEFORE LAW AND ALGORITHMIC FAIRNESS

Article 14 of the Constitution guarantees **equality before the law** and **equal protection**

¹⁵ Richard Susskind, *Online Courts and the Future of Justice* (2019).

of the laws. It prohibits arbitrary State action and requires that all governmental decisions be fair, reasonable, and non-discriminatory. Since the judiciary forms an integral part of the State, any AI system employed in judicial administration must comply with this constitutional mandate.

One of the most serious concerns associated with Artificial Intelligence is **algorithmic bias**. AI systems are trained using historical data. If the underlying data reflects existing social, economic, gender-based, caste-based, religious, or regional inequalities, the AI system may reproduce or even amplify these biases. Such outcomes may result in unequal treatment of similarly situated individuals, thereby violating Article 13.¹⁶

The constitutional principle of equality therefore requires that AI systems used by courts be:

- free from discriminatory bias;
- periodically audited for fairness;
- transparent in their functioning;
- subject to effective human oversight.

Algorithmic accountability is not merely a technical requirement but a constitutional obligation flowing directly from Article 13.

3.3 ARTICLE 19: FREEDOM OF SPEECH AND EXPRESSION

Article 19(1)(a) guarantees every citizen the right to freedom of speech and expression. In the digital era, this freedom extends to online communication, access to information, academic research, and the dissemination of knowledge. AI technologies increasingly influence these activities by generating content, moderating online platforms, translating legal documents, and assisting legal research.

In the judicial context, AI should enhance access to legal information and facilitate communication without restricting legitimate expression or creating barriers to the

¹⁶ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

dissemination of legal knowledge.

3.4 ARTICLE 21: RIGHT TO LIFE, PERSONAL LIBERTY, AND PROCEDURAL FAIRNESS

Article 21 provides that no person shall be deprived of life or personal liberty except according to a procedure established by law. Through progressive judicial interpretation, the Supreme Court has expanded Article 21 to include the rights to privacy, dignity, fair procedure, legal aid, speedy trial, and access to justice.

The adoption of Artificial Intelligence within judicial institutions directly implicates these constitutional protections.

AI systems processing judicial records collect and analyse highly sensitive personal information relating to litigants, witnesses, victims, and accused persons. Any unauthorised disclosure or misuse of such information may infringe the constitutional right to privacy.

Article 21 therefore requires that AI-assisted judicial processes remain:

- fair;
- transparent;
- accountable;
- proportionate;
- subject to meaningful human review.

Technology must strengthen procedural justice rather than reduce judicial decision-making to mechanical automation.

3.5 EXPLAINABLE ARTIFICIAL INTELLIGENCE (XAI)

One of the greatest challenges associated with modern AI systems is the **"black box" problem**, where algorithms generate outcomes without providing understandable reasons.

The legal system, however, is founded upon **reasoned decision-making**. Every judicial

decision must contain reasons capable of being examined by litigants, appellate courts, and the public.

Consequently, Artificial Intelligence employed within judicial institutions should satisfy the principle of **Explainable AI (XAI)**.

Explainable AI requires that:

- algorithmic reasoning be understandable;
- recommendations be traceable;
- data sources be identifiable;
- errors be capable of correction;
- human judges understand why an AI system reached a particular recommendation.

Without explainability, judicial accountability cannot be effectively maintained.

3.6 IMPORTANT SUPREME COURT DECISIONS

The constitutional principles discussed above are reflected in several landmark decisions of the Supreme Court of India:

Justice K. S. Puttaswamy (Retd.) v. Union of India (2017)

The Supreme Court unanimously recognised the **Right to Privacy** as a fundamental right under Article 21. This judgment has profound implications for AI because judicial AI systems process large volumes of personal data. Any AI framework must therefore incorporate robust privacy protections, data minimisation, and security safeguards.¹⁷

Shreya Singhal v. Union of India (2015)

The Court struck down Section 66A of the Information Technology Act, emphasising the importance of freedom of speech and protection against arbitrary restrictions. The judgment

¹⁷ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.

highlights that AI-assisted content regulation must respect constitutional guarantees under Article 19(1)(a).¹⁸

Anuradha Bhasin v. Union of India (2020)

The Court recognised the importance of internet access for the exercise of constitutional freedoms and held that restrictions on digital communication must satisfy the test of proportionality. The reasoning is equally relevant to AI governance, requiring that technological regulation remain proportionate and constitutionally justified.¹⁹

3.7 CONCLUSION

The constitutional legitimacy of Artificial Intelligence depends not upon technological sophistication alone but upon its compatibility with constitutional values. Articles 14, 19, and 21 require that AI systems remain transparent, accountable, non-discriminatory, and subject to meaningful human oversight. Judicial independence, natural justice, and reasoned decision-making cannot be delegated to algorithms. Consequently, India must develop an AI governance framework that integrates technological innovation with constitutional guarantees, ensuring that the administration of justice remains fundamentally human-centred.

CHAPTER IV

FINDINGS, RECOMMENDATIONS AND CONCLUSION

4.1 MAJOR FINDINGS

The present study examined the legal, constitutional, and ethical implications of Artificial Intelligence (AI) in India's justice delivery system. Based on the doctrinal and comparative analysis undertaken, the following major findings emerge:

1. AI Has Significant Potential to Improve Judicial Efficiency

Artificial Intelligence has considerable potential to transform the administration of justice by assisting courts in legal research, document management, case scheduling, translation of

¹⁸ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1

¹⁹ *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637

judicial records, and administrative decision-support. Initiatives such as the e-Courts Mission Mode Project, SUPACE, and SUVAS demonstrate that AI can reduce administrative burdens and improve access to justice without replacing judicial authority.

2. India Lacks a Comprehensive AI Regulatory Framework

Although statutes such as the Information Technology Act, 2000, the Digital Personal Data Protection Act, 2023, and the Bharatiya Sakshya Adhiniyam, 2023 provide partial regulation, India does not yet possess a dedicated legal framework governing Artificial Intelligence. Existing laws do not adequately address issues such as algorithmic accountability, explainability, liability, transparency, and independent oversight.

3. Constitutional Rights Must Guide AI Deployment

The study found that AI applications within judicial institutions must comply with the Constitution of India, particularly Articles 14, 19, and 21. AI systems should not undermine equality before the law, procedural fairness, freedom of expression, privacy, or judicial independence. Constitutional values must remain the primary benchmark for evaluating AI governance.²⁰

4. Human Oversight is Essential

Judicial decision-making requires contextual understanding, ethical reasoning, empathy, and constitutional interpretation. Present AI technologies cannot replicate these uniquely human qualities. Consequently, AI should function only as a decision-support system, with final judicial responsibility remaining exclusively with judges.²¹

5. Ethical Governance is as Important as Legal Regulation

Responsible AI requires not only legal compliance but also adherence to ethical principles such as fairness, transparency, accountability, privacy, explainability, and respect for human dignity. International frameworks developed by UNESCO and the OECD provide valuable guidance for ethical AI governance.

²⁰ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.

²¹ NITI Aayog, *National Strategy for Artificial Intelligence #AIForAll* (2018).

6. International Models Offer Useful Guidance

The European Union AI Act, Singapore's Model AI Governance Framework, and other international initiatives demonstrate the importance of adopting a risk-based approach, mandatory human oversight, algorithmic auditing, and transparency obligations. These models offer useful lessons that India can adapt while remaining consistent with its constitutional framework.

4.2 RECOMMENDATIONS

Based on the findings of this study, the following recommendations are proposed:

A. Enact a Comprehensive Artificial Intelligence Act

India should enact a dedicated Artificial Intelligence Act that defines AI, classifies AI systems according to risk, establishes legal obligations for developers and users, and creates an institutional framework for supervision and enforcement.

B. Classify Judicial AI as High-Risk

AI systems used in courts should be classified as **high-risk technologies**, requiring enhanced regulatory safeguards due to their potential impact on constitutional rights and access to justice²².

C. Establish an Independent AI Regulatory Authority

A specialised statutory authority should be created to:

- certify AI systems;
- conduct algorithmic audits;
- investigate complaints;
- issue compliance standards;

²² Regulation (EU) 2024/1689 (AI Act).

- monitor high-risk AI deployment;
- coordinate with judicial institutions.

D. Mandate Human Oversight

Every AI application within the judiciary should operate under meaningful human supervision. Judicial officers must retain exclusive authority to interpret law, evaluate evidence, and deliver judgments²³.

E. Ensure Algorithmic Transparency

AI systems used by courts should be explainable and capable of providing understandable reasons for their outputs. Transparent algorithms will strengthen judicial accountability and facilitate appellate review.

F. Conduct Periodic Algorithmic Audits

Independent technical and legal experts should periodically evaluate AI systems for:

- bias;
- discrimination;
- cybersecurity vulnerabilities;
- accuracy;
- constitutional compliance.

G. Strengthen Data Protection

Judicial AI systems should comply with stringent data protection standards, including encryption, anonymisation, secure storage, and controlled access to protect sensitive judicial information.

²³ UNESCO (2021).

H. Develop Ethical Guidelines for Judicial AI

The Supreme Court of India, in consultation with legal experts, technologists, and ethicists, should formulate ethical guidelines governing the design, deployment, and use of AI within judicial institutions.

I. Capacity Building and Training

Regular training programmes should be organised for judges, advocates, prosecutors, court staff, and law students to improve AI literacy and understanding of the legal and ethical implications of AI.

J. Encourage Responsible Innovation

India should continue promoting AI innovation through research, academic collaboration, public-private partnerships, and pilot projects while ensuring that technological advancement remains consistent with constitutional values and the rule of law.

4.3 FUTURE SCOPE OF RESEARCH

Artificial Intelligence is evolving rapidly, and future research may focus on:

- AI in criminal justice and sentencing;
- AI-assisted evidence analysis;
- Generative AI in legal drafting;
- AI and access to justice for marginalised communities;
- Comparative constitutional analysis of AI governance;
- Cross-border regulation of AI;
- AI and judicial ethics;
- Impact of AI on legal education and professional responsibility.

Empirical studies involving judges, lawyers, litigants, and policymakers would further enrich understanding of AI's practical implications in judicial administration.

4.4 CONCLUSION

Artificial Intelligence represents one of the most transformative technological developments of the modern era, offering unprecedented opportunities to enhance the efficiency, accessibility, and transparency of India's justice delivery system. Through initiatives such as the e-Courts Mission Mode Project, SUPACE, and SUVAS, the Indian judiciary has already demonstrated its willingness to embrace technological innovation while preserving the central role of human judges²⁴.

However, the integration of AI into judicial processes raises significant legal, constitutional, and ethical challenges, including algorithmic bias, lack of transparency, privacy concerns, accountability, and risks to judicial independence. Existing laws provide only limited regulation and are inadequate to address these issues. The study concludes that AI should function only as an assistive tool, with human judges retaining final authority over judicial decisions. A dedicated AI regulatory framework, supported by ethical governance, transparency, accountability, and human oversight, is essential to ensure that AI enhances judicial efficiency while upholding constitutional values and the rule of law.

²⁴ Richard Susskind, *Online Courts and the Future of Justice* (2019).

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