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Artificial Intelligence and technology in the Indian Judiciary: A critical review of legal, ethical and institutional developments

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Abstract
The integration of artificial intelligence (AI) and digital technologies into the Indian judiciary represents a significant transformation in the administration of justice. Digital case management, e-Courts services, virtual hearings, electronic filing, automated transcription, translation tools, and AI-assisted legal research have created opportunities to improve judicial efficiency, accessibility, and transparency. Initiatives such as the e-Courts Project and the Supreme Court's use of technology demonstrate India's continuing efforts to modernise judicial administration. However, the adoption of AI also raises important concerns regarding judicial independence, algorithmic bias, data privacy, cybersecurity, transparency, accountability, and the constitutional right to a fair hearing. This paper critically reviews the legal and institutional framework governing technological innovation in the Indian judiciary, with particular reference to Articles 14, 21 and 39A of the Constitution, the Digital Personal Data Protection Act, 2023, and relevant procedural and information technology legislation. It examines the opportunities and limitations of AI-assisted judicial decision-making, drawing upon Indian judicial initiatives and comparative international developments. The study adopts a doctrinal and analytical methodology to identify regulatory gaps and implementation challenges. It argues that AI should function as an assistive tool rather than a substitute for judicial reasoning. The paper recommends human oversight, algorithmic transparency, data protection safeguards, independent evaluation, judicial training, and clear accountability standards to ensure that technological progress strengthens constitutional justice and public confidence in the Indian judiciary.

Keywords: Artificial Intelligence, Indian Judiciary, e-Courts Project, digital justice, judicial independence, algorithmic bias, access to justice, data protection, constitutional rights

Introduction

The administration of justice is undergoing a significant technological transformation. Courts across the world are increasingly using digital platforms, electronic records, automated workflows, data analytics, and artificial intelligence to manage cases and support judicial functions. In India, the adoption of technology has become particularly important because of the substantial volume of pending cases, procedural delays, geographical barriers, and inequalities in access to legal services. Technological innovation offers opportunities to improve the efficiency, accessibility, and transparency of judicial administration, provided that it is implemented consistently with constitutional values and procedural fairness.

The Indian judiciary has progressively adopted electronic filing, virtual hearings, digital case records, online cause lists, video-conferencing facilities, and court-management systems. The e-Courts Project, implemented under the supervision of the Supreme Court's e-Committee and supported by the Department of Justice, has been a central component of this modernisation process. More recently, AI-assisted tools have attracted attention for their potential to support translation, transcription, legal research, document summarisation, and the identification of relevant precedents.

Nevertheless, the application of AI within judicial institutions raises questions that go beyond administrative efficiency. AI systems may reproduce biases present in historical data, generate inaccurate legal references, fail to explain their outputs, or process confidential information in ways that create privacy and security risks. Where these technologies influence judicial reasoning, the consequences may affect fundamental rights, equality before the law, and the legitimacy of judicial decisions.

The constitutional framework provides important principles for evaluating these developments. Article 14 guarantees equality before the law and equal protection of the laws; Article 21 protects life and personal liberty through established constitutional jurisprudence; and Article 39A directs the State to promote equal justice and free legal aid. These guarantees require technological innovation to strengthen access to justice rather than create additional barriers for disadvantaged litigants.

The central argument of this paper is that AI should assist judicial officers and court administrators without displacing the independent application of law by judges. The legitimacy of technology in the judiciary depends not merely on speed or cost reduction, but also on accuracy, fairness, accountability, confidentiality, and meaningful human control. Accordingly, this paper critically examines the Indian judiciary's technological development, the applicable legal framework, emerging opportunities, implementation challenges, and reforms necessary for responsible adoption of AI in judicial administration.

Development of Technology in the Indian Judiciary

Evolution of the e-Courts Project

The Indian judiciary's technological development predates the recent emergence of generative AI. The e-Courts Mission Mode Project was conceived to improve judicial administration through information and communication technology. Its first phase concentrated on basic

computerisation and connectivity; the second expanded digital services, case-information systems, e-filing, e-payments, and online access to court information.

Phase III, approved for 2023–2027 with an outlay of ₹7,210 crore, emphasises digital and paperless courts, digitisation of records, virtual hearings, improved interoperability, and the adoption of emerging technologies, including AI and analytics. The Government has also reported that digitisation of legacy records remains a major task, illustrating that advanced AI systems depend on reliable and accessible underlying data.

National Judicial Data Grid

The National Judicial Data Grid (NJDG) provides information about cases and judicial performance, including pendency and disposal data. It assists administrators, researchers, lawyers, and litigants in understanding the status of cases and the broader functioning of the judicial system.

Such information can support evidence-based court administration and help identify procedural bottlenecks. However, the interpretation of judicial statistics requires care. Disposal rates and pendency figures do not, by themselves, measure the quality, fairness, complexity, or social value of judicial decisions. AI-driven administrative planning must therefore avoid treating numerical productivity as the sole measure of judicial performance.

Virtual hearings and electronic filing

The COVID-19 pandemic accelerated the use of video-conferencing facilities, electronic filing, digital records, and hybrid hearings. These systems enabled courts to continue functioning during physical restrictions and reduced the need for travel in suitable cases. Electronic filing can improve record management and reduce clerical burdens, while virtual hearings can assist parties located far from court premises. Nevertheless, technical failures, poor connectivity, inadequate access to devices, and difficulties in presenting evidence remotely may affect the quality of participation. Digital procedures should therefore retain appropriate alternatives and assistance for litigants who cannot effectively use online systems.

Phase III and institutional technology governance

The current phase of judicial modernisation increasingly combines digital infrastructure with AI-supported functions. In October 2026, the Supreme Court's e-Committee inaugurated the Digital Court Technology Office to support the planning, implementation, monitoring, and supervision of technology initiatives under the e-Courts Project. This development reflects the growing institutional importance of coordinated technology governance. The institutional challenge is to ensure that technological modernisation is not limited to procurement and deployment. It must also include security testing, user training, independent evaluation, accessible design, and clear procedures for responding to system errors.

Major AI and Technology Initiatives in the Indian Judiciary

The Supreme Court's White Paper on Artificial Intelligence and Judiciary (November 2025) provides a detailed account of the potential applications and risks of AI in Indian courts. It identifies legal research, translation, transcription, e-filing, document analysis, and administrative automation as important areas for development. The following initiatives illustrate how AI may support judicial work.

SUPACE: Supreme Court Portal for Assistance in Court Efficiency

SUPACE is an AI-based initiative intended to assist judicial officers in analysing case materials, organising relevant information, and identifying potentially relevant precedents. Its purpose is to reduce the time required for preliminary research and the review of voluminous records. The principal advantage of such a tool is its capacity to help judges navigate large quantities of material. However, a summary may omit an important fact, mischaracterise a legal argument, or fail to identify an adverse precedent. Therefore, the output must remain a research aid and cannot substitute for the judge's independent examination of the record.

The Supreme Court's November 2025 White Paper described SUPACE as an AI initiative, while official government reporting in December 2025 continued to describe it as being in an experimental stage. Its development should not be confused with a general authorisation for AI to decide cases.

SUVAS: Supreme Court Vidhik Anuvaad Software

SUVAS is designed to assist in translating judicial documents between English and Indian languages. In a multilingual country, language can be a significant barrier to understanding judgments and asserting legal rights. AI-assisted translation can help expand access to judicial information and make legal materials more accessible to citizens who are not proficient in English.

Nevertheless, legal translation requires precision. A mistranslated statutory term, qualification, exception, or judicial expression may alter the meaning of a decision. Human review by appropriately qualified personnel is therefore important, especially for authoritative translations, legally sensitive passages, and documents used in active proceedings.

Legal Research Analysis Assistant (LegRAA)

LegRAA is an AI-based tool developed to support judicial research and document analysis. Official descriptions indicate that it can assist in extracting relevant legal references and organising research material. The objective is to improve the efficiency of legal research without replacing judicial analysis or independently determining outcomes.

The potential value of such tools depends on the reliability of the underlying legal database, the accuracy of retrieval, and the ability of the user to verify each authority. A legally persuasive summary is not sufficient unless the cited judgment exists, remains good law, and supports the proposition for which it is cited.

Digital Courts 2.1, transcription and translation tools

Digital Courts 2.1 is designed to facilitate paperless judicial work by providing digital access to case-related documents, pleadings, and evidence. Official descriptions also identify AI-enabled transcription and translation functions, including ASR-SHRUTI for voice-to-text support and PANINI for translation and linguistic assistance.

These tools can reduce repetitive administrative work and improve access to court records. Their reliability, however,

depends on audio quality, accents, background noise, legal terminology, and the correct identification of speakers. Errors in transcription may have serious consequences where a statement, admission, objection, or evidentiary detail is disputed. A verified official record should therefore remain distinguishable from an unreviewed machine-generated transcript.

AI-assisted e-filing and registry functions

AI and machine-learning tools can assist court registries in identifying missing documents, extracting metadata, classifying filings, and detecting procedural defects. These applications may reduce repetitive clerical work and help lawyers correct filing problems earlier.

Such functions are generally less intrusive than AI systems that influence substantive judicial decisions. Nevertheless, automated defect detection must not become an unreviewable barrier to access. Where an AI tool flags a filing, an authorised registry official should be able to verify the defect, explain the requirement, and provide an appropriate mechanism for correction or review.

Constitutional and Legal Framework

The use of AI in courts must comply with the Constitution and the statutory framework governing judicial proceedings, electronic records, privacy, and information security. Technological innovation cannot independently justify a departure from established legal safeguards.

Article 14: Equality before the law

Article 14 guarantees equality before the law and equal protection of the laws. In the context of AI, it requires scrutiny of systems that may produce discriminatory or unequal effects. An algorithm trained on historical judicial or administrative data may reproduce existing patterns of unequal treatment, including those arising from socioeconomic disadvantage, language, geography, or unequal access to legal representation. For example, an automated case-prioritisation tool may disadvantage litigants if it relies on incomplete data or criteria that systematically favour certain categories of cases. A system may appear neutral while producing unequal practical consequences.

Article 14 therefore supports requirements for fairness testing, monitoring of discriminatory outcomes, and human review of consequential automated recommendations. The use of AI should improve consistency without converting historical patterns of inequality into automated rules.

Article 21: Privacy, dignity and fair procedure

Article 21 protects life and personal liberty and has been interpreted by the Supreme Court to include important protections relating to dignity, privacy, and fair procedure. In Justice K.S. Puttaswamy (Retd.) v. Union of India, the Court recognised privacy as a fundamental right. Judicial technology may process highly sensitive information, including medical records, family disputes, financial details, criminal allegations, and information concerning children and vulnerable persons. Unauthorised disclosure, insecure storage, or submission of confidential court records to external AI platforms may expose litigants to serious harm.

Accordingly, courts should apply strict controls concerning access, retention, disclosure, and processing of judicial data. Any use of AI must be consistent with applicable privacy law and the requirements of lawful, fair, and proportionate information handling.

Article 39A: Equal justice and legal aid

Article 39A directs the State to ensure that the legal system promotes justice on the basis of equal opportunity and to provide free legal aid through appropriate legislation and schemes. AI can advance this objective through accessible legal information, multilingual services, improved case tracking, and tools that help legal-aid providers manage their work.

However, technology can also deepen exclusion if services become accessible only to people with smartphones, reliable internet, digital literacy, or English-language proficiency. An inclusive judicial technology policy should therefore retain physical assistance, accessible interfaces, language support, and effective human help for litigants who need it.

Digital Personal Data Protection Act, 2023

The Digital Personal Data Protection Act, 2023, establishes a statutory framework for processing digital personal data within its scope. Its relevance to judicial technology includes the handling of litigant information, electronic records, and personal data processed by institutions or service providers.

The precise application of the Act must be assessed in light of its provisions concerning scope, exemptions, commencement, and the nature of the processing in question. It should not be assumed that every judicial or public-authority activity is governed identically. Courts and technology providers should nevertheless adopt strong privacy and security safeguards, including data minimisation, access controls, secure storage, and appropriate contractual protections.

Information Technology Act, 2000 and electronic evidence

The Information Technology Act, 2000, provides an important legal foundation for electronic records and specified electronic transactions, while the procedural and evidentiary framework determines how electronic material is admitted and assessed in judicial proceedings. For criminal and civil proceedings, the applicable evidence legislation must be considered carefully. The Bharatiya Sakshya Adhiniyam, 2023 [4, 5], which came into force on 1 July 2024, governs evidence in its scope and contains provisions concerning electronic and digital records.[3] Its requirements are particularly relevant where AI-generated images, audio, video, transcripts, or other digital material is tendered as evidence.

The existence of a digital file does not establish its authenticity or reliability. Courts must examine provenance, integrity, the circumstances of creation, possible alteration, and the applicable evidentiary requirements. AI-assisted enhancement or transcription should not remove the need for appropriate proof and judicial evaluation.

Need for judiciary-specific AI governance

General legislation provides only part of the answer. The judiciary also needs clear rules on the use of AI by judges, judicial officers, court staff, lawyers, and litigants. These rules should address confidential information, verification of citations, disclosure of AI-generated material where appropriate, accountability for errors, and the limits of

permissible use. The Supreme Court's White Paper on Artificial Intelligence and Judiciary is an important institutional contribution to this discussion. It identifies human oversight, accuracy, confidentiality, bias prevention, and institutional safeguards as central concerns. A white paper, however, should not be confused with a binding statute or procedural rule. Its recommendations need to be translated into clear and enforceable institutional standards.

Judicial Decisions and Important Case Studies

Judicial decisions provide an important framework for assessing the legitimate use of technology in court proceedings. Although several leading cases predate contemporary generative AI, their principles concerning electronic evidence, fair hearings, privacy, and open justice remain relevant to judicial modernisation.

State of Maharashtra v. Dr. Praful B. Desai (2003)

The Supreme Court considered whether evidence could be recorded through video-conferencing under the applicable criminal procedure framework. It recognised that the use of video-conferencing could satisfy the legal requirement of recording evidence in the presence of the court, provided the necessary safeguards were maintained.

Legal significance: The judgment established an important foundation for the use of communication technology in judicial proceedings. It demonstrates that technology may facilitate the administration of justice where it remains consistent with procedural law and the rights of the parties.

Critical assessment: Video-conferencing can reduce travel, delay, and logistical costs, particularly for witnesses located far from court premises. Nevertheless, the court must preserve the ability to assess the quality of testimony, ensure that witnesses are not improperly influenced, and provide a meaningful opportunity for cross-examination. The decision supports technological adaptation but does not justify removing procedural safeguards.

Anvar P.V. v. P.K. Basheer (2014) [9]

The Supreme Court examined the requirements for admitting electronic records under the then-applicable Section 65B of the Indian Evidence Act, 1872. It emphasised the statutory requirements governing the admissibility of electronic evidence and the importance of compliance with the applicable certification framework.

Legal significance: The judgment highlights the distinction between the availability of electronic information and its admissibility as evidence. This distinction is especially relevant when courts encounter AI-generated audio, manipulated video, automatically generated transcripts, or digitally altered documents.

Critical assessment: AI-generated or AI-enhanced material can appear authentic even where it has been manipulated or incorrectly processed. Courts should therefore assess authenticity, integrity, provenance, and compliance with the current evidentiary statute. Since the Bharatiya Sakshya Adhiniyam, 2023 [4, 5], replaced the Indian Evidence Act, 1872, for proceedings within its scope from 1 July 2024, the relevant statutory provisions must now be applied according to the applicable law and transitional rules.

Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal (2020) [10]

The Supreme Court reaffirmed the importance of compliance with Section 65B of the Indian Evidence Act, 1872, for the admissibility of electronic records in the circumstances governed by that provision. It clarified aspects of the certification requirement and considered the relationship between electronic evidence and procedural fairness.

Relevance to AI: The case illustrates that digital evidence must satisfy legal standards of admissibility rather than being accepted merely because it is electronically available. The same principle is relevant when a party relies on an AI-generated transcript, a synthetic recording, an automated document analysis, or a digitally modified image.

Critical assessment: The law must distinguish between AI as a tool used to organise or examine evidence and AI-generated content that is itself presented as evidence. The first may assist a court's evaluation; the second requires careful scrutiny of how the material was created, whether it accurately represents an underlying event, and whether its reliability can be tested by the opposing party.

Swapnil Tripathi v. Supreme Court of India (2018) [11]

The Supreme Court considered live-streaming of court proceedings in the context of open justice and public access to judicial processes. It recognised the importance of transparency while acknowledging the need for appropriate restrictions to protect privacy, fairness, and the administration of justice.

Legal significance: The judgment is relevant to the wider digital transformation of courts, including online hearings, digital publication of proceedings, and technology-supported access to judicial information.

Critical assessment: Greater digital visibility may strengthen public confidence and enable citizens to understand judicial processes. However, indiscriminate publication or automated processing of court material may expose vulnerable litigants, witnesses, children, or victims to harm. Open justice must therefore be balanced against privacy, confidentiality, and other legally protected interests.

Emerging concern: AI-generated legal submissions.

The Supreme Court's November 2025 White Paper discusses the risk of inaccurate or fabricated legal citations produced by generative AI. It also records examples of Indian judicial officers using ChatGPT for preliminary research or background understanding. Such uses must be distinguished from treating an AI-generated response as authoritative legal material.

The problem is not confined to judges. Lawyers and litigants may submit fabricated cases, quotations, statutory provisions, or factual assertions generated by AI. These errors can waste judicial time, prejudice opposing parties, and undermine professional obligations. The appropriate response is not necessarily to prohibit every use of AI. Instead, all legal authorities and factual assertions must be independently verified. Responsibility for a filing must remain with the person or professional who submits it, and courts should have clear procedures for addressing serious or repeated misuse.

Emerging Challenges in the Use of AI and Technology

Algorithmic bias and discrimination

AI systems learn patterns from data, and historical judicial records may contain patterns influenced by social inequalities, inconsistent practices, or incomplete information. If these patterns are incorporated into automated recommendations, they may reproduce or amplify unequal treatment.

The risk is particularly serious where AI is used to assess credibility, predict case outcomes, recommend bail-related decisions, or classify litigants according to risk. Such applications may affect liberty, equality, and public confidence. Systems used in consequential settings therefore require rigorous testing, independent evaluation, and safeguards against discriminatory effects.

Privacy and confidentiality

Court records may contain personal, financial, medical, and other sensitive information. Uploading pleadings, unredacted judgments, witness statements, or confidential documents to an external AI platform may expose this information to unauthorised access or further processing.

Courts should establish approved systems for judicial use, access restrictions, data-retention rules, and clear prohibitions on uploading confidential material to unauthorised platforms. Privacy safeguards must be integrated into the design and operation of court technology rather than added only after an incident occurs.

Deepfakes and manipulation of digital evidence

AI can generate or manipulate realistic images, recordings, and videos. Such material may be used to fabricate events, impersonate individuals, or distort evidence presented in court. The growing realism of synthetic media creates challenges for authentication and expert examination.

Judicial officers require appropriate training to identify warning signs and assess expert evidence. At the same time, courts should avoid assuming that digital evidence is false merely because it is capable of manipulation. Authenticity must be determined through evidence and legally appropriate procedures.

Digital divide and unequal access

Virtual hearings, online filing, and AI-enabled legal services may benefit litigants who possess reliable internet access, digital literacy, and suitable devices. However, disadvantaged individuals, rural communities, persons with disabilities, and people who are unfamiliar with digital platforms may experience additional barriers.

A technology-based justice system must therefore preserve assisted filing, accessible court facilities, multilingual interfaces, and suitable offline alternatives. Digital modernisation should supplement rather than eliminate essential human support.

Cybersecurity and institutional dependence

Court systems contain valuable and sensitive information. Cyberattacks, ransomware, unauthorised access, system outages, and supply-chain vulnerabilities may disrupt proceedings or compromise confidential records. Excessive dependence on proprietary technologies may also create difficulties concerning costs, technical control, interoperability, and long-term access to judicial data.

Strong cybersecurity controls, independent security testing, backups, incident-response procedures, and continuity planning are essential. Courts should retain institutional control over critical systems and ensure that vendors are subject to appropriate security and confidentiality requirements.

Accountability and explainability

When an AI system contributes to an error, responsibility may be difficult to allocate among the technology provider, court administration, judicial officer, or other user. A system may also generate recommendations without providing an intelligible explanation of how the output was produced.

In judicial settings, it must be possible to identify who authorised the use of a system, what role it played, whether its output was verified, and how a person affected by an error can seek correction. The more consequential the application, the stronger the requirements for explainability, auditability, and human oversight should be.

Comparative International Perspectives

A comparative approach can help India develop a responsible framework for judicial AI. International experience suggests that technological innovation is most effective when accompanied by clear rules, professional training, and institutional accountability.

European Union

The European Union has developed a comprehensive regulatory approach to AI through the Artificial Intelligence Act, Regulation (EU) 2024/1689 [6]. Its risk-based framework addresses different categories of AI systems and identifies certain uses associated with the administration of justice as particularly sensitive. The Act's classification and obligations must be assessed according to the particular system, intended purpose, and applicable provisions.

For India, the principal lesson is that AI used in consequential legal contexts should be subject to risk assessment, appropriate documentation, transparency, and safeguards proportionate to the potential impact on fundamental rights. However, European requirements cannot simply be transplanted into India without considering the structure of Indian courts, available resources, and constitutional context.

United Kingdom

The United Kingdom has issued judicial guidance concerning the use of AI by judicial office-holders. The approach recognises that AI may assist with administrative tasks and preliminary research but warns against relying on unverified output or exposing confidential information. It emphasises the responsibility of judicial officers to understand the limitations of the tools they use.

India can draw from this approach by developing practical guidance for judges and court staff, including rules on verification, confidentiality, disclosure where appropriate, and the limits of permissible AI use.

Singapore

Singapore has adopted guidance concerning the use of generative AI tools by court users and has explored technological applications in judicial administration. Its approach illustrates the importance of clear professional

expectations and cautious implementation rather than unregulated experimentation.

India could similarly distinguish between low-risk administrative applications and high-impact uses that may influence substantive legal outcomes. The level of scrutiny should increase according to the risk to liberty, property, privacy, and procedural fairness.

Relevance for India

The international experience supports four broad principles: human control, risk-based governance, accuracy and verification, and protection of confidential information. India's Supreme Court White Paper provides an important domestic basis for adapting these principles to Indian judicial institutions.

Conclusion

Artificial intelligence and digital technology have the potential to transform the Indian judiciary by improving case management, expanding access to legal information, reducing repetitive administrative work, and supporting legal research, translation, and transcription. Initiatives such as the e-Courts Project, SUPACE, SUVAS, LegRAA, and Digital Courts 2.1 illustrate the growing institutional interest in technology-enabled justice. However, technological advancement must remain consistent with constitutional values. Algorithmic bias, inaccurate legal citations, privacy violations, manipulated digital evidence, cybersecurity threats, and unequal digital access can undermine the fairness and credibility of judicial proceedings. These concerns demonstrate that efficiency cannot be the sole objective of judicial modernisation. The constitutional guarantees of equality, privacy, fair procedure, and equal access to justice provide the foundation for responsible technological adoption. Existing legislation offers important safeguards, but further clarification of judiciary-specific rules, professional responsibilities, and institutional accountability remains necessary.

India should adopt a human-centred, risk-based framework that requires independent verification, appropriate data protection, regular auditing, judicial training, and effective remedies for technology-related errors. AI should assist judges in examining information and managing judicial processes, but it should not replace independent judicial reasoning or transfer responsibility for decisions to automated systems. Ultimately, the success of AI in the Indian judiciary must be measured not simply by faster processes but by whether technology improves the quality, fairness, accessibility, and credibility of justice. A carefully regulated approach can strengthen the judicial system while preserving judicial independence, constitutional rights, and public confidence in the rule of law.

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