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Recognition	Approved by the Bar Council of India
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LAW IN THE AGE OF ARTIFICIAL INTELLIGENCE

A Fundamental Perspective



ABOUT THE INTERNATIONAL CONFERENCE

The International Conference on “Law in the Age of Artificial Intelligence: A Fundamental Perspective” provided an academic platform to examine the transformative impact of Artificial Intelligence on law, legal systems, governance and society.

The conference explored emerging legal and ethical questions relating to Artificial Intelligence, including intellectual property, authorship and ownership, liability, data privacy, cybersecurity, criminal justice, evidence law, human rights, ethics and accountability. It addressed the implications of Artificial Intelligence for legal education, commercial law, regulatory frameworks, policy development, research and scholarly communication.

The conference brought together academicians, research scholars, legal professionals and students to present research, exchange ideas and engage in interdisciplinary discussions. It encouraged meaningful academic dialogue and contributed towards the development of effective, ethical and inclusive legal responses to the rapidly evolving Artificial Intelligence landscape.

Conference	International Conference
Theme	Law in the Age of Artificial Intelligence: A Fundamental Perspective
Date	24 January 2026
Time	10:00 AM onwards
Mode	Online
Organised by	IQAC, Student Research Society and Library Committee
Publication Partner	LawFoyer International Journal of Doctrinal Legal Research [ISSN: 2583-7753]

PRINCIPAL'S MESSAGE

KES' Shri. Jayantilal H. Patel Law College



It gives me immense pleasure to welcome all academicians, research scholars, legal professionals and students to the International Conference on “Law in the Age of Artificial Intelligence: A Fundamental Perspective.”

Artificial Intelligence is transforming the way societies function and is increasingly influencing legal systems, governance, professional practices and education. These developments bring significant opportunities as well as complex legal, ethical and social challenges.

This conference provided a valuable platform for intellectual exchange and interdisciplinary dialogue on emerging issues such as data privacy, intellectual property, liability, criminal justice, human rights, ethics and the governance of Artificial Intelligence. The scholarly contributions and discussions during the conference encouraged deeper understanding and promoted responsible approaches to the use of Artificial Intelligence.

I extend my best wishes to all the speakers, researchers, presenters, participants and members of the organising team for a meaningful and intellectually enriching conference.

DR. VIRAL DAVE

I/c. Principal

KES' Shri. Jayantilal H. Patel Law College

ORGANISING COMMITTEE

International Conference on Law in the Age of Artificial Intelligence



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AI AND HUMAN RIGHTS PROTECTION

Adv. Uchita G. Barve¹

I. ABSTRACT

The rapid evolution of technology has profoundly transformed modern life, with Artificial Intelligence (AI) emerging as one of the most influential technological developments. By processing vast datasets, predicting outcomes, and assisting decision-making, AI enhances efficiency, accuracy, and productivity. While these advancements promote social and economic development, they also raise significant human rights concerns. The widespread use of AI introduces challenges such as privacy violations, mass surveillance, algorithmic bias, job displacement, cybercrime, and the misuse of deepfakes. Vulnerable groups, particularly women and children, face increased risks of online exploitation, harassment, and non-consensual content. These concerns necessitate a careful evaluation of whether existing legal frameworks are sufficient to regulate AI without hindering innovation. AI tools like ChatGPT, Google Gemini, and Google Translate have transformed and reshaped education, workplaces, healthcare, and governance. Innovations such as virtual court hearings and telemedicine have improved accessibility and efficiency. However, in medical and judicial contexts, AI may also threaten professional autonomy and human judgment. Despite its benefits, AI poses risks such as overreliance, reduced physical activity, and threats to employment. For instance, large-scale automation in countries like China has reduced reliance on human labour. Additionally, AI's ability to access and misuse personal data, including through platforms like Google Photos, raises serious concerns about privacy and dignity. In India, initiatives such as Bhashini, Kisan E-Mitra, and Aarogya Setu demonstrate AI's positive impact. However, robust legal and ethical frameworks are essential to ensure that AI development aligns with human rights principles, safeguarding dignity, equality, and freedom. This paper examines the intersection of AI and human rights in India. It evaluates AI's impact on privacy, equality, dignity, and freedom of expression, reviews national and international legal frameworks, and highlights the urgent need for ethical governance and balanced regulation.

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II. KEYWORDS

Artificial Intelligence, Human Right's, Privacy, Algorithmic Bias, Digital Governance.

III. INTRODUCTION AND RESEARCH PROBLEM

Human civilisation has progressed alongside scientific and technological developments. In recent years, digitalisation and automation have transformed areas such as communication, education, healthcare, employment, banking, and governance. Artificial Intelligence (AI) marks a major technological advancement due to its ability to replicate human intelligence and perform tasks with minimal human involvement.

AI systems increasingly influence decision-making in courts, workplaces, hospitals, and government institutions. Remote hearings, AI-assisted administration, digital learning platforms, and automated financial services reflect AI's growing presence. Institutions such as ISRO and NASA also employ AI for surveillance and space research.

Excessive reliance on automated systems may weaken human judgment and pose risks to fundamental rights. In the absence of effective legal regulation, AI may lead to misuse and concentration of power.

Human rights are inherent, universal, and inalienable, forming the foundation of democratic governance. Rapid technological advancement has created new challenges to the protection of these rights, particularly privacy, equality, dignity, and freedom of expression. Therefore, it is essential to ensure that technological progress remains consistent with constitutional values and human rights principles.

"The term 'Human Rights' is a broad concept and cannot be straitjacketed within narrow confines. An attempt to do so would truncate its all-embracing scope and reach, and denude it of its vigour and vitality."²

REVIEW OF LITERATURE

² In *Ram Deo Chauhan @ Rajnath Chauhan v. Bani Kant Das & Ors.*, (2010) 14 SCC 209: AIR 2011 SC 615, decided on 19 November 2010 by Justice A.K Ganguly. of the Supreme Court., 2010

Artificial Intelligence (AI) has emerged as a transformative force across multiple sectors, including healthcare, education, governance, and employment. Existing literature highlights that AI significantly enhances efficiency, accuracy, and decision-making capabilities. According to the NITI Aayog in its *National Strategy for Artificial Intelligence (2018)*, AI is expected to play a crucial role in fostering economic growth and improving public service delivery in India. The report emphasizes the potential of AI-driven solutions in areas such as smart governance, precision agriculture, and digital healthcare, thereby contributing to national development.

However, alongside these advancements, scholars have raised serious concerns about the implications of AI on fundamental human rights. One of the primary issues discussed in academic literature is the right to privacy. AI systems rely heavily on large datasets, often including sensitive personal information. The risk of unauthorized access, surveillance, and misuse of such data has been widely acknowledged. The UNESCO in its *Recommendation on the Ethics of Artificial Intelligence (2021)* stresses the importance of safeguarding privacy and ensuring that AI systems are designed and deployed in a manner that respects human dignity and autonomy.

Another significant concern highlighted in the literature is job displacement and economic inequality. Automation powered by AI technologies has the potential to replace human labor in various industries, particularly in routine and repetitive tasks. Researchers argue that while AI creates new opportunities, it also leads to structural changes in the labor market, which may disproportionately affect low-skilled workers. This dual impact necessitates policy interventions focused on reskilling and inclusive growth, as also suggested by policy frameworks such as those proposed by NITI Aayog.

Furthermore, the misuse of AI technologies has been a critical area of concern in recent scholarly discussions. AI can be used to manipulate content, create deepfakes, and spread misinformation, posing serious threats to dignity, reputation, and social stability. Studies indicate that such misuse disproportionately impacts vulnerable groups, particularly women, by facilitating online harassment and defamation. The ethical implications of these developments have led to increased calls for regulatory frameworks and accountability mechanisms.

Bias and discrimination in AI systems also form a substantial part of the existing literature. AI algorithms are often trained on historical data, which may contain inherent biases. As a result, AI systems can perpetuate or even amplify discrimination in areas such as hiring, law enforcement, and access to services. The UNESCO emphasizes the need for fairness, transparency, and accountability in AI systems to address these challenges and ensure equitable outcomes.

In addition, scholars have examined the legal and ethical dimensions of AI governance. There is a growing consensus on the need for comprehensive legal frameworks that balance innovation with the protection of human rights. International guidelines and national strategies increasingly advocate for principles such as transparency, accountability, and human oversight. These principles aim to ensure that AI technologies are aligned with democratic values and the rule of law.

Overall, the literature reflects a balanced perspective on AI, recognizing both its transformative potential and its associated risks. While AI offers significant benefits in terms of efficiency and innovation, it also raises complex ethical, legal, and social challenges. The existing body of research underscores the necessity of adopting a human-centric approach to AI development and governance, ensuring that technological progress does not come at the cost of fundamental human rights.

A. Objectives of the Study

1. To examine the development and conceptual framework of Artificial Intelligence.
2. To analyse challenges arised due to AI in cyber exploitation on woman and children.
3. To evaluate the effectiveness of India's existing legal and constitutional safeguards.
4. To propose measures for harmonising technological progress with human rights protection.
5. To examine relevant judicial developments and case laws relating to Artificial Intelligence and human rights protection.

B. Scope And Significance of the Study

This study provides detailing about how Artificial Intelligence affects human rights in India, particularly privacy, equality, dignity, and livelihood, by examining existing legal and ethical frameworks associated to it. It also explores how the legal frameworks ensure protection to human life, along with protection of rights and privacy.

C. Research Questions

1. What impact does Artificial Intelligence have on fundamental human rights?
2. How do AI triggers and threaten privacy, equality, and personal dignity?
3. How does AI pose heightened risks to women and children, particularly in matters of cyber exploitation and privacy?
4. Are the existing Indian legal frameworks sufficient to regulate rights violations caused by AI?
5. Which regulatory, ethical measures and standard rules can ensure AI development?

D. Research Methodology

This study adopts a doctrinal and analytical legal research methodology. It is based primarily on the examination of constitutional provisions, statutory enactments, judicial precedents, government policy documents, and international legal instruments relevant to Artificial Intelligence and human rights protection. The study also relies on secondary sources such as books, journal articles, institutional reports, and verified online materials to understand the legal, ethical, and social implications of AI in India.

The research analyses the impact of AI on privacy, equality, dignity, livelihood, and freedom of expression, while evaluating the adequacy of India's existing legal framework. Since the study is doctrinal in nature, it does not involve empirical fieldwork or primary data collection, and is limited to publicly available legal, policy, and academic sources.

IV. HISTORY OF AI TECHNOLOGY

The roots of Artificial Intelligence (AI) lie in early advances in computer science and logic, including Boolean theory.

John McCarthy³ was one of the founders of AI field who stated that AI is science and engineering of making intelligent machines, especially intelligent computer programs. John McCarthy organized a conference on machine intelligence in 1956 and since then the field was known as Artificial Intelligence.

Frame theory was one of the new methods developed by Minsky during 1974 (Minsky's, 1974) in the development of AI for storing structured knowledge to be used by AI programs.

AI enables machines and software to perform tasks traditionally requiring human intelligence, including learning, reasoning, problem-solving, and decision-making.

AI is generally classified into three categories:

1. **Narrow AI:** Designed for specific tasks, such as voice assistants or facial recognition.
2. **General AI:** Intended to replicate human-like intelligence across multiple domains.
3. **Super AI:** Hypothetical AI that surpasses human cognitive abilities.

Currently, most deployed AI systems fall under Narrow AI.

A. Human's Right to Development and Technology

The right to development recognises that every individual is entitled to participate in and benefit from social, economic, and technological progress. This technological development in society has brought lot of reforms, transformation, and changes in humans' way of living.

Technological innovation has played a crucial role in improving education, healthcare, communication, and economic opportunities.

Educational platforms have expanded access to learning, while AI-assisted diagnostics have enhanced healthcare outcomes.

However, development must remain inclusive and rights-based. Technological advancement that ignores ethical standards risk deepening social inequalities and

³ McCarthy, J. (2007), "What is Artificial Intelligence?", Stanford University.

excluding vulnerable communities. Therefore, AI-driven development must be guided by human rights principles.

Technological innovation has significantly improved education, healthcare, communication, and economic opportunities. AI tools such as digital learning platforms, voice-assisted technologies, automated translation services, and smart workplace systems have increased efficiency and reduced human strain.

V. ADOPTION OF AI IN INDIA

India has increasingly embraced AI to promote digital transformation and economic growth. Government initiatives like multilingual digital platforms, AI-based agricultural advisory services, and public health monitoring tools demonstrate AI's potential to improve service delivery. AI has also contributed to financial inclusion through digital payment systems and automated banking services.

AI applications are widely used in agriculture, healthcare, education, governance, finance, and public infrastructure. Initiatives such as Bhashini, Kisan e-Mitra, Aarogya Setu, and digital identification systems demonstrate AI's role in improving service delivery and accessibility.

A. India's Future Plan with AI (2026-2035)

The Indian government has also announced and advanced initiatives such as the IndiaAI Mission, Bharat GenAI, the proposed AI Impact Summit 2026, and the India AI Governance Guidelines issued by MeitY in November 2025. The India AI Governance Guidelines represent a significant sector-agnostic policy development under the IndiaAI Mission and set out a principle-based approach to responsible AI governance. They are structured around seven guiding principles, referred to as "Sutras", and make recommendations across six governance pillars, including infrastructure, capacity building, policy and regulation, risk mitigation, accountability, and institutional mechanisms.

India aims to harness AI for inclusive and responsible development:

1. **IndiaAI Mission:** Promotes research, innovation, AI adoption, and responsible AI capacity-building in governance and industry.
2. **Bharat GenAI:** Supports AI-based solutions for national and public-interest challenges.

3. **AI Impact Summit 2026:** Reflects India's intention to participate actively in global AI governance and responsible innovation discussions.
4. **India AI Governance Guidelines, 2025:** Provide India's first comprehensive, sector-agnostic AI governance framework based on seven guiding "Sutras", six governance pillars, and proposed institutional mechanisms such as the AI Governance Group, Technology and Policy Expert Committee, and AI Safety Institute.
5. **Digital Shram Setu Mission:** Aims to use AI-enabled platforms for worker empowerment and inclusive access to welfare and employment-related services

However, challenges such as data privacy concerns, digital illiteracy, algorithmic opacity, and the absence of binding AI-specific legislation remain significant. The India AI Governance Guidelines, 2025 mark an important step toward structured AI governance by proposing a non-binding, principle-based framework supported by institutional mechanisms such as an AI Governance Group, a Technology and Policy Expert Committee, and an AI Safety Institute. Nevertheless, as these Guidelines do not operate as binding legislation, concerns remain regarding enforceability, remedies, penalties, and accountability for rights violations caused by high-risk AI systems.

VI. IMPACT OF AI ON HUMANS

AI has made huge impact on humans. AI has influenced both the physical and psychological aspects of human life. Increased reliance on digital platforms has reduced physical activity and contributed to health-related issues. Prolonged screen exposure and dependency on automated systems have also affected mental well-being.

Due to COVID-19 people have learnt about office work can be handled from home. In the workplace, automation has improved efficiency but raised concerns regarding unemployment and job insecurity. Many industries increasingly rely on AI-powered machines, reducing the demand for human labour. This shift threatens the right to livelihood, particularly for low-skilled workers.

AI tools have been widely adopted by humans through educational videos, online classes, etc. In education, AI tools offer convenience and accessibility but raise ethical concerns when misused for academic work, affecting originality and intellectual development.

Furthermore, AI is also helping humans to make online bank transactions such as online transfer through online banking services or through payment apps, online shopping such as Amazon, FlipKart, Zepto, Blinkit etc. Moreover, students are using AI technology, ChatGPT apps etc for their school projects, research paper etc.

VII. RISK FACTORS RELATED TO AI

AI can be misused for cybercrime, identity theft, financial fraud, and the creation of deepfakes, leading to defamation and exploitation. AI's capability of stripping individuals of their privacy/ dignity through non-consensual content. Women and children are particularly vulnerable to AI-enabled online harassment, non-consensual content, impersonation, deepfakes, and cyber exploitation. In relation to children, Section 67B of the Information Technology Act, 2000 provides a targeted statutory safeguard against electronic material depicting children in sexually explicit or obscene forms, thereby making it directly relevant to the paper's child-protection concerns.

Excessive use of AI-driven gaming platforms has also been linked to psychological distress; for instance, a 16-year-old from Hingerwal and a 20-year-old college student from Saddar Bazaar, Lahore, committed suicide due to addiction to the game PUBG. AI-powered surveillance and facial recognition systems, while improving efficiency, also pose risks of mass surveillance, racial profiling, and misuse.

AI-powered surveillance and facial recognition systems, such as Digi Yatra and Indian Railways security, improve efficiency but also risk mass surveillance, racial profiling, and misuse.

In employment, AI hiring tools can perpetuate biases, screening out qualified candidates based on gender, location, or other irrelevant factors. One example related to it is in Amazon's AI hiring tool ((2018)) "Amazon scraps secret AI recruiting tool that showed bias against women." The influence of AI on human life spans physical, social, and economic domains.

Overall, AI impacts human life across physical, social, and economic domains, and its deployment requires accountability and ethical safeguards.

VIII. IMPACT OF AI ON JUDICIAL AND LEGAL SYSTEM

AI is actively being used in courtrooms and for judicial processes worldwide. In 2025-2026, AI is been used to address massive case backlogs and improve it efficiency in legal research and document management.

The following applications and systems are used in Indian courts such as: -

1. SUPACE's (Supreme Court Portal for Assistance in Courts Efficiency) in India. It assists judges by summarizing case files, finding facts, and searching relevant precedents.
2. LegRAA (Legal Research Analysis Assistant). It is for generating issue summaries and structured briefs.
3. SUVAS (Supreme Court Vidhik Anuvaad Software) is a machine-assisted translation tool developed by the Supreme Court of India with technical support from the Ministry of Electronics and Information Technology. It is designed for the judicial domain and assists in translating English judicial documents, orders, and judgments into vernacular languages and vice versa. The manuscript should correct "SVAS" to "SUVAS." Further, instead of stating "19 regional languages," the figure should be verified and updated according to the latest official Supreme Court communication before finalisation, as official government sources have previously recorded different figures, including ten vernacular languages in 2023 and sixteen vernacular languages for e-SCR translations as of 2 December 2023. TERES is used for live, speech-to-text recording during hearings in India.
4. Adalat.AI is being deployed in district courts for witness depositions.
5. International examples such as Argentina 's Prometea which is a virtual assistant and Brazil uses Socrates. China uses 'smart courts' to handle routine, and repetitive cases.

Recent Indian judicial developments demonstrate the risks of AI-generated or hallucinated legal authorities in adjudication. In *Gummadi Usha Rani v. Sure Mallikarjuna Rao*, the matter did not arise from the Delhi High Court; it originated from proceedings before the V Additional Junior Civil Judge, Vijayawada, and thereafter came before the High Court of Andhra Pradesh before reaching the Supreme Court through a Special Leave Petition. The controversy concerned reliance on non-existent citations allegedly generated through AI, thereby highlighting the need for verification of AI-assisted legal research and the preservation of judicial integrity.

On 24th August 2017, a nine-judge bench of the Supreme Court in Justice K.S. Puttaswamy vs Union of India⁴ passed a historic judgment affirming the constitutional right to privacy. It declared privacy to be an integral component of Part III of the Constitution of India, which lays down our fundamental rights, ranging from rights relating to equality (Articles 14 to 18); freedom of speech and expression (Article 19(1)(a)); freedom of movement (Article 19(1)(d)); protection of life and personal liberty (Article 21) and others. These fundamental rights cannot be given or taken away by law, and all laws and executive actions must abide by them.

IX. INTERNATIONAL FRAMEWORK

Global instruments provide guidance and emphasise dignity, equality, privacy, and the right to work. for AI governance:

A. Universal Declaration of Human Rights (UDHR) [Article 2, Article 23 (i)]

Articles 2 and 23 of the Universal Declaration of Human Rights (UDHR) establish fundamental protections against discrimination and guarantee the right to work under fair conditions.

1. **Article 2: Freedom from Discrimination:** This article guarantees that all rights and freedoms in the Declaration apply to everyone without distinction regarding race, sex, religion, language, or political opinion. Furthermore, these protections apply regardless of the political, jurisdictional, or international status of a person's country or territory.
2. **Article 23: Right to Work:** This article outlines essential labour rights, including:
 - **Employment and Conditions:** The right to work, free choice of employment, just conditions, and protection against unemployment.
 - **Equal Pay and Protection:** The right to equal pay for equal work without discrimination.
 - **Fair Compensation:** Remuneration ensuring a dignified existence, supplemented by social protection if necessary.

⁴ K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1

- **Freedom of Association:** The right to form and join trade unions for protecting interests.

B. International Covenant on Civil and Political Rights (ICCPR) (Article 2)

1. **Article 2:** Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

- Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.
- Each State Party to the present Covenant undertakes:
 - To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
 - To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative, or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
 - To ensure that the competent authorities shall enforce such remedies when granted.

C. International Covenant on Economic, Social, and Cultural Rights (ICESCR) [Article 6]

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by

work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

D. International Labour Organization

The International Labour Organization (ILO), a United Nations agency, focuses on advancing social and economic justice through the world of work. It operates a dedicated Employment Policy, Job Creation and Livelihoods Department tasked with promoting full, productive, and decent employment globally. International Labour Organization, Core Employment Initiatives. The ILO supports its 187 member states through several key pillars:

1. **National Employment Policies:** Assisting governments in developing frameworks that align economic and social policies with job creation.
2. **Decent Work Agenda:** Promoting a human-centered approach focused on four pillars: rights at work, employment creation, social protection, and social dialogue.
3. **Employment Services:** Guiding public and private services to connect job seekers with employers, especially for vulnerable groups like youth and migrants.
4. **Fair Recruitment:** Implementing general principles and guidelines to eliminate unethical practices and recruitment fees for workers.

E. The European Union's AI Act and GDPR

The European Union's AI Act and GDPR offer regulatory models emphasizing risk-based oversight, transparency, and accountability.

The EU AI Act (2024) is the world's first comprehensive AI regulation, focusing on risk-based classification (prohibited, high-risk, limited-risk) to complement the

existing General Data Protection Regulation (GDPR). While GDPR protects personal data, the AI Act governs the safety and reliability of AI systems, with both frameworks often applying simultaneously to AI processing.

Key Intersections and Differences:

1. **Purpose:** GDPR governs personal data processing; the AI Act focuses on the safety and ethical implementation of AI, regardless of whether it uses personal data.
2. **Risk-Based Approach:** The AI Act categorizes AI into prohibited (e.g., social scoring), high-risk (e.g., CV scanning), and limited risk, imposing obligations according to risk level.
3. **Data Governance:** The AI Act (Article 10) mandates specific quality criteria for datasets used in high-risk AI, augmenting GDPR's data minimization and accuracy principles.
4. **Compliance Alignment:** Concepts like Data Protection Officers (DPOs) under GDPR are extending to AI officer roles, aiming to harmonize risk assessments.

International organizations such as **UNICEF**, **UNESCO**, and **ILO** promote ethical AI deployment, particularly for child protection and labour rights.

X. INDIAN LEGAL FRAMEWORK

India's Constitution guarantees fundamental rights, including:

1. Right to Life and Personal Liberty (Article 21)
2. Right to Equality (Article 14)
3. Freedom of Expression (Article 19)
4. Right to Education (Article 21A)
5. In India, the Digital Personal Data Protection Act, 2023, the Digital Personal Data Protection Rules, 2025, and the Information Technology Act, 2000 together provide important safeguards relating to personal data, cyber offences, intermediary responsibility, and digital rights. The DPDP Rules, 2025 operationalise the 2023 Act by prescribing mechanisms for notice and consent, registration and functioning of consent managers, breach reporting, safeguards for children's data, and the functioning of the

Data Protection Board. The Rules were published by MeitY on 14 November 2025, with related official material indicating a phased enforcement structure.

6. The Information Technology Act, 2000, along with intermediary guidelines and related cyber-law provisions, partially regulates AI-enabled harms such as privacy violations, cyber exploitation, identity misuse, obscene or harmful digital content, and intermediary accountability. Sections 65, 66E, 67, and allied provisions remain relevant to data misuse, privacy violations, and online exploitation. However, after the notification of the DPDP Rules, 2025, India's data-protection framework has become more operational, particularly in relation to consent-based processing, breach notification, children's personal data, and the Data Protection Board. Even so, these measures do not fully resolve AI-specific concerns such as algorithmic opacity, automated decision-making, profiling, deepfakes, and discriminatory AI outcomes.
7. A major recent development is the Digital Personal Data Protection Rules, 2025, notified/published by MeitY in November 2025 to operationalise the Digital Personal Data Protection Act, 2023. These Rules provide the procedural framework for implementation of the Act, including notice and consent requirements, consent-manager registration, personal data breach reporting, safeguards for children's personal data, and institutional functioning of the Data Protection Board. They are significant for AI governance because AI systems frequently depend on large-scale collection, processing, and analysis of personal data. The Rules therefore strengthen privacy protection in areas such as consent, accountability, breach response, and children's data. However, their scope remains limited to digital personal data protection and does not fully address distinct AI-related risks such as algorithmic bias, lack of explainability, profiling-based discrimination, AI hallucinations, and automated decision-making without meaningful human review. Accordingly, while the DPDP Rules, 2025 reduce some regulatory gaps, India still requires a broader AI-specific framework grounded in transparency, accountability, fairness, and human rights protection.
8. A major recent development in India's AI policy landscape is the India AI Governance Guidelines, 2025, unveiled by MeitY under the IndiaAI Mission. These Guidelines adopt a principle-based and sector-agnostic approach to AI governance, rather than creating an immediately binding AI statute. They are founded on seven guiding

principles or “Sutras” and recommend governance measures across six pillars, including infrastructure, capacity building, policy and regulation, risk mitigation, accountability, and institutional governance. The proposed institutional architecture, including the AI Governance Group, Technology and Policy Expert Committee, and AI Safety Institute, indicates India’s movement toward structured AI oversight. However, because the Guidelines are presently non-binding, they may not be sufficient to address serious human rights risks such as algorithmic discrimination, mass surveillance, deepfakes, AI hallucinations, and automated decision-making without meaningful human review. Therefore, while the Guidelines strengthen India’s AI governance framework, they also reinforce the need for enforceable legal safeguards grounded in transparency, accountability, fairness, and human dignity.

XI. LANDMARK CASES RELATED WITH AI

Arijit Singh vs. Codible Ventures LLP, COM IPR Suit (L) No: -23443 of 2024. AI-generated music raised questions of personality rights decided by the Bombay High Court on 26 July 2024. AI tools infringe individual’s right to control and protect their own likeness/voice; Bombay HC grants ad-interim injunction in favour of Arijit Singh to protect his personality rights.

Making AI tools available that enable conversion of any voice into that of a celebrity without their permission constitutes a violation of their personality rights and such tools facilitate unauthorized appropriation and manipulation of a celebrity’s voice, which is a key component of their personal identity and public persona.

The Court opined that creation of new audio or video content/songs/videos in plaintiff’s AI name/voice, photograph, image, likeness, and persona without his consent and commercially using the same could potentially jeopardize plaintiff’s career/livelihood. Allowing defendants to continue using plaintiff’s name, voice, likeness, etc. in the form of an AI content, without consent of plaintiff, not only risks severe economic harm to plaintiff’s life/career, but also leaves room for opportunities for misutilization of such tools by unscrupulous individuals for nefarious purposes.

The Court stated that the advertisement, promotion, and sale of merchandise such as posters, caricatures, portraits, t-shirts/clothing, framed photographs, guitar tabs, face-

masks, etc. bearing/exploiting plaintiff's personality traits as done by Defendants 11 to 23, without any permission from plaintiff, was in violation of his personality rights and right of publicity.

The Court held that plaintiff made a strong case for the grant of ad-interim injunction, which might also operate as a dynamic injunction. The Court restrained Defendants 1 to 25, 37 and 38 from violating the Personality Rights and/or Publicity Rights of plaintiff by utilizing and/or in any manner, directly or indirectly, using or exploiting or misappropriating plaintiff's Personality Rights and/or Publicity Rights using his (i) name "Arijit Singh", (ii) voice/vocal style and technique/vocal arrangements and interpretations, (iii) mannerism/manner of singing, (iv) photograph, image, or its likeness, (v) signature, persona, and/or any other attributes of his personality in any form, for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever, without plaintiff's consent and/or authorization.

The Court directed Defendants 26, 27 and 30 to only lock/suspend the domain names 'arijitsingh.com' and 'arijitsingh.in' and not to permit any transfer to third parties until the next date of hearing. The Court also directed Defendants 1, 2, and 7 to edit/delete/remove all references to plaintiff's personality traits, including his name, voice, image, likeness, etc. from the videos available on various links.

Andersen v. Stability AI Ltd. should not be described as a settled landmark ruling. It is an ongoing class-action lawsuit before the United States District Court for the Northern District of California concerning copyright, consent, and related claims arising from AI-generated art and training data. The case has survived in part at the motion-to-dismiss stage, and later pleadings and discovery proceedings remain pending. Therefore, it may be cited only as an important ongoing AI-related litigation, rather than as binding or finally decided precedent.

Justice K.S. Puttaswamy (Retd.) & Anr. vs. Union of India & Ors. (2017), commonly known as the Right to Privacy verdict, was a landmark decision of the Supreme Court of India, which held that the right to privacy is protected as a fundamental right under Articles 14, 19 and 21 of the Constitution of India. The original petitioner Justice K.S. Puttaswamy was a former judge of the Karnataka High Court.

A nine-judge bench of J. S. Khehar, J. Chelameswar, S. A. Bobde, R. K. Agrawal, R. F. Nariman, A. M. Sapre, D. Y. Chandrachud, S. K. Kaul, and S. A. Nazeer unanimously held that "the right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution." It explicitly overrules previous judgements of the Supreme Court in *Kharak Singh vs. State of UP* and *M.P. Sharma vs. Union of India*, which held that there is no fundamental right to privacy under the Indian Constitution.

This judgement settled this position of law and clarified that the Right to Privacy could be infringed upon only when there was a compelling state interest for doing so. This position was the same as with the other fundamental rights.

XII. ANALYSIS

The analysis of Artificial Intelligence (AI) within the framework of human rights in India reveals a complex interaction between technological advancement and constitutional safeguards. While earlier sections have outlined the benefits, risks, and legal developments associated with AI, this section critically synthesizes those findings and evaluates the adequacy of existing legal frameworks in addressing emerging challenges.

At the outset, AI technologies have demonstrated significant potential in enhancing efficiency, accuracy, and accessibility across sectors such as healthcare, education, governance, and law enforcement. However, these advantages must be carefully balanced against the risks posed to fundamental rights guaranteed under the Constitution of India, particularly the right to equality, freedom of speech and expression, and the right to privacy.

One of the central concerns is the right to privacy, which has been recognised as a fundamental right. AI systems rely heavily on large-scale data collection, processing, profiling, and surveillance, often raising concerns regarding meaningful consent and informed user control. The DPDP Rules, 2025 strengthen India's privacy framework by operationalising the Digital Personal Data Protection Act, 2023, including provisions on consent mechanics, breach notification, children's data safeguards, and the Data Protection Board. In cases of personal data breach, reporting obligations include intimation to affected data principals and reporting to the Board, with detailed reporting requirements within prescribed timelines. Nevertheless, the Rules remain primarily data-protection oriented and do not, by themselves, constitute a

comprehensive AI-specific law addressing algorithmic bias, explainability, automated decision-making, and human oversight.

Further, the issue of algorithmic bias and discrimination raises serious questions under the principle of equality. AI systems, if trained on biased datasets, may perpetuate or even exacerbate existing social inequalities, particularly affecting marginalized communities. This is especially concerning in India's diverse socio-economic context, where systemic inequalities already exist. The lack of transparency in algorithmic decision-making—often referred to as the “black box” problem—makes it difficult to challenge or even identify discriminatory outcomes.

Another critical dimension is the impact of AI on employment and livelihood. Automation and AI-driven processes are likely to displace certain categories of jobs, particularly those involving repetitive or routine tasks. While AI may create new opportunities, the transition is unlikely to be equitable, potentially leading to increased economic inequality. This raises concerns under the broader interpretation of the right to livelihood and the State's obligation to ensure social and economic justice.

The misuse of AI technologies, particularly in the creation of deepfakes and misinformation, poses a direct threat to dignity, reputation, and democratic processes. Such technologies can be weaponized to target individuals, especially women, through non-consensual content, thereby violating their rights to dignity and privacy. Existing legal provisions, including those under information technology laws, are often inadequate to address the speed, scale, and sophistication of such threats.

From a regulatory perspective, India currently relies on constitutional provisions, judicial precedents, data-protection law, sector-specific regulations, and emerging AI governance frameworks. The RBI's FREE-AI framework illustrates India's sectoral approach by focusing specifically on responsible AI adoption in the financial sector. It recognises that AI in finance must balance innovation with risk mitigation, consumer protection, accountability, explainability, and institutional governance. However, such sector-specific frameworks do not fully resolve the need for a broader horizontal AI law applicable across sectors such as healthcare, education, employment, law enforcement, and public administration.

The India AI Governance Guidelines, 2025 reduce some regulatory uncertainty by proposing a national governance approach based on trust, people-first development, fairness,

accountability, explainability, safety, resilience, and sustainability. However, their non-binding and principle-based nature means that they cannot fully substitute a comprehensive AI-specific statute. A binding legal framework is still required to address accountability, transparency, fairness, explainability, human oversight, liability, and enforceable remedies for AI-related human rights violations. Such a framework must be aligned with international human rights standards while being sensitive to India's unique socio-legal context.

In evaluating the adequacy of existing frameworks, it becomes evident that while the judiciary has played a proactive role in interpreting fundamental rights in light of technological changes, legislative action has been relatively slow. The absence of clear guidelines on algorithmic accountability, data governance, and ethical AI deployment creates uncertainty and increases the risk of rights violations.

To address these challenges, a multi-stakeholder approach is essential. The State, private sector, civil society, and academia must collaborate to develop robust governance mechanisms. This includes the formulation of ethical AI guidelines, strengthening data protection laws, ensuring transparency in algorithmic processes, and promoting digital literacy among citizens.

Moreover, it is crucial to incorporate human rights impact assessments in the development and deployment of AI systems. Such assessments can help identify potential risks at an early stage and ensure that appropriate safeguards are implemented. The principle of "privacy by design" and "ethics by design" should be embedded into AI systems from the outset.

Finally, this analysis addresses the study's stated objectives and research questions by examining the development of Artificial Intelligence, its impact on privacy, equality, dignity, livelihood, and freedom of expression, and the adequacy of India's existing legal and constitutional safeguards. It demonstrates that while AI has transformative potential, it also creates serious risks through algorithmic bias, surveillance, deepfakes, cyber exploitation, and job displacement. The analysis further establishes that India's present legal framework remains fragmented and requires clearer regulatory standards, ethical safeguards, and accountability mechanisms to ensure that AI development remains consistent with human rights principles.

XIII. SUGGESTIONS

In light of the analysis of Artificial Intelligence and its implications on human rights in India, the following specific and actionable recommendations are proposed:

1. **Enactment of a Comprehensive AI Regulation Law:** India should introduce a dedicated Artificial Intelligence Regulation Act that builds upon, but goes beyond, the India AI Governance Guidelines, 2025. While the Guidelines provide a valuable principle-based framework through seven “Sutras”, six governance pillars, and proposed institutional mechanisms, their non-binding character limits enforceability. A comprehensive AI law should therefore define algorithmic accountability, human oversight, risk classification, liability, audit obligations, grievance redressal, and penalties for misuse, while ensuring compliance with constitutional values and international human rights standards.
2. **Mandatory Algorithmic Impact Assessments (AIA):** All public and private entities deploying high-risk AI systems should be required to conduct Algorithmic Impact Assessments prior to implementation. These assessments must evaluate potential risks related to privacy, discrimination, transparency, and fairness, and should be subject to independent review and public disclosure where necessary.
3. **Establishment of an Independent AI Regulatory Authority / Ombudsman:** An independent regulatory body or AI Ombudsman should be established to:
 - Monitor AI-related activities
 - Address grievances arising from AI-based decisions
 - Ensure compliance with ethical and legal standards
 - Impose penalties for violationsThis body should function with transparency, autonomy, and accountability.
4. **Strengthening the Digital Personal Data Protection Act, 2023:** The existing data protection framework must be amended to specifically address AI-driven data processing, including:
 - Automated decision-making safeguards
 - Right to explanation for algorithmic decisions
 - Enhanced consent mechanisms

- Strict penalties for misuse of personal data
5. **Amendments to the Information Technology Act, 2000:** The IT Act should be updated to include:
- Specific provisions addressing AI-generated deepfakes
 - Criminal liability for malicious use of AI technologies
 - Fast-track grievance redressal mechanisms for victims

Special emphasis should be placed on protecting women and children from AI-enabled exploitation.

6. **Ensuring Algorithmic Transparency and Explainability:** Developers and deployers of AI systems must ensure that their algorithms are transparent and explainable, particularly in sectors such as law enforcement, finance, and healthcare. Users should have the right to understand how decisions affecting them are made.
7. **Addressing Algorithmic Bias and Discrimination:** Strict guidelines must be introduced to:
- Prevent biased datasets
 - Ensure regular auditing of AI systems
 - Promote fairness and inclusivity in algorithmic outcomes

Independent audits should be mandated for high-risk AI applications.

8. **Promotion of Digital Literacy and Public Awareness:** The government should initiate programs to enhance digital literacy, enabling citizens to:
- Understand AI technologies
 - Recognize risks such as deepfakes and misinformation
 - Exercise their digital rights effectively
9. **Human Rights Impact Assessments (HRIA):** In addition to technical assessments, Human Rights Impact Assessments should be mandatory to evaluate how AI systems affect fundamental rights such as privacy, equality, and dignity.
10. **International Cooperation and Ethical Standards:** India should actively participate in global AI governance initiatives and adopt international best practices to ensure responsible AI development aligned with human rights norms.

XIV. CONCLUSION

The integration of Artificial Intelligence into various sectors of Indian society represents both an unprecedented opportunity and a profound challenge to the protection of human rights. This study has demonstrated that while AI enhances efficiency, innovation, and governance, it simultaneously introduces significant risks to fundamental rights such as privacy, equality, dignity, and livelihood.

A critical finding of this research is that the existing legal and constitutional framework in India is not fully equipped to address AI-related challenges. Although constitutional principles and judicial interpretations provide a strong foundation, they are inherently reactive and lack the specificity required for regulating rapidly evolving technologies. The absence of a comprehensive AI-specific regulatory framework creates legal uncertainty and increases the potential for misuse.

The recognition of the right to privacy as a fundamental right marked a transformative step in Indian constitutional jurisprudence. However, the practical enforcement of this right in the context of AI remains weak due to gaps in data protection laws, lack of awareness, and insufficient institutional mechanisms. Similarly, the principle of equality is increasingly threatened by algorithmic bias and opaque decision-making systems, which may reinforce systemic discrimination.

The study also highlights the socio-economic implications of AI, particularly in relation to employment and livelihood. While technological advancement is inevitable, the State has a constitutional obligation to ensure that such progress does not lead to widespread displacement and inequality. Inclusive policies, skill development initiatives, and social security measures are essential to mitigate these impacts.

Furthermore, the misuse of AI in generating deepfakes and misinformation poses a serious threat to individual dignity and democratic integrity. The law must evolve to address these emerging harms through stricter accountability mechanisms and timely enforcement.

In light of these findings, the research strongly advocates for the development of a comprehensive, rights-based AI regulatory framework in India. Such a framework must incorporate principles of transparency, accountability, fairness, and ethical use, while ensuring alignment with international human rights standards.

Ultimately, the future of AI in India depends on achieving a careful balance between innovation and regulation. The law must not act as a barrier to technological progress, but as a safeguard to ensure that such progress remains human-centric, inclusive, and just. Only through proactive governance and continuous legal evolution can the promise of AI be realized without compromising the fundamental rights and freedoms of individuals.

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(Sources: The Hindu, Indian Express, BBC, Reuters, etc.)