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ARTIFICIAL INTELLIGENCE AND IMPACT **ON LEGAL PROFESSION**

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ABSTRACT

Artificial Intelligence (AI) is the recreation of human intelligence method by computer system. It is related to the idea that computer systems are supposed to have intelligence. AI is capable of making decisions and finding solutions to complicated issues in many facets of society without the assistance of humans. It has sparked an important sociological shift in the view from which human intellect is shown. The introduction of this modern technology (AI) has had various effects on the society. It enjoys many benefits but also faces complex problems that are seen to be dangerous even to itself. A computer system can carry out activities that characteristically involve human mind. Machine learning, which entails gathering the knowledge and guidelines for utilising the data, is the driving force behind artificial intelligence systems. Artificial intelligence has become very popular and necessary since it is based on the data service sectors. Technology like artificial intelligence is making a beneficial difference in our daily lives. Advanced online search engines, recommendation systems (used by YouTube, Amazon, and Netflix), voice recognition software (like Siri or Alexa), self-driving vehicles (like Tesla), and winning at the highest levels in strategic gaming systems are just a few examples of AI uses. The implementation of artificial intelligence (AI) technology is now taking place across various sectors, including finance, agriculture, health, and education. But the issue of ethics and the law is raised by whether AI can be used everywhere and if it is entirely safe. Cyberspace and AI have major

privacy concerns and an increase in criminality. In India, AI is seen as a significant a game-changer for the region's economy and steady growth. This paper aims to address the legal framework governing artificial intelligence in India and the rules governing cyberspace in light of combined with the digital economy, privacy reliance on AI.

Keywords: Artificial, Legal, Impact, Intelligence & Profession.

Introduction:

Being a developing nation, India is just in the beginning stages of adopting artificial intelligence. This technology is credited to the 21st century's technical advancements, with the emergence of social networking sites and international firms' investments in India started working on artificial intelligence research and development. This is developing amazing technology that influences human thought processes. We may see the worldwide applications of artificial intelligence in all economic sectors¹. It has not only eased the load but also has improved working effectiveness using smart technologies. The Indian government has stressed the use of artificial intelligence via Niti Aayog, its policy-making agency. Currently, India is despite the absence of a sufficient legal framework for artificial intelligence, it is being used in indirect form through Information Technology Act of 2000. To build its digital governance, the government has enacted the Data Protection Bill 2019 and data privacy concern involving cyberspace, which will specifically address the usage of intellect and ethics tied to it.

Meaning of Artificial Intelligence

John McCarthy, the inventor of artificial intelligence, invented the term artificial intelligence (AI). Artificial intelligence, according to the Oxford Dictionary², is "the theory and development of computer systems capable of performing activities ordinarily requiring human intellect, such as visual perception, voice recognition, decision-making, and language translation". The development of autonomous, intelligent systems is the goal of the wide field of computer science known as artificial intelligence (AI). It may be characterised as an intelligent machine that is able to mimic certain human behaviours as well as think, interpret, and act on its own. Artificial intelligence, therefore, is a system that can and can handle issues that we humans would typically address using our natural intellect.

¹ LohrSteve, 'A.I Is Doing Legal Work. But It Won't Replace Lawyers', New York Times, 2017 available at <https://www.nytimes.com/2017/03/19/technology/lawyers-artificial-intelligence.html> (last accessed on 24/8/23)

² <https://www.dictionary.com/> last accessed on 24/8/23

Objective of the Study

- To study the widespread application of AI in India's legal industries.
- To study the benefits and traits of using artificial intelligence in Indian legal system.
- To study the impact of AI in society.

Review of Literature:

1. "Artificial Intelligence and the Law in India: Possibilities and Challenges in India"- by S.K Verma and K.C Gogoi: This book examines the state of AI integration in the Indian judicial system. It includes subjects including contract analysis, predictive analytics, and the potential use of AI in legal research. It also includes the difficulties associated with regulatory compliance, ethical issues, and the effects on legal practitioners.
2. Chugh, A. (2021) "Artificial Intelligence in Indian legal Profession: Prospects and challenges": This article covers the opportunities and difficulties of using AI into the Indian legal industry. It discusses into detail on how AI can be used for legal research, document analysis, and expanding access to justice. It also examines the legal implications of the ethical and regulatory issues raised by AI.
3. Arora and Malhotra (2020), "Impact of Artificial Intelligence in the Indian legal sector" this article focusses on the impact of AI in the legal industry. It explains how lawyers are operating with clients and the way AI is changing which includes contract analysis, legal research.

Methodology:

The Methodology adopted in the study is doctrinal. An analysis of the existing provisions has been carried out. Primary sources are referred. The relevant statutes comprise the Primary sources, with published books by eminent authors, research articles published in the Journals etc. The mode of citation referred to in the paper is that of the Indian Law Institute (ILI) reference style.

Artificial Intelligence Law in India:

India does not have any explicit law governing the use of AI. The regulatory body of AI in India is Ministry of Electronics and Information Technology (MeiTY). It is accountable for the creation, administration and management of AI legislation and regulation in India. However,

Section 43A and Section 72A of the Information Technology Act, 2000 which implies that anybody who commits a crime using artificial intelligence would be held accountable under the IT Act, criminal law³. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 impose additional responsibility on social media platforms with relation to the information they host.

The National Strategy on Artificial Intelligence (NSAI) was developed by the Indian Planning Commission in 2018, and a panel composed of representatives from the departments of Industrial Policy and Promotion and Corporate Affairs is being considered to review the legislation. The ministry of electronics and information technology established four committees to focus on and examine various AI ethical problems.

The Personal Data Protection Bill, 2019, based on current legislation on data protection and was suggested by the Ministry of Electronics and Information Technology (MEITY) in 2019 by a Joint Parliamentary committee⁴. To safeguard individual rights while data is individually gathered, transported, and processed, it is also known as the "Privacy Bill." The lower house was still considering the measure. The Personal Data Protection Bill was retracted by the Central Government on Wednesday, August 3, 2022. In the same way, the government withdrew the Personal Data Protection Bill 2021 in August 2022. The Digital Personal Data Protection Bill 2022, which was introduced by the Ministry of Electronics and Information Technology on November 18, 2022, replaces the 2011 rules (IT rules, 2011 regarding reasonable security practises for the management of sensitive personal data or information) and existing laws. It serves the aim of processing a person's personal data⁵.

In 2020, Niti Aayog drafted documents based on the establishment of a regulatory body and the enforcement of responsible AI principles (safety and rehabilitation, equality, inclusivity, non-discrimination, privacy & security, transparency, accountability, protection & reinforcement of human values). These documents were intended for inspection of the principles, formation of

³ <https://www.bqprime.com/law-and-policy/ai-can-be-used-in-judicial-process-but-cannot-replace-human-discretion-cji> (last visited on 26/8/23)

⁴ Mirza Aslam Beg, 'Impact of Artificial Intelligence on Indian Legal System', Legal Service India, available at <https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html> (last visited on 26/8/23)

⁵ Mirza Aslam Beg, 'Impact of Artificial Intelligence on Indian Legal System', Legal Service India, available at <https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html> (last visited on 26/8/23)

legal and technical work, development of new techniques and tools of AI, and representation of India at a global standard.

Artificial Intelligence Law in Other Countries:

- On March 20, 2022 China recently created laws for the Internet Regulation System for “Internet Information Service” with a mainland presence in the People’s Republic of China.
- The Brazil Congress, passed a bill establishing the legal foundation for AI in Brazil.
- The European Commission made management of AI recommendations on April 21, 2021, with the goal of establishing a worldwide regulatory framework that would control the legal implications of future advancements in the area of AI.
- Canada introduced the Digital Charter Implementation Act in the House of Commons in June 2022⁶.

Artificial Intelligence and legal Profession

From typewriters to computers, from utilising libraries just for legal research to using internet portals to discover pertinent case laws, from fax machines to emails, every advancement in the realm of law has been revolutionary⁷. The time is right for AI to join the legal industry. Even though the global market for legal services is one of the biggest, its operations are thought to be under-digitized. The legal industry has a rather traditional approach and is slow to accept new technology. It's necessary to acknowledge that artificial intelligence has the potential to change how attorneys now practise law and how India views the rule of law. Technology is significant inasmuch as it promotes effectiveness, openness, and impartiality in public administration, according to Justice D.Y. Chandrachud, “the purpose of AI is to provide judges a tool to review or assess their work, processes, and judgements”. The main objectives are to ultimately increase the accessibility of justice for regular people. The first stage of India's artificial intelligence framework, the AI Task Force Report, was utilised to thoroughly investigate artificial intelligence⁸. This task group was constituted by the Ministry of Commerce and Industry under the direction of N. Chandrasekaran, Chairman of Tata Sons, to assess the financial advantages of

⁶<https://www.bqprime.com/law-and-policy/ai-can-be-used-in-judicial-process-but-cannot-replace-human-discretion-cji> (last visited on 26/8/23)

⁷<https://www.mondaq.com/india/new-technology/712308/can-artificial-intelligence-be-given-legal-rights-and-duties> (last visited on 25/8/23)

⁸ <https://ignited.in/I/a/304949> (last visited on 25/8/23)

AI and evaluate how it may help India.⁹

Due to the nature of the Indian legal profession, which is still regarded as being labour-intensive, the whole process must be done by hand. As a consequence, AI is still in its early stages. Many older proponents oppose the concept of incorporating AI into law because they think technology should not be used widely since it may someday replace humans. Having said that, a lot of tech-savvy solicitors and sizable legal firms are fully using technology advancements in order to get an edge over their rivals. As a consequence, it is crucial to apply artificial intelligence (AI) in law to adapt to the evolving legal landscape. Legal researchers now have instant access to unparalleled insight into the legal system because to machine learning technologies. By being the first Indian law firm to licence "Kira," a machine learning programme created by Kira Systems in Canada, CAM has made legal history. Many tasks may be handled by this AI-based software, which saves a lot of time and effort. Legal documents are analysed using the "Kira" technology, which is also used to extract provisions from different legal documents and identify any potentially problematic regions¹⁰.

Spread of Artificial Intelligence in Legal Sectors:

Artificial intelligence is meant to assume a prominent role sooner in the Indian legal sector. As of now there are a few areas where in regulation, artificial intelligence is used. These include the following:

Documentation computerization: In the legal sector, several software setups are used to create documents that facilitate the gathering of information and data. There are many resources that are helpful in the legal services sector¹¹.

Due Diligence: To do due diligence and assemble background information, lawyers employ artificial intelligence (AI) techniques. Developers have chosen to include a number of new features, such as contract review, legal inquiry, and electronic media for this sector of the

⁹ <https://indianexpress.com/article/technology/tech-news-technology/task-force-set-up-to-study-ai-application-in-military-5049568/> (last accessed on 25/8/23)

¹⁰ <https://www.analyticsinsight.net/supreme-court-use-artificial-intelligence-better-judicial-system/> (last visited on 26/8/23)

¹¹ Sunil Kumar, 'Advantages and Disadvantages of Artificial Intelligence', Towards Data science available at <https://towardsdatascience.com/advantages-and-disadvantages-of-artificial-intelligence-182a5ef6588c> (last visited on 26/8/23)

business, in light of the present situation¹².

Electronic Billing: Legal advisors and law firms may better organise their solicitations by using electronic billing to track the amount of work they have completed. An attorney thus can charge their customers fairly for the services they provide.

Resources for Intellectual Property (IP): Artificial intelligence is used to search for and register trademarks, licences, copyrights, and other intellectual property.

Legal Mechanism: Using Artificial Intelligence technology, lawyers may gather data from earlier or previous cases. They may use this information to maintain tabs on the judge's orders and predictions. In the near future, this technology is probably going to gain more significance on a worldwide level¹³.

Artificial intelligence (AI) operates on a number of algorithms that may speed up the activity of document processing and verification with the help of the machine learning algorithm input given to the app. For a number of reasons, eliminating manual processes alone is inadequate to incorporate artificial intelligence into the architecture of the business. Instead, there has been a surge in the need for firms to employ AI as a result of growing corporate competitiveness. Artificial intelligence allows law firms to operate more swiftly while passing on savings to their customers and other associated companies more promptly. Legal services are a bit more costly than other companies in the market, and businesses cannot automate this procedure. Uncertainty exists over the transition's mechanics, however. It is anticipated that law firms with higher budgets would adopt AI technology more gradually and swiftly. On the other hand, compared to bigger organisations, new start-up companies and small enterprises may be able to start with a productivity-driven strategy that is automated and progressive.

¹² Sunil Kumar, 'Advantages and Disadvantages of Artificial Intelligence', Towards Data science available at <https://towardsdatascience.com/advantages-and-disadvantages-of-artificial-intelligence-182a5ef6588c> (last visited on 26/8/23)

¹³ <https://www.mondaq.com/india/new-technology/712308/can-artificial-intelligence-be-given-legal-rights-and-duties> (last visited on 26/8/23)

Impact of AI related start-ups:

Spot Draft: This AI-based start-up was formed by Madhav Bhagat, a former Google employee, and Harvard Law School graduate Shashank Bijapur. By letting customers create business contracts, this AI-powered start-up can evaluate legal papers and reduce paperwork. Clients may design and sign contracts using this innovative technology, which also includes automated payment and reminder functions.

Case Mine: This website is mainly used for research purpose. This start-up seeks to link various case laws using artificial intelligence (AI), making it simpler for legal experts to undertake in-depth study.

Caseiq: This artificial intelligence programme acts as a legal assistant by conducting thorough legal research, analysing the language of the law, and identifying any potential gaps in the law. It also suggests alternate theories and highlights pertinent decisions and case laws.

Nearlaw: This Mumbai based start-ups provides lawyers and law companies. It analyses case rankings and provide assistance in legal situations.

Benefits of Implementing Artificial Intelligence System in Indian Legal Sectors:

Preparing and examining the contracts/records: AI systems are far more developed than they are understood, and the role of legal counsel will effectively be reduced generally. Simply by delivering the anticipated circumstances and nuances that one would want to assemble all the necessary information in the legal archive in the reports and would be moved quickly ready for usage or equipped with a method to do so schedule, focus on, and highlight important facts for both parties to receive their obligations, promises, and so forth.

Ensure due diligence: Due diligence is a crucial task handled by legal firms, however due to its depth and the need for human error may often slip in if we're careful. While promoting a sensible amount of investment AI might be quite helpful, and it helps includes the collection of important information and additional experiences with completing stability projects is more precise and efficient. It accelerates the approach eliminates human error and enables lawyers to provide a

better overall experience their customers.

Live monitoring of completed work and electronic billing are guaranteed: The majority of AI programming has the capacity to keep track of the job completed, which assists law firms and advisers in drawing up solicitations in accordance with the work completed by them. This ensures an additional level of clarity in the work being done, therefore assisting the Law Firms, the Clients, and the Examining Experts.

Helping legal advisors locate significant case rules and decisions in a creative manner: Without using real reports or search engine websites, AI programming may assist legal advisers focus on instances that are relevant to them. Because these traditional cycles need more time and effort to complete, it would be more practical to quickly use AI programming that finds relevant situations and answers.

Transforming complicated legal issues into simple agreements: In a matter of seconds, more complex problems may be resolved with the aid of AI systems, assuring that the issue's quality and objectivity are maintained. It aids in providing customers with high-quality results. It eliminates data points from earlier case rules and provides rulings and point-of-reference guidance for lawyers to use in their current cases.

Research in Law: Machine learning is advancing in the field of legal study. When looking for relevant precedent, law students and firm associates used to spend a lot of time browsing through case law volumes. This process has lately gone digital with the advent of personal computers, and attorneys are increasingly doing research using software programmes like Westlaw and LexisNexis. Beyond basic search capabilities, these antiquated technologies are not intelligent¹⁴.

E-discovery and data analysis: AI can help with e-discovery and data analysis in situations with massive amounts of data. Huge volumes of electronic data, including emails, documents, and digital conversations, may be swiftly sorted through by AI algorithms to find pertinent facts, trends, and possible evidence. It could expedite the discovery procedure and increase the effectiveness of the legal proceedings.

¹⁴ <https://www.mondaq.com/india/new-technology/712308/can-artificial-intelligence-be-given-legal-rights-and-duties> (last visited on 26/8/23)

Use of Artificial Intelligence (AI) in Indian Legal Sectors: Challenges

The legal industry has seen the introduction of several innovative arrangements that focus on the value of legal advisors, contract analysis, brand search software, legal research programming, and much more¹⁵. However, none of the AI-based programming aims to replace legal counsel; rather, it focuses on improving the validity and accuracy of examination and research. The legal profession is still developing in India, and more AI-based, automated support systems and programming are on the way¹⁶. The legal advisor's job, which includes research, navigation, and definition, won't be replaced by an AI-based robotized assist programming; instead, it will improve their proficiency and skills while automating other administrative roles. The following are challenges or traits of incorporating AI practises in Indian legal sectors:

Not Entirely Acknowledged by Legal Professionals:

The use of artificial intelligence in law is still in its early stages when we look at India. Because they think it would harm employment, lawyers are unwilling to accept this technology. They worry that technology will replace the main source of income for a lawyer or a legal assistant, leading to a rise in unemployment throughout the nation. The majority of senior lawyers are reluctant to alter their daily routines and prefer to practise law the old-fashioned manner, without the aid of artificial intelligence.

High-Cost: AI machines are contemporary machine systems capable of learning and providing answers on their own, which necessitates a significant financial commitment. Only large legal firms can afford the expense of AI-driven machines since the majority of them are produced by unknown businesses, making it far more difficult for small and medium-sized law firms to acquire them.

Lack of relevant systems and data: Computer learning relies on computations being handled by PC systems, after which the computer follows up on them. The fact that outdated technology

¹⁵ Smriti Srivastava, 'Supreme Court to use Artificial Intelligence for better Judicial System', Analytics Insight available at <https://www.analyticsinsight.net/supreme-court-use-artificial-intelligence-better-judicial-system/> (last visited on 26/8/23)

¹⁶ Smriti Srivastava, 'Supreme Court to use Artificial Intelligence for better Judicial System', Analytics Insight available at <https://www.analyticsinsight.net/supreme-court-use-artificial-intelligence-better-judicial-system/> (last visited on 26/8/23)

and machines are being used, information is often fragmented, and the machine can only work accurately if a sizable amount of reliable information is provided is one of the key barriers to incorporating AI innovation in India.

Privacy and the guarantee of personal information: It's critical that AI-driven be implemented in a manner that protects and secures the parties' very own data. It is substantially more crucial that the legal framework ensures that the information isn't misused, that categorization is maintained, that a fair treatment is followed, and that a security layer to prevent protection breakdowns is implemented since AI works with a lot of information.

The legal status of AI is not specified: The legal status of artificial intelligence is not specifically described anywhere in current law, and given the ambiguous nature of robots, it is unclear whether existing laws and norms would still hold true. Because the existing legal system doesn't anticipate a robot to be accountable for its own behaviour or mistakes, there will be mis-judgments until the privileges and obligations of AI-driven tools and gadgets are articulated.

AI's effects on India's judicial system

There are numerous judicial delays noticeable when we examine the Indian court system. Justice delayed is justice denied, and the court is overwhelmed with more than 3 Cr. outstanding cases, which creates undesirable delays in providing justice to the people. As a consequence, several initiatives are being made to enhance the present situation, such as shortening vacation times and strengthening judgement, but more has to be done, which is where artificial intelligence comes into play. There are so many cases of this kind filed in every year, data science and artificial intelligence (AI) are required to sustain the courts by using prognostic technologies to offer crucial information about current cases based on recent instances of a similar sort. Studies have shown that AI may be quite helpful at the evidence stage, which is an important step in any case. It takes up a lot of court time since it is such a crucial phase in any case.

AI-assisted analysis may help judges reach conclusions quickly. This stage often has several delays for a variety of reasons, including witnesses not being present or delays caused by the investigation's lead investigator. The role of AI in these scenarios would be to anticipate probable delays, which would be helpful for judges as they would be aware of the factors that contribute to the delays indicated above in instances like murder. Judges will be able to correctly manage

the burden of each case thanks to this predictive technology. By giving witnesses more police protection, it will also help courts take proactive steps to stop witnesses from becoming hostile.

The Chief Justice of India, S.A. Bobde, recently said in an interview that "We have a possibility of developing Artificial Intelligence for court system,"¹⁷ which is one of the most important recent advances. Only in order to guarantee that justice is administered without unnecessary delay. He also made it clear that judges and discretion would not be replaced by AI. He said, "We are exploring the prospect of executing the machine learning system, but it is only the tedious, mathematical, and mechanical parts of the judgements for which help can be taken from the system."¹⁸

The Chief Justice of India feels that integrating AI technology into the legal and judicial processes would be advantageous, which is unquestionably one of the most important issues. The Indian court system would benefit greatly from its implementation provided it is accompanied by a suitable legal framework that specifies standards and guidelines.

AI: A substitute for lawyers

In the world of law, several cutting-edge innovations have been launched, increasing lawyer productivity via contract analysis, trademark search software, legal research software, and other means¹⁹. But none of the AI-based software aspires to replace solicitors; rather, it works to increase the veracity and precision of research and analysis. The legal system in India is developing, and more AI-based and automatic software and tools are on the system. The analysis, stratification, and decision-making required by the legal profession will not be replaced by these AI-based automated assistance programmes; rather, they will improve lawyers' efficiency and competence while automating many clerical tasks²⁰.

¹⁷ https://www.lexico.com/definition/artificial_intelligence (last accessed on 25/8/23)

¹⁸ https://www.lexico.com/definition/artificial_intelligence (last accessed on 25/8/23)

¹⁹ WIPO, 'Artificial Intelligence and Intellectual Property', available at https://www.wipo.int/about-ip/en/artificial_intelligence/policy.html (last visited on 25/8/23)

²⁰ <https://www.mondaq.com/india/new-technology/712308/can-artificial-intelligence-be-given-legal-rights-and-duties> (last visited on 26/8/23)

Findings:

It is accepted that AI has the potential to alter the way lawyers practise their profession and improve access to justice. The increasing use of artificial intelligence (AI) is expected to have a significant impact on how India's legal industry develops in the coming years. At the moment, AI is revolutionising established procedures and proposing potential solutions in a number of areas of the legal profession. The legal industry in India is set to undergo a transformation as a result of the introduction of AI. Its use in electronic billing, due diligence, paperwork, intellectual property, and legal systems demonstrates how technology might completely change the practise of law.

To obtain a competitive advantage, several law firms and lawyers are using AI technology. AI could assist by offering insights into potential case outcomes, speeding up the evidence stage, and managing caseloads. India's legal sectors could benefit from the introduction of Artificial Intelligence (AI) technologies by tackling issues like the massive backlog of unresolved cases that plague the country's judicial system. A significant number of these problems might be handled by making use of AI's capabilities. A new era in legal research has begun with the advent of AI-driven firms with a focus on natural language processing, going beyond keyword searches and providing more accurate legal insights.

However, there are difficulties in integrating AI into the Indian legal sectors. Because of concerns about job displacement, particularly among senior attorneys, the legal profession sometimes retains its scepticism. Instead of replacing lawyers, AI technologies and software attempt to improve legal research, analysis, and administrative activities.

Artificial intelligence (AI) has transformed society in profound ways that touch on a range of social, economic, and legal issues. The 21st century's connection between people and machines has created both possibilities and difficulties. The societal adoption of AI represents a paradigm change with many implications. While transforming industries and professions including healthcare, agriculture, and climate prediction, AI also poses difficult problems that must be solved, mainly in protecting human rights and assuring ethical AI use.

Conclusion:

All throughout the globe, people are using AI and it appears that this tendency will continue over time. If the issues around privacy and security protection for personal data are not adequately handled by establishing suitable policy, rules, and regulations, the development of AI for the advantages to society would be limited. These must be continuously carried out with sound governance. Focus must be placed on ensuring that authorities acting in the name of privacy protection do not act arbitrarily or too strictly.

