

AI and Its Impact on Social Justice: A Socio-Legal Study

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Abstract

Artificial Intelligence (AI) is a type of technology that lets computers do things that are usually done by people. This quickly changes India's social, economic, and legal landscape. It promises to make things work better; make the government better, and help people get justice easily. AI-driven systems can make public services, healthcare, and education more open, cut down on wait times, and make sure everyone is included. AI can help judges and lawyers in the justice system by using predictive tools, analysing data, and making case management easier. These improvements can help make things more fair and better for everyone if they are used correctly. AI can also pose significant threats to constitutional ideals of justice, liberty, and equality. In a country like India, where caste, class, gender, and region are already very unequal, unregulated AI can make these differences even worse. The algorithmic biases, data discrimination, and exclusionary outcomes may have a bigger impact on marginalised communities. As stated in Article 21 of Indian Constitution, growing use of AI also threatens right to privacy and personal freedom in data collection and surveillance. Ethical and constitutional ramifications of AI necessitate examination within India's existing legal framework, which is currently insufficient in this regard. Digital Personal Data Protection Act, 2023, and other policy documents in India address related issues, but there is still a pressing need for a comprehensive, rights-based governance model. This paper attempts to analyse the challenges that AI presents to constitutional principles of freedom, equality, and dignity. So, it calls for an ethical and human-centred regulatory framework that makes sure AI development is in line with the goals of social justice and constitutional morality. This way, technology will help people instead of undermining them.

Keywords- *AI; Constitution of India; Discrimination; Social Justice*

INTRODUCTION

AI can be said to be an advanced computational system designed to perform functions that consistently need "human intelligence," like reasoning, decision, prediction, and learning, etc. In India, AI is increasingly being embedded in multiple sectors, like governance, healthcare, finance, education, and law enforcement. Various Government schemes like AI for All, Digital

India, Smart Cities Mission reflect the State's commitment to leveraging technology for economic growth and inclusive development¹. AI holds an immense potential to transform India's socio-economic landscape by automating administrative processes, improving service delivery, and enhancing decision-making. With this technological transformation, however, it also presents complex challenges, particularly related to ideals of "social justice enshrined" in the Indian Constitution. Social justice, which promises justice that is economic, social, and political to every Indian citizen, forms one of foundational pillars of the Republic, explicitly enshrined in the "Preamble of the Constitution of India." Part III of the Constitution similarly guarantees Fundamental Rights, which ensure equality before the law under Article 14, protection of life and personal liberty under Article 21, and the freedoms articulated under Article 19, etc. Together, these above rights ensure dignity, fairness, and equality in individual and collective life. Additionally, "Directive Principles of State Policy (DPSPs)," under Part IV of Constitution, directs the State to promote welfare, reduce inequalities, and secure a just social order². And therefore, raises important constitutional and ethical questions in terms of growing reliance on AI in governance. There is a chance that AI can perpetuate discrimination based on caste, gender, class, or region if algorithms are trained on biased or incomplete datasets. AI with Automated decision-making in welfare distribution, policing, or employment can lead to exclusion and reinforce existing social hierarchies in society. Moreover, there is a threat to privacy and personal freedom with extensive data collection and surveillance practices. Therefore, it becomes necessary to assess from a legal standpoint whether India's current legal framework is sufficient to safeguard citizens' rights in the age of algorithmic governance. It is crucial to align AI systems' technological progress, ensuring transparency, accountability, and fairness with constitutional vision of equality, justice, and human dignity. Thus, AI governance with rights based and ethical approach is crucial for realizing the promise of technology without compromising foundational values of Indian Constitution.

SOCIAL JUSTICE AND THE CONSTITUTIONAL FRAMEWORK

Social justice is foundation of "Indian constitutional philosophy," which is explicitly mentioned in Preamble of the Constitution and enshrines objective of securing social, economic, and political justice to all citizens, emphasizing the commitment to create an egalitarian society. Goal is to eliminate inequity of status, wealth, and opportunity by ensuring that every individual lives with dignity and equality.

By ensuring fundamental rights under Part III of the Constitution, it safeguards equality and individual liberty. Equal protection and equity before the law are ensured by Article 14, and discrimination based on caste, religion, race, sex, or place of birth is a violation of Article 15. The right to life and a life of dignity are guaranteed by Supreme Court's expansive interpretation of Article 21 in various cases. In the case of *Maneka Gandhi v. Union of India*³ The Court held that right to life includes justice, rationality, and fairness of all state actions. Similarly, in the case of *Indira Sawhney v. Union of India*⁴ The Supreme Court (SC) upheld

¹Government of India, "Government of India Expands AI-Driven Skilling," Press Information Bureau (Ministry of Electronics & IT), 19 Mar. 2025. Press Information Bureau available at <https://share.google/NGi22cWGnd1Yhxsu2> (last accessed on 2nd Nov,2025).

² P.M. Bakshi, *The Constitution of India*, Universal Law Publishing, New Delhi, 2023.

³ AIR 1978 SC 597

⁴ AIR 1993 SC 477

reservations for Other Backwards Classes, reinforcing the constitutional requirement of substantive equality.

Directive Principles of State Policy, complementing the Fundamental Rights guides the State in promoting social welfare. The Constitution's Articles 38 and 39 obligate the State to preserve a just social order by reducing financial and status inequalities. Through various cases, it can be seen that the judiciary has consistently tried to harmonize Fundamental Rights and DPSPs by advancing social justice, for example, as seen in *Kesavananda Bharati v. State of Kerala*, where the Court recognised social justice as part of “basic structure of the Constitution.”⁵

Thus, foundation of the Indian constitutional framework is social justice. It envisaged the creation of conditions for substantive equality, and not merely a formal equality, by ensuring benefits of democracy and development that reach all sections of society.

ARTIFICIAL INTELLIGENCE (AI) AS A TOOL FOR SOCIAL JUSTICE

AI has emerged as an instrument capable of reshaping governance, law, public administration, and so on. AI, when applied responsibly, can be an effective tool for promoting social justice by enhancing transparency, accessibility, and equality in delivering public services. AI in a country like India, where there are socio-economic disparities, can assist in bridging the gaps in access to justice, education, and welfare schemes.

Legal research tools, as well as case management systems powered by AI, can significantly reduce judicial backlog, a long-standing impediment to justice delivery. The role of technology in improving judicial efficiency was acknowledged by the SC of India through various Cases. For example, in the case of *Swapnil Tripathi*, Court has authorised live streaming of the court proceedings that encourage transparency and facilitate access to justice.⁶ Similarly, AI-based systems can help in legal aid services by providing marginalised groups with access to legal information and assistance.

Article 38 of the Constitution of India addresses promoting the welfare of citizens and the governance of a nation such as India. AI can facilitate better targeting of welfare programs through data analytics, ensuring that benefits reach the most populations from the vulnerable categories. Moreover, it can also help in detecting and preventing discrimination, corruption, and exclusion in administrative processes, and thus, the equality principle under Article 14 is reinforced.

However, AI must operate within Articles 19 and 21, protecting individual freedoms, and a rights-based framework to prevent bias. In the case of *Justice K.S. Puttaswamy v. The Union of India*, SC emphasized privacy as a fundamental right, reminding that human dignity should be respected by technology in every case.⁷

⁵ *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461.

⁶ *Swapnil Tripathi v. Supreme Court of India*, (2018) 10 SCC 639.

⁷ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1

Thus, AI can help to realize constitutional goals of equality, transparency, and inclusivity in an increasingly digital society if it is ethically governed, and can be a powerful enabler of social justice.

ALGORITHMIC BIAS AND STRUCTURAL INEQUALITY

AI poses significant risks, particularly through algorithmic bias and the reinforcement of structural inequalities, along with holding immense promise for social transformation. The bias occurs when AI systems tend to produce systematically unfair and prejudiced outcomes due to prejudiced data or flawed design. In India, where such bias and social hierarchies already exist, based on concepts like caste, gender, and class, AI systems can easily replicate and amplify existing forms of discrimination.

AI systems often reflect societal prejudices by relying heavily on historical data for learning. For instance, as the SC warned against arbitrary and unequal state action in the case of *State of Uttar Pradesh v. Rajesh Gautam*, where such incidents may occur, if predictive policing algorithms of AI are trained on biased crime data and may echo concerns raised disproportionately target marginalised communities.⁸ Similarly, there is a chance of discrimination against women or lower-caste applicants if algorithms may inadvertently train on biased employment records, therefore violating the Constitution's Article 14, which assures equality before the law.

Due to citizens' lack of the means to challenge automated decisions, Algorithmic opacity further aggravates inequality. This challenges principles of natural justice as SC held that fairness and reasonableness are integral to the right to life and personal liberty enshrined under Article 21 in landmark case of *Maneka Gandhi v. Union of India* (1978).⁹ And therefore, AI decision-making may become a possible tool for exclusion rather than empowerment in the absence of transparency.

Globally, incidents such as “Correctional Offender Management Profiling for Alternative Sanctions (COMPAS)”¹⁰ algorithm have been criticised for racial bias in criminal sentencing, which is practiced in the U.S¹¹ which illustrates how unchecked and unregulated AI can perpetuate injustice. There is a danger of similar risks in India, which may loom large given the widespread use of AI in various sectors, especially governance, finance, and law enforcement, without a strong and robust regulatory framework. Judgment given in the case of *Justice K.S. Puttaswamy v. Union of India* (2017) underscored the importance of such a need

⁸ *State of Uttar Pradesh v. Rajesh Gautam*, AIR 2003 SC 674

⁹ *Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

¹⁰ COMPAS – Correctional Offender Management Profiling for Alternative Sanctions: A Global and Comparative Perspective – Record Of Law, Available at https://share.google/Ju84YaP9Cde3BfOy_Last visited on 4th November 2025.

¹¹ Julia Angwin, Jeff Larson, Surya Mattu & Lauren Kirchner, “Machine Bias: There’s software used across the country to predict future criminals. And it’s biased against blacks,” ProPublica (23 May 2016). Available at <https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing> (last visited on 4th November 2025).

to balance technological advancement with privacy and dignity, reminding that human rights must remain central to innovation.¹²

There is a need to adopt a rights-based AI governance model emphasizing transparency, accountability, and fairness to prevent algorithmic discrimination in India. AI can serve as a tool of empowerment if there is an integration of ethical guidelines, regular audits, and diverse datasets rather than an instrument reinforcing systemic injustice.

THE INDIAN JUSTICE SYSTEM AND AI

Indian justice system is gradually transforming with the introduction of various AI tools that improve accessibility, efficiency, transparency in judicial processes. AI gives an opportunity and helps to assist judges, lawyers, and litigants by making various tasks easier, for example, the use of automating repetitive tasks, facilitating legal research, and improving data-driven decision-making. However, AI and its integration into the justice system, which promises modernisation, often raises constitutional, ethical, and procedural concerns that require careful and thorough regulation of the system.

In recent years, the value of ensuring open justice with the help of technology has been recognised by SC of India. In one case, live-streaming of judicial proceedings was permitted by the Court, highlighting that technology can democratize access to courts.¹³ Subsequently, the digitalization era has accelerated by the initiative of Government of India's e-Courts Mission Mode Project¹⁴ through online cause lists, virtual hearings, and electronic filing. Building on this, the SC in 2021 launched an AI-driven tool, that is SUPACE (SC Portal for Assistance in Courts' Efficiency), that assists judges in various ways, for example, by analysing case facts, precedents, and documents to save time and improve decision-making and help in reducing defects.¹⁵

However, the judiciary must align with constitutional safeguards while adopting AI in the system. In the case of Justice K.S. Puttaswamy (Retd.) v. Union of India (2017), SC emphasized that privacy is a fundamental right under Article 21, and technological innovation must not compromise individual dignity.¹⁶ There is a risk of violating this right if there is use of AI-based surveillance or predictive tools are used in judicial or law enforcement. Likewise, algorithmic opacity may also conflict with "principles of natural justice" as held under Maneka

¹² *Supra* 6

¹³ *Supra* 5

¹⁴ Government of India, "e-Courts Mission Mode Project" ecourts.gov.in (Official Website) available at <https://ecommitteesci.gov.in/project/brief-overview-of-e-courts-project/> (last visited on 7th December 2025).

¹⁵ Supreme Court of India, "Launch of SUPACE: Supreme Court Portal for Assistance in Courts' Efficiency," Press Release, April 6, 2021. Available at <https://main.sci.gov.in/pressrelease/Launch-of-SUPACE-Supreme-Court-Portal-for-Assistance-in-Courts-Efficiency-April-6-2021> (last visited on 6th November 2025).

¹⁶ *Supra* 6

Gandhi v. Union of India (1978), where Court underscored the essentials to “right to life and liberty” regarding reasonableness, fairness, and due process.¹⁷

CHALLENGES IN IMPLEMENTATION

In India, Integration of AI into governance and justice systems presents both potential and substantial challenges while implementing the regime. These challenges hinder the effective and equitable deployment of AI technologies, which are multifaceted, encompassing legal, ethical, infrastructural, socio-economic dimensions, and so on. The lack of a comprehensive legal and regulatory framework for AI is a primary challenge. Digital Personal Data Protection Act, which passed in 2023, offers a foundation for data privacy; however, regarding AI-driven decision-making, it has failed to adequately address algorithmic accountability, ethical standards, or liability.¹⁸ Due to the lack of statutory provisions, this oversight creates risks of arbitrary or discriminatory outcomes, which may contradict the constitutional assurances of equality and due process under Articles 14 and 21, respectively. SC mentioned and emphasized that state actions must be fair, just, and rational in the case of Maneka Gandhi v. Union of India (1978),¹⁹ a standard that must extend to algorithmic governance.

Secondly, the algorithmic bias and the reinforcement of existing social hierarchies pose a major challenge. AI systems can perpetuate discrimination against marginalized communities, which are trained on biased datasets reflecting structural inequalities of caste, gender, and class. Such risk of bias undermines constitutional vision of substantive equality affirmed in the case of Indra Sawhney v. Union of India (1992), where the Court upheld affirmative action to correct historical injustices.²⁰ And therefore, AI could possibly inadvertently reverse such progressive goals without adequate and proper safeguards.

Thirdly, the reason of data quality and digital infrastructure also pose significant obstacles. Moreover, it further exaggerates due to the digital divide. The unequal access to literacy and technology among the vulnerable groups further worsens the condition, contravening Article 38 of “Directive Principles” under Constitution of India, which mandates State to reduce inequalities amongst various groups in the society.

Another reason is the ethical and accountability concerns, which further complicate its implementation. The nature of AI systems, which is “black box,” makes it difficult in decision-making to ensure transparency and explainability. Scholars such as Vidushi Marda argue that “to preserve democratic values and human rights, AI must always remain subordinate to human judgment.”²¹

¹⁷ Supra 8

¹⁸ Digital Personal Data Protection Act, 2023, Government of India. Ministry of Electronics and Information Technology (MeitY). Available at <https://share.google/RTf8Ru6kmpuynwrl2> (last visited on 5th December 2025).

¹⁹ Supra 5

²⁰ Indra Sawhney v. Union of India, (1992) Supp (3) SCC 217.

²¹ Vidushi Marda, “Artificial Intelligence Policy in India: A Rights-Based Approach,” Carnegie India Report (2020). Available at <https://www.scribd.com/document/556302772/SSRN-id3240384> (last visited on 4th December 2025).

Lastly, institutional capacity remains limited. To effectively deploy AI, there is often lack of the technical expertise necessary to regulate the AI in relation to the activities of policymakers, judges, and administrators. Therefore, it has become essential to develop interdisciplinary training, ethical guidelines, and public awareness.

CONCLUSION AND RECOMMENDATIONS

In India, artificial intelligence (AI) is at the nexus of constitutional morality and technological innovation. It has enormous potential to improve social welfare, bolster the legal system, and improve governance. But as the analysis shows, incorporating AI into the socio-legal framework needs to be done carefully, strategically, and with a strong dedication to constitutional principles. The difficulty is not only in utilising AI's effectiveness but also in making sure that it functions within an ethical and rights-based framework that respects human equality, dignity, and privacy.

Indian Constitution envisions a society centred on justice, providing economic, social, and political equity, as articulated in its Preamble and implemented through Fundamental Rights and Directive Principles. However, these principles are seriously threatened by the dangers of algorithmic prejudice, structural inequity, and surveillance-driven governance. As cases such as Right to Privacy²² and Maneka Gandhi's passport case affirm that Technological advancement must not compromise personal freedom and equity.²³ Therefore, the government must find a way to balance the growth of technology with the defence of individual rights.

A rights-based AI governance model offers the most sustainable path forward. Such a model must emphasise transparency, accountability, and inclusivity. It should mandate algorithmic audits, ensure explainability in automated decisions, and incorporate ethical oversight through an independent regulatory body. Furthermore, the participation of diverse stakeholders—lawmakers, technologists, civil society, and marginalised communities— is essential to prevent elite capture of technology and assure that AI is beneficial for all sections of society.

AI's future in India depends on how innovation and constitutional values are combined. In *Kesavananda Bharati v. State of Kerala (1973)*²⁴ SC ruled that fundamental framework of Constitution, which is founded on equality and justice, cannot be altered. Therefore, AI must evolve to become a tool for justice rather than control, equality rather than bias, and empowerment rather than exclusion. India can set the standard for how technology can coexist with democracy and human rights through careful regulation, moral governance, and inclusive policymaking.

Recommendations:

Questions about fairness, equality, and social impact have been raised in both private and public sectors because of quick expansion of AI. AI carries the risk of reinforcing existing social inequalities, along with immense benefits such as faster service delivery, data-driven decision-making, and improved access to information if there is a lack of regulatory action. AI must be supported by strong legal standards, ethical safeguards, and inclusive policies, as per a socio-legal study done regarding AI that technology alone cannot ensure justice. To assure that AI

²² Supra 6

²³ Supra 8

²⁴ Supra 4

becomes an empowerment tool rather than an exclusion, the following recommendations are essential:

Using a Framework for Rights-Based AI Governance Policymakers should incorporate constitutional principles like equality, dignity, and nondiscrimination into all phases of AI design, development, and implementation. Additionally, before AI systems are incorporated into public governance, they must be audited for transparency and fairness. Maintaining Algorithmic Accountability and Transparency. Governmental and private organisations that use AI are required by law to provide information about the algorithms they use, the data they rely on, and the reasoning behind automated decisions. AI-based decisions that impact citizens' rights must be subject to independent oversight.

Encouraging Representative Data Sets and Inclusivity

AI systems should be trained on datasets that represent India's cultural, gender, caste, linguistic, and economic diversity. This could potentially lessen discriminatory outcomes, particularly for marginalized groups like women, children, tribal populations, and informal workers.

Increasing Privacy and Data Protection Measures

A strong data protection policy is urgently needed to stop the misuse of personal data. Citizens should have meaningful control over their data, and AI systems handling sensitive personal data must adhere to stringent security and consent requirements.

Requiring Evaluations of Ethical Impact

Before implementing AI in areas like policing, welfare delivery, health, and education, the authorities must perform Social and Ethical Impact Assessments (SEIAs) to identify risks to vulnerable groups and suggest mitigation strategies.

Developing Digital Literacy and Public Awareness

Programs to inform citizens about AI-based services and their rights, particularly those from socioeconomically disadvantaged groups, must be put into place immediately. They can demand accountability and contest unfair automated decisions with this awareness.