

ROLE OF ARTIFICIAL INTELLIGENCE IN ENHANCING ACCESS TO JUSTICE IN INDIA - A CRITICAL ANALYSIS

Dr. Sunita Singh Khatana¹ *Dr. Sushila Choudhary²

¹Assistant Professor (Senior Scale), Faculty of Law, Manipal University Jaipur

²*Assistant Professor (Senior Scale), Faculty of Law, Manipal University Jaipur

sunitasingh.khatana@jaipur.manipal.edu¹
law.sushila@gmail.com²

ABSTRACT

While access to justice is a fundamental principle of democratic societies, a vast majority of people, particularly in India, face obstacles because of systemic delays, financial burdens, and a lack of infrastructure. Over the past few years, however, AI has emerged as a technology that has the potential to close these gaps. This paper explores the impact of AI technology on access to justice in India, focusing on its applications on legal research, case management, virtual courts, and analytics. It is AI-powered tools that have served to enhance efficiency in the administration of justice and the involvement of citizens as noted in the Supreme Courts' SUPACE system and the use of AI in many High Courts. At the same time, the paper discusses AI's integration into the legal framework of India regarding ethics, legal and data issues, such as biases in algorithms, lack of responsibility, data and privacy infringements. Using a doctrinal and case study approach, it posits that the presence of artificial intelligence in the legal framework may encourage change, but such change is that AI technology must comply with strict human-rights focused policies and regulatory frameworks. The paper suggests AI should promote access to justice, not restrict it, and advocates for modifying policies, judicial education, and technological advancement.

Keywords: Access to Justice, Indian Judiciary, Legal Technology, Predictive Justice, Algorithmic Bias, Artificial Intelligence, Judicial Reform

INTRODUCTION

Access to justice entails a person's ability to seek a legal remedy through different systems of justice, either formal or informal, in a reasonable, effective, and cost-efficient manner. Within the framework of the Indian legal system, there remains a persistent challenge, even with the constitutional guarantee of equal protection of the law under Article 14 and legal aid under Article 39A, access to justice is timely and meaningful. With more than 5 crores cases pending in different courts, the shortage of judges, the processes of justice delivery systems often become protracted, inaccessible, and cumbersome for a common citizen (Access to Justice, 2005)

In this regard, technology has increasingly been viewed as a possible leveler. The application of technology, in particular Artificial Intelligence (AI), within the justice systems is no longer a futuristic possibility. AI is already being used in different forms around the world. From Legal Advice Chatbots in the UK to Predictive justice systems in Estonia. In India, the recent initiatives undertaken by the judiciary and executive, for example the development of the SUPACE (The Supreme Court Portal for Assistance in Court Efficiency) and the digitization efforts under the eCourts Mission Mode Project, demonstrate a growing institutional interest AI as a device to remedy systemic backlogs (Elliot, 2021).

The aim of this paper is to study the impact of AI on improving the accessibility of justice. It focuses on examining AI's constructive capabilities in the areas of efficiency, cost saving, and accessibility, while also engaging with the ethical and legal structural issues pertaining to its AI enactment. To illustrate the comprehensive impact of judicial AI, the paper is primarily doctrinal in approach while adding some recent case law and judicial commentary (Gitahi, 2025).

The analysis is divided into eight distinct and sequentially ordered segments. Apart from the

introduction, the second segment outlines AI and its applications in the legal profession. The third segment examines the primary and systemic infrastructural AI interventions on Indian justice. The fourth segment tracks the new trends and case studies within the country. The fifth analyses the identified enabling and disabling factors of AI in its delivery. The sixth offers a critical discussion on the enabling law and prevailing ethical consideration of AI in the country. The seventh gives suggestions, the last one closes with the summary and thought for the next steps (Karmaza et al., 2021).

By balancing opportunity and risk, this paper seeks to meaningfully engage and contribute to the evolving conversations on the impact of legal technologies on justice reform, as well as provide a comprehensive rationale and justification on the use of AI technologies in law.

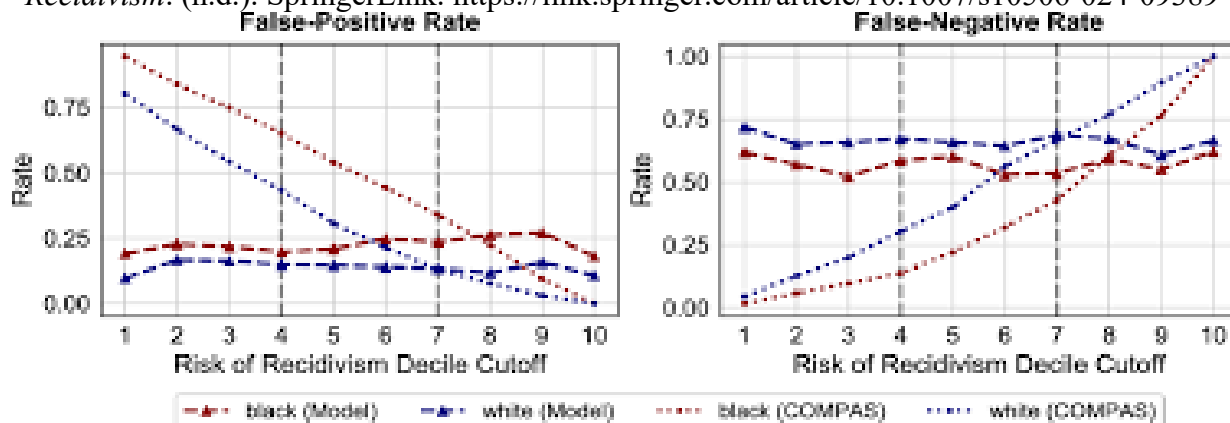
DEFINING ARTIFICIAL INTELLIGENCE AND ITS APPLICATION IN THE LEGAL SECTOR

Artificial Intelligence, as a branch of informatics, deals with the development of computer-based systems and machines that can simulate cognitive human functions such as reasoning, learning and problem solving. In the legal sector, AI features a broad spectrum of tools and technologies, such as NLP, ML, and expert systems that automate the functions of legal practitioners and perform legal research, document review, case prediction, contract analysis, and other repetitive tasks (Dai et al., 2011).

The use of AI technologies in law is still considered as operating within the parameters of “narrow AI.” This is a tool that lacks general awareness, general intelligence, and general consciousness. Classic examples are ROSS Intelligence, which utilizes IBM Watson to respond to legal inquiries, or AI powered legal research systems provided by LexisNexis. Such systems are capable of analyzing enormous bodies of case law, statutes and secondary literature, and, within seconds, provide the requisite information to a legal practitioner which would cost them hours or even days to retrieve manually (Ross, 1990).

As any country has the judicial AI powered settlements experiment, Estonia integrates AI in small claims courts for managing disputes under €7,000. It for long has been an example for the UK considering AI chatbots for case triage and first-line consultations. In the USA, the use of COMPAS (Correctional Offender Management Profiling System) for estimating bail hearing recidivism chances of offenders is another example, COMPAS is known for dramatic arguments doing the rounds on racial and algorithmic discrimination (Record Of Law, n.d.).

Source - Code Is Law: How Compas Affects The Way The Judiciary Handles The Risk Of Recidivism. (n.d.). SpringerLink. <https://link.springer.com/article/10.1007/s10506-024-09389-8>



In India, judicial data analytics, summarizing judicial decisions, and preparing legal documents are spheres the AI is starting to venture in. The development of CaseMine and Indian Kanon shows that AI features that assist in searching for and navigating legal documents are becoming popular. The legal information is becoming available and the reliance on the expensive legal advice is treated.

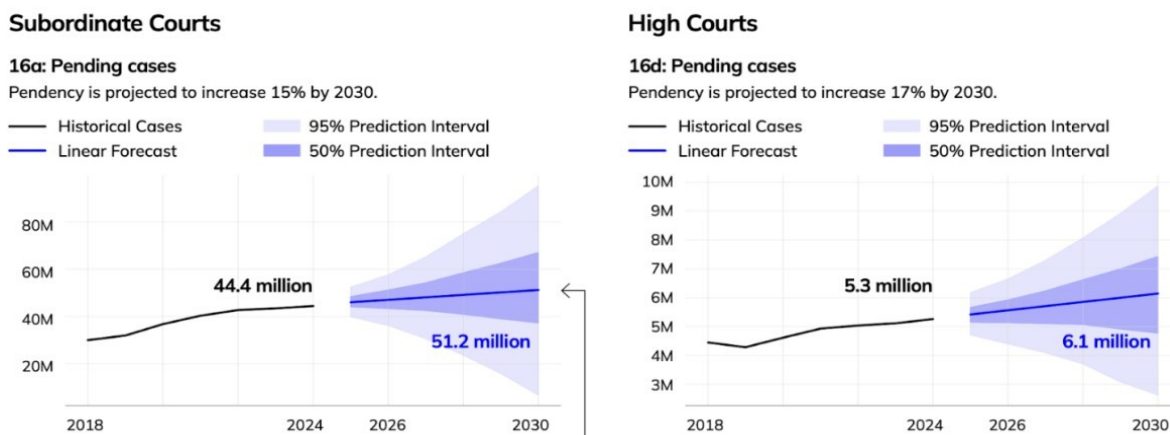
The application of AI in legal settings poses fundamental challenges. Can AI grasp the complex interpretative legal reasoning? Can AI incorporate societal or contextual factors in its considerations? Legal systems are grounded not in logic alone. They are grounded in reasoning, value judgements, principles, and human judgement. AI can support systems with administrative and research tasks, but its use in decisions is far more sensitive and must be taken with care.

Shifting attention to AI and access to justice, it is critical to first delineate its functions within the boundaries of the legal system. AI is not a cure-all; it is a powerful, but a limited tool. It could be used to augment human decisions and ease the strain on systems, but must be approached with intention, safeguards, and in accordance with the tenets of natural justice and procedural fairness.

JUDICIAL FRAMEWORK AND AI IMPLEMENTATION NEEDS IN INDIA

The Indian judicial system is currently grappling with an inefficient and ineffective system. Currently, there is an overwhelming number of pending cases, with over 5 crore cases pending as of August 2025. This problem is further compounded by an under-resourced workforce; judicial officers are in short supply. The Indian judicial system is currently sitting at 21 judges per 1 million population, far short of the 50 per million benchmarks suggested by the Law Commission in 1987. This results in the under-resourced system suffering from the acute backlog of cases, resulting in exacerbated delays (Kaul & Prakash B S, 2020).

Figure 16: India's overburdened courts and the persistent deficit of judges



Source - 5 Crore Cases and Counting. (n.d.). The Wire. <https://www.google.com/url?sa=i&url=https://m.thewire.in/article/law/5-crore-cases-and-counting-indias-courts-are-struggling-to-clear-the-pile-up&psig=AOvVaw3AQWtiyCP0rn4UoIL0IJ4Y&ust=1754402384098000&source=images&cd=vfe&opi=89978449&ved=0CBgQjhxqFwoTCNDf9qmo8Y4DFQAAAAAdAAAAABAc>

The court system is plagued with a lack of basic infrastructure, with several of the lower courts suffering from insufficient to no access to modern digital filing, outdated and archaic filing systems, and manual case tracking systems. This is especially problematic for the more disadvantaged members of society, as it requires an undue amount of financial and social support in order to make their way through the convoluted legal system. To make matters worse, there is an added layer of difficulty for members of lower socio-economic groups due to the lack of access to the internet and the lower levels of digital literacy, marginalized populations are excluded from digital reforms due to a lack of internet and low levels of digital literacy (Tsvetkov, 2021).

The government has made attempts to resolve these problems with initiatives such as the eCourts Mission Mode Project, which began in 2005 and is currently in its third phase. The focus of the initiative is on the computerization of district courts with an e-filing and payment system, as well as case management integration. While some projects have been beneficial, such as the NJDG that gives case pendency information in real-time, the system still does not have advanced AI-based analytics and forecast capabilities (Cai et al., 2021).

Processes such as allocating documents, case pattern mining, outcome forecasting, and document management can all be automated with judicial AI. Eased administrative and cognitive workloads can enhance adjudication speed and the quality of legal research and case prioritization. AI can even streamline some processes. Algorithms, for instance, can identify and flag cases that have been pending for an unusually long time. Machine learning can predict cases that have higher chances of out-of-the-court settlements and encourage prompt mediation (Kozyreva & Pirozhkova, 2021).

That said, advanced AI should not replace the need to reform judiciary systems. These still face problems of systemic bias, judicial backlog, and inefficiency. AI can be an aid to such efforts, but cannot be the base. Judicial AI adoption gaps between India's courts are particularly pronounced. While the courts of the bigger states have tested some technological solutions, many lower courts are still lacking necessary resources. Addressing this issue is important before implementing advanced AI technologies universally.

RECENT DEVELOPMENTS AND CASE STUDY IN INDIA

Through sponsored programs, institutional partnerships, and specific initiatives, India is now beginning to adopt AI into its legal and judicial frameworks. One of the most remarkable is the SUPACE system, launched by the Supreme Court in April 2021, SUPACE is the Supreme Court Portal for Assistance in Court Efficiency. SUPACE assists judges with case file reviews, summary preparation of precedents, and relevant legislative analysis using NLP and advanced data analytics. SUPACE is designed, as explained by S. A. Bobde, the former Chief Justice, “not to decide but to assist,” and finds its application in assistance of substantial issues, especially in matters of aid to issues of evidence as in commercial disputes and taxation (PIB, 2025).

A more recent example is the use of neural networks and machine learning by the Delhi High Court for analyzing the nature and timelines of cases. In 2020, the court partnered with the National Informatics Centre (NIC) to develop a bail decision analytics AI system. The system was designed to analyze past bail orders and assist judges in maintaining consistent decision-making. While its full public use is restricted, this pilot model demonstrates increasing judicial readiness to incorporate AI technologies into their work (PIB, 2025).

The court in *State v. Mehmood Farooqui* ((2016) SCC OnLine Del 2101) applied forensic

linguistic analysis to examine sexually explicit digital conversations for the high-profile sexual assault case. The use of computational methods, albeit not AI in the conventional sense, for the analysis of digital information evidences a growing willingness within the judiciary to embrace technologically supported adjudication.

The court in *V. Kamala v. V. Ayyasamy* ((2016) 2 SCC 558) held that as AI was not directly addressed, this case underscored the need for innovation to address family and civil dispute accessibility challenges. The court's approval of mediation and electronic filing supported principles that are foundational to AI-driven pre-litigation systems.

The e-Committee has crafted multiple vision documents proposing the implementation of AI for transcription services, automated translation of judgments into regional languages, and even predictive models of justice which would help the concerned parties evaluate the risk of litigation. An AI algorithm, for instance, could be designed to suggest probable outcomes based on factual resemblance to earlier decided cases (Sunil, 2017).

Technology and Case-based reasoning firms like CaseMine, LegalMind, and Pensieve have created predictive AI that helps lawyers and clients to predict outcomes of cases, identify binding precedents, and prepare pleadings. One of the more notable offerings comes from CaseMine who have designed a "judge analytics" tool which monitors and reports the decision-making tendencies of judges. These may not be judicial services in the strict sense of the term, but their tendency to shape and determine the strategies used in the courtroom and the resulting settlements has a bearing on the access to justice (Muhammaq Iqbal, 2023).

The report on data protection underscored the potential harms associated with AI, which includes a lack of proper data governance. Advanced artificial intelligence, particularly with regard to forecasting, is likely to produce inaccurate results if there is no proper monitoring of the data used and biases exist in the information and models used. For example, data that suggests certain crimes that are associated with certain races and areas, in the case of AI, will unfairly suggest recommending stricter sentences for those populations (India AI, 2025).

The Kerala High Court addressed privacy and algorithmic bias issues in the context of a PIL regarding facial recognition technology used in court premises surveillance, calling for greater restrictions on the use of AI technology in court-related surveillance systems. This indicates the developing concern of the judiciary regarding the use of AI technology and its civil rights implications (National Law School of India University, n.d.).

While the judiciary shows an eagerness to accept technology, the caution demonstrated in these statements is concerning. The judiciary has consistently framed calls for reliance on technology and automated solutions with the words, "under no circumstances should judicial discretion be eroded." as articulated by Justice D.Y. Chandrachud in the keynote speech at the International Conference on AI and Law in 2022 (The Hindu Center Paper, 2025).

The use of technology in the judiciary is still in an early phase, yet the foundational and institutional experiments outlined stand for a paradigm leap, shifting technology from a peripheral role to an integrated element of the justice system. The issue at hand is to expand the scope of these experiments in a sane manner, ensuring their utility for all parties, beyond the privileged, metro-based litigants and court systems.

AI AND ACCESS TO JUSTICE - PROSPECTS AND ISSUES

In India, AI offers the potential to resolve numerous access-to-justice challenges by improving legal processes, outcomes, as well as lowering barriers and accelerating processes, especially for neglected groups. However, the inclusion of AI also gives rise to critical issues such as fairness, transparency, and accountability (Waverick Legal, 2023).

Prospects

Legal Research and Case Management

AI innovations can optimize conflict of interest checks, legal research, and case classification to save time. Real-time data analysis enabled by tools such as SUPACE enhances judicial workflow, resulting in quicker case handling for overburdened courts.

Affordability of Legal Services

For the majority of citizens in India, legal services are out of reach. AI innovations, especially chatbots, can lighten the burden of costly legal services by providing basic legal information, document drafting, providing procedural guidance, and guiding litigants through processes for self-representation in simple and straightforward cases (Sandhya & Nalnish, 2024).

Efficient Legal Framework Triage

AI can assist legal services authorities in case prioritization with advanced triage systems, allowing for more efficient resource allocation, improving legal aid distribution, and offering better client-lawyer matching services based on client needs and urgency.

Improved Openness and Uniformity

With the help of judicial analytics tools developed by CaseMine and Manupatra, lawyers and litigants can track patterns in judicial decisions. These tools enhance transparency and help predict how certain cases might be ruled upon in the future. This minimization of arbitrariness improves the accuracy in the decision-making process (IJLSSS, 2025).

Tools for Language and Accessibility

The e-Committee of the Supreme Court's proposed AI-assisted translation can convert texts into vernacular languages, which in turn, boosts access to legal texts and ensures wider public participation in the field of jurisprudence.

Challenges

Bias and Discrimination Linked to Algorithms

The effectiveness of AI tools hinges on the quality of the datasets they are trained on. Caste discrimination and historic sentencing biases, for example, will be reproduced and magnified by AI systems. This echoes the criticisms directed toward the COMPAS system in the United States, which was found to disproportionately recommend stricter sentences to Black defendants (ProPublica Report, 2016).

No One Is Accountable

Deciding to deny bail, or suggesting a harsh sentence, raises the question of who the liable party is. The judge? The developer? The state? In India, no legal framework exists to attribute responsibility for decisions made by automated systems.

Opacity and "Black Box" Algorithms

Most machine learning frameworks employ black box techniques. Such reasoning lacks clear logic and thought processing which can deeply affect a litigant's chances of appealing a decision. This violates their judgment under Article 14 of the Constitution (Gopal, 2024).

Surveillance

AI needs access to legal databases and a plethora of personal data. A weak data protection framework invites the risk of data leak, misuse, and even surveillance. This was evident in the case of *K.S. Puttaswamy v. Union of India* (AIR 2017 SC 4161) where the Supreme Court declared privacy as a fundamental right, and in effect raised the bar for how personal data is handled by AI tools in courts.

Socioeconomic Disparities

Legal AI services may worsen the gap for people without the ability to access the internet, have limited digital skills, and lack basic identification documents. This problem exacerbates the challenge of providing services to rural, tribal and impoverished populations.

In *Sourav Das v. Union of India* (WRIT PETITION (CIVIL) No.1126 of 2022), the petitioner raised concerns about the AI-based facial recognition systems used in policing. The Supreme Court did not issue a decision on the merits and instead transferred the case to a high court. The case demonstrates the judicial concerns surrounding the use of unregulated AI surveillance technology in legal contexts.

LEGAL AND ETHICAL DIMENSIONS OF AI IN THE INDIAN JUSTICE SYSTEM

The application of AI technologies in the judiciary does not have a specific legal policy in India. There, however, exists some statutes, case law, and policy documents that provide some direction.

Information Technology Act of 2000 deals with processes of electronic information and cybercrime, though not AI. Still, some parts of the Act that deal with data protection and digital signatures are relevant to the use of AI in adjudicative processes (Jha, 2024). Indian Evidence Act of 1872, being replaced by Bharatiya Sakshya Adhiniyam, 2023 deal with electronic evidence. The case of *Anvar P.V. v. P.K. Basheer* ((2014) 10 SCC 473) settled the issue of receiving electronic records which paves way for AI generated reports to be used in evidence in courts provided they satisfy the conditions of admissibility. Digital Personal Data Protection (DPDP) Act, 2023 assigns new responsibilities to data processors and new rights to data principals. With respect to AI systems in the context of courts, the DPDP Act creates obligations in regard to consent, purpose, and data minimization (Nabil et. al., 2025). Currently, there are no overarching policies concerning the use of AI in the courts. Nonetheless, some High Courts like Delhi and Bombay have issued administrative circulars for pilot AI initiatives. These have yet to be institutionalized.

NITI Aayog's Discussion Paper on Responsible AI incorporates fairness, transparency, inclusivity, and safety as principles for the use of AI. AI principles provided are not legally binding and lack enforceability (Narayan & Chandrasekhar, 2023). In the data protection report, Justice

B.N. Srikrishna highlighted the need to adhere to constitutional principles, specifically Articles 14 (equality), 19 (speech), and 21 (life) in the use of AI technology in administering justice. The Draft Vision Document submitted by the Supreme Court e-Committee in 2021 outlined the following recommendations -

- Maintaining audit trails for all AI executed recommendations
- AI must assist, not make decisions
- Called Algorithmic transparency
- Called litigant data transparency (Vision document for Phase III of eCourts Project, n.d.)

In *Shreya Singhal v. Union of India* ((2015) 5 SCC 1), the decision of the court to nullify Section 66A of the IT Act fortified the notion of free speech and emphasized that constitutional safeguards cannot be overridden by mechanized enforcement. This serves as a caution against the excessive dependence on opaque AI systems for judicial processes.

In *Tehseen S. Poonawalla v. Union of India* ((2018) 9 SCC 501), the Court observed that

technology, as used by the state, must honor constitutional morality as well as the rights to life and dignity. This is the starting point for ethical AI governance.

CONCLUSION & THE WAY FORWARD

Artificial Intelligence presents both unprecedented potential and unique risks to the Indian justice system. If used carefully, AI can become a transformative force for enhancing access to justice, especially by speeding up case resolution, improving legal aid, and reducing the costs and complexity of litigation. The digital divide poses another formidable challenge. AI tools must not benefit only a privileged few. Efforts must be made to include rural users, non-English speakers, and digitally disadvantaged communities in the justice tech revolution. Vernacular access, inclusive datasets, and user-friendly interfaces will be essential.

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