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3.AI in Courts 2026 –Polity

The Supreme Court's AI Committee released draft Regulations for Use of Artificial Intelligence (AI) in Courts, 2026, establishing a comprehensive governance framework for responsible AI adoption in India's judiciary. The regulations categorically prohibit AI-based adjudication — AI cannot decide verdicts, determine sentences, assess bail eligibility, evaluate flight risk, or predict recidivism. Human judicial judgment must remain supreme, with AI functioning only in an assistive capacity. A permanent apex AI regulatory body under the Supreme Court and AI committees in all High Courts are proposed to oversee responsible adoption.

1. Key Highlights of the Regulations for Use of AI in Courts, 2026

Human Judgment Must Remain Supreme

1. AI systems shall function only in assistive capacity
2. Cannot replace judicial discretion
3. Final decisions on law, facts, and justice remain exclusively with judges

Complete Ban on AI-Based Adjudication

1. AI CANNOT be used to –
 1. Decide verdicts
 2. Determine sentences
 3. Assess bail eligibility
 4. Evaluate flight risk
 5. Predict recidivism
2. Any AI-generated output on such matters remains purely advisory

Transparency and Explainability Requirements

1. Opaque, undisclosed, unexplainable AI systems cannot be deployed in court processes
2. Particularly where they may affect rights or liberty of individuals
3. Explainable AI (XAI) mandatory for judicial applications

Safeguards Against Bias and Discrimination

1. AI tools must not perpetuate discrimination based on –
 1. Caste, religion, gender, disability
 2. Language, economic status
 3. Other constitutionally prohibited grounds
2. Regular bias audits mandatory

Judicial AI Governance Framework

1. Permanent apex AI regulatory body under Supreme Court
2. AI committees in all High Courts
3. Overseeing responsible adoption, governance of judicial AI tools

2. Role of AI in the Indian Judiciary

Enhancing Legal Research and Judicial Efficiency

1. SUPACE (Supreme Court Portal for Assistance in Court's Efficiency) –
 1. Analyses case facts
 2. Identifies relevant precedents



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3. Accelerates legal research for judges
4. Reduces time spent on routine research tasks

Improving Accessibility Through Language Technologies

1. SUVAS (Supreme Court Vidhik Anuvaad Software) – Translates judgments into multiple Indian languages
2. Bhashini (BHASHa INterface for India) – Enables translation of judgments, transcription of court proceedings into multiple Indian languages
3. Making justice accessible beyond English-speaking litigants

Strengthening Digital Court Administration

1. Digital Courts 2.1 –
 1. Voice-to-text transcription tools
 2. SHRUTI (Speech Recognition Utility for Transcription and Interpretation)
 3. Automated drafting templates
 4. Document management systems
 5. Smart search capabilities

Streamlining Filing and Case Management

1. AI-enabled e-filing systems –
 1. Automatically detect defects in documents
 2. Improve scrutiny processes
 3. Generate cause lists
 4. Support intelligent scheduling of cases

2. Reducing administrative burden on court staff

Promoting Integrated Justice Delivery

1. AI integrated with Inter-Operable Criminal Justice System (ICJS)
2. Facilitating seamless information exchange among –
 1. Police, courts, prisons, forensic institutions
3. End-to-end digital criminal justice ecosystem

3. Challenges in Adoption of AI in Judiciary

Risk of Algorithmic Bias

1. AI systems trained on historical judicial data may inherit existing social, economic, institutional biases
2. Historical judgments reflecting societal prejudices could perpetuate discrimination
3. Affecting equality before law (Article 14)

Data Privacy and Security Concerns

1. Judicial records containing sensitive personal information
2. Requiring robust cybersecurity
3. Compliance with Digital Personal Data Protection (DPDP) Act 2023 essential

Accountability and Transparency Issues

1. Black-box algorithms making it difficult to understand, challenge AI-generated recommendations
2. Raising concerns regarding procedural fairness
3. Right to know basis of decisions (natural justice principles)



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Threat to Judicial Independence

1. Excessive dependence on AI-generated outputs may indirectly influence judicial reasoning
2. Undermining exercise of independent judicial discretion
3. Risk of judges becoming rubber-stamps for algorithmic recommendations

Other Challenges

1. **Digital divide** – Unequal technology access among litigants, lawyers, courts
2. **Infrastructure gaps** – Inadequate internet connectivity in district, subordinate courts
3. **Resistance to change** – Traditional legal culture skeptical of technological intervention
4. **International comparability** – No global consensus on ethical AI standards for judiciary

4. Way Forward

Human-in-the-Loop Framework

1. AI remaining decision-support tool
2. Judges retaining complete authority over adjudication, sentencing, bail decisions
3. Technology augmenting human intelligence, not replacing it

Robust Ethical and Regulatory Standards

1. Regular audits, transparency requirements
2. Bias assessments, accountability mechanisms
3. Governing all judicial AI applications
4. Independent oversight body with civil society representation

Capacity Building and Secure Infrastructure

1. Judges, court staff, legal professionals receiving AI training
2. Supported by secure digital infrastructure
3. Strong data-protection safeguards under DPDP Act 2023

International Collaboration

1. Learn from EU Artificial Intelligence Act (risk-based regulation framework)
2. UNESCO's Recommendation on Ethics of AI (2021)
3. Develop India-specific ethical AI standards for judiciary

5. Conclusion

Supreme Court's draft AI Regulations 2026 establish a principled framework – banning AI adjudication while enabling AI assistance through SUPACE, SUVAS, Bhashini, SHRUTI, and ICJS integration – ensuring India's judiciary harnesses technology for efficiency and accessibility while preserving human judicial authority, constitutional rights, and rule of law.

Source - <https://www.thehindu.com/news/national/draft-sc-rules-prohibit-use-of-ai-for-judicial-outcomes-assessing-bail-eligibility/article71060335.ece>