ARTIFICIAL INTELLEGNECE AND ITS IMPACT ON JUSTICE DELIVERY SYSTEM IN INDIA: A DISCOURSE

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Abstract
Artificial intelligence brings a revolution in various aspects in our lives including Judicial System. AI technology plays a prominent role in legal system. This technology of AI gives an opportunity for lawyers to improve their efficiency, reduce cost and concentrate more on tactical works. The modern era is witnessing of technological advancement which is most advantageous for our society, with the introduction of robots, chat GPT etc. AI has intelligently made our life easy as it can analyse huge group of Data. It is pertinent to mention here that the AI has no mind, no emotion, no feeling, no sympathy, no, judging capability, no rezoning competency to adjudge a particular matter either it is before any forum or court of law. So, now the pertinent issue is whether AI is sometimes considered as boon as well as bane. Hence, in the present paper, the author wants to concentrate on a vital issue whether AI can solve judicial disputes, how this technology can work on law field and also what will its impact on judging. The author further focused on conceptual analysis of AI and its relevance in the justice delivery system in India. Furthermore, in the instant paper, the writer has made an attempt to explain role of AI in judicial system in India. In addition to this, the author has also focused on merits, demerits and challenges of the AI and its impact on the existing judicial system. At last, the author has given some suggestions for proper application of AI in the judicial system to make it more strengthened and streamlined. Artificial Intelligence is having both merits and demerits.

Key Words: AI, Judicial system, Law, Court, Judge, Impacts, Application, Streamline etc.

Introduction

Judiciary plays a prominent role in transforming society. Present society is dynamic. In this digital era and especially with the advent of science and technology, we are marching towards the era of Artificial Intelligence. As we know, AI technology can decrease human error and biasness and also save manual labour cost and time in justice delivery system. . AI powered algorithms can quickly analyze vast amount of legal data, it also can quickly analyze vast amount of legal data, it also can review legal documents of prospective ethical issues or potential moral topics. AI technology can aerodynamic the process the legal system research as the Indian legal system has developed over the decades through various amendments and landmark judgment. Within the progressing digital age AI has started to create beneficial impact in the Judicial system by allowing more efficiency. AI technology also reduce the time of Judicial system as huge number of cases are pending, so AI technology can assisting in reducing case by performing various tasks such as documents analysis legal research and evidence evolutions. This can ultimately lead to faster solution of pending cases and also helps to reduce backlogs and improve judicial efficiency. By improving legal research and prediction ethical consideration and transparency AI technology creates radical impacts in principals of equality accountability and justice.

As far as the present justice delivery system in India is concerned, there are huge number of cases pending before the various courts, the backlog is increasing day by day. In one hand, speedy trial is a

fundamental which is guaranteed under Article 21 of the Constitution of India, in another hand, there are no sufficient staffs, infrastructure, lack of proper case and court management, etc there is alarming rise of cases in different courts including Supreme Court of India. So, in this situation AI can play a major role in expeditious disposal of cases. The Lawyer, Judges and the other court staff can take help of AI in solving the dispute timely. AI technology can assist in reducing case by performing various tasks and improving judicial efficiency such as document analysis, legal research and 50 total evidence evaluations. This can ultimately leads to faster solution of pending cases and also helps to reduce backlogs. AI technology creates radial impact. We cannot deny it still there is few kinds of advantages. First of all we should know what is AI so that we can elaborately discuss about the matter how AI technology is important in Judicial System. Number of cases are pending in India and we are facing shortage of Judges. So to reduce the time by the algorithms method of AI technology is beneficial for our Indian Judicial System.

It is noteworthy to mention here that AI technology create an unbelievable impact of legal strategy and settlement negotiations. This AI can also get rid of any biases which is highly advantages Indian Judicial System. The main features of AI is writing mail essays, analyzing a huge group data which can easily be done few minutes. As we know AI as a machine has no thinking power. It is basically non-human who processes of the human but again it is limited its algorithm. So it does not know anything expect the data in it. But this AI algorithms are based on training data and thus can amplify biases leading to discriminatory out comes. On the other hand AI technology can be used in document analysis, automated drafting, predictive analysis and chat bots AI can assist in managing code information thus this technology reduce work load of Judges and lawyers by improving the speed decision making.

Meaning and concept of Artificial Intelligence (AI)

As far as the meaning, definition of AI is concerned, Artificial intelligence is the procedure of science which can make machines and that machines can think like a human. AI technology is a computer science that focus to create a machine that can perform any kind of task but this technology requires human intelligence to complete its task. AI as a machine has no thinking ability it automatically does not know anything beyond the data that is fed into it. This technology only can apply the given algorithm and can make a result. The goal of this technology is to recognise the procedure and judge like humans. Artificial technology is the theory and application of computers in differed fields of life through the usage of human intelligence and qualities lip speech reorganization, thinking capability, decision making and translation between languages. Google Maps, Google Assistants in our smart phones and Siri in Apple I Phone and I-Pads and prime example of artificial intelligence.

Role and function of AI in Justice delivery system

AI plays pivotal role in judicial system in India. But it is pertinent to mention here that AI has limited scope and depth. So, it cannot replace the judge. It should be more appropriate to deal with the judicial work efficiently undoubtedly it can help court case handling by removing information it also can increase case handling process very quickly but only assist the judge to handle the case. Number of pending cases are there in Indian courts and we are facing shortage of Judges who are eligible to decide the cases. This shortage can be fulfilled by AI technology can assist the Judges in analysing fat amount of data, searching for relevant cases preparing online case file and so or. This will increase the Judges and Lawyers efficiency. So AI technology can analyse historical case data to identify palters in judicial decisions which can aid in for casting potential out came of similar cases. So in Judicial system AI only

can did Judge's decision and cannot replace Judge. Judicial Judgment is not one – dimensional thinking but a multi-dimensional action so this AI technology only can help fast adjudication of cases but not in the whole judicial system.

Since 2021, the Supreme Court has been using an AI-controlled tool designed to process information and make it available to judges for decisions. It does not participate in the decision-making process. Another tool that is used by the Supreme Court of India is SUVAS (Supreme Court Vidhik Anuvaad Software) which translates legal papers from English into vernacular languages and vice versa.

In the case of **Jaswinder Singh v. State of Punjab**, the Punjab & Haryana High Court rejected a bail petition due to allegations from the prosecution that the petitioner was involved in a brutal fatal assault. The presiding judge requested input from ChatGPT to gain a wider perspective on the granting of bail when cruelty is involved. However, it is important to note that this reference to ChatGPT does not express an opinion on the case's merits, and the trial court will not consider these comments. The reference was solely intended to provide a broader understanding of bail jurisprudence when cruelty is a factor.

The Court in its order clarified that reference to ChatGPT is "not an expression on the merits of the case" and that the trial court shouldn't consider it! It was "only intended to present a broader picture on bail, where cruelty is a factor", the judge commented. However, it is evident from the reading of the order that the ChatGPT jurisprudence influenced the judge. And that's why we are discussing about an otherwise insignificant case.

In the instant case the Hon'ble court held that the 'source' of the ChatGPT jurisprudence is unknown. Did it study any legal theory or randomly mined data? Can a constitutional court deprive someone of life and liberty based on unproven jurisprudence? If the trial court can't take recourse to such jurisprudence, why use it? Was it an amateurish act to merely impress the world?

The Supreme Court's judgment in **D.Velusamy vs D.Patchaiammal** raised a few eyebrows when it had referred to 'common-law marriage' in Wikipedia to define 'relationship in the nature of marriage' under the Protection of Women from Domestic Violence Act, 2005. In this case, we don't even know the source of ChatGPT's bail jurisprudence. Therefore, P&H High Court's ChatGPT jurisprudence reference was uncalled for. Courts, endowed with the honourable duty to deliver justice, should refrain from such misadventures which could seriously jeopardize someone's life, liberty and property.

Merits of AI technology in judicial system
AI technology is increasing the judicial process by quickly analysing a large volume of legal data with relevant information. This is increase the speed of legal research and allows all the lawyers or more strategy and argumentation.

As AI is not human being so it does not have any tantrums hips mood swing, tiredness. So this technology can perform its duties more consistently. This technology also can provide data driver in sights that help extremely all the legal professionals to perform their duties with fairness. It also can reduce cost and time in the judicial system by automating repetitive performance. This AI technology helps to decide to the routine cases so that judge can get more time and freedom to decide on more sensitive and newer issues. This process not only reduce the burden of judges but also for fair trial of

newer and sensitive issues that require a proper hearing before a human judge as only human judge can deal this rind of sensitive issues emotionally as only human has emotion. AI technology also beneficial to reduce the number pending cases. As we all know large amount cases are pending in Indian judicially so here AI is fast its efficiently can help faster settlement of the cases. In India where lots of cases are filing everyday AI should definitely be used. AI technology also can short data and can make application of precedents very easily.

Let us discuss some of the positive aspects of AI which helps in judicial system and provides easy access for speedy justice delivery system.

A. Enhancing Efficiency
AI helps a lot to enhance the efficiency in expediting the process of judicial process especiall in connection with data collect, data analysis, data accuracy and its application in a particular case. It helps in collecting relevant information, case laws and decided a case which abundantly gives opportunity to judge and advocate deciding the case. The judges take the help of AI in their resech work and enrich their knowledge in deciding the cases timely manner.

B. Consistent work
As far as workload in judiciary is concerned, generally human being with much workload feels boredom, monotony and tiredness. But AI never feel tiredness. It works consistently for a long hours without any interruption. It works 24x7. AI also eliminate biasness in judicial process which helps to decide the case fairly.

C. Collection of relevant Data
AI helps legal professionals to collect relevant decisions which is in support of their case. It also helps them to crafting their arguments in a case at hand. This will not only save their time but also avoid faulty judgments that could be due to their mistake in applying law.

D.Saving of valuable time and cost
Generally the legal professionals search the old cases to make strengthen their case at hand which take much time and sometime it become repetitive and wastage of time. But AI does this job very speedily and with much authenticity. This will help in adjudication of a case properly, expeditiously and reduce the arrear of cases.

E.Enriching Judicial Creativity
AI helps the judges in research work. The judicial officers can pursue research in searching a related case, judgment pronounced in that case, merits of the case especially in new and sensitive cases. It not only helps them to apply their judicial mind in that case but also enhance their creativity.

F.Reduction of backlog of cases
AI is not only a guiding factor for deciding the enormous cases but also reduce the backlog of cases. The Himalayan Peak of cases in different courts in India is the barrier in justice delivery system and a challenge before the prevailing legal system. In this context, Since AI fast and efficient, it can help in faster settlement of cases. In a country like ours, where there are crores of cases pending and more new cases are filed every year, AI should definitely be used for expeditious disposal of cases. It can also help in court and case management.

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It is pertinent to mention here is that if the decisions given by AI of different courts are store in a cloud; it can make it easy to see which court has decided what on a particular issue. This will help in easy and hassle free application of precedents. Some old and new cases may be stored in data cloud by taking the help of AI and at the time of necessary it can be used as a precedent for quick settlement of the case.

Demerits of AI technology in justice delivery system

It won't be superfluous to talk here is that AI is both boon and bane. It has its advantages and disadvantages also. It depends upon us how to use AI and to which extent. It should not be used as panacea. It has its own limitations. AI technology does not have the ability to the apply ornate details case. It lacks of human ability such as emotions and all which can effect in decision making procedure in Judicial system. AI technology also can be bias some hours it is unable to take fair decision as the AI technology trained on historical data which might contain in heart biases. Now if the biasness is not recognized properly then AI judgment could perpetuate existing disparities in the legal system. AI technology is not affordable for the country lips ours as it too much costly. Legal decisions often related with interpretation, ethical, moral and practical consideration AI tries to understand the depth of human legal thinking and moral Judgment. As AI technology does not have emotions it cannot think differently. On this way it can only apply what it is was taught and nothing more. Sometime the decisions also be challenging to interpret because of its algorithmic nature. This algorithmic nature is not that transparent so this in transparency might ruin public trust in judicial process. Lastly in our country where population level is very high so not every can easily deal with AI with technology. Even people of older generations find it very hard adjust. AI has no capability to use rationality, reasoning power and judging capacity which need emotion, feeling, sympathy etc.

Conclusions and Suggestions

In view of the abovementioned discussion, debate, deliberation and discourse is concerned, it can be concluded that AI is both blessing as well as curse. It cannot replace lawyer. It cannot be a substitute for a judge. It is not a case settlement machine. It has both advantages and disadvantages. It also observed that in legal cases sometimes unique type of circumstances and contexts may arise which cannot be captured by AI technology algorithms. Though AI technology can play a great role in legal research, analysis and prediction still human judge court cannot be replaced with machines. So, in future AI technology should involve with more balance between algorithmic method and emotions in sensitive cases for the shape of fair judgment in Indian Judicial system. The biggest challenge is its authenticity, the source from where it provide information, who is the creator of such legal information or case analysis. In addition to this, court can only refer the Chat GPT, Chatbot etc but one cannot cite as relevant source or citation or an example to substantiate a case. Last, but not the least, we can conclude that this doesn't mean that judiciary is averse to new AI tools that could expedite justice. CJI Justice D Y Chandrachud has been emphasizing on the importance of AI in justice delivery. ChatGPT to be the most "revolutionary" tech in last half a century because of its massive influence. Some have likened it with the industrial revolution. However, it has its own pitfalls as discussed hereinabove. If it is not used rationally in judicial system, it can cause a technology disaster in future.