



AI-POWERED LEGAL AID: EXPANDING ACCESS TO JUSTICE OR REINFORCING INEQUALITY

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Abstract

India is at an important turning point in its search for justice. With over 50 million cases pending in courts, a severe shortage of legal aid lawyers, and systemic barriers of cost, language, and geography, access to justice remains a distant reality for millions of citizens. In the Indian context, the rise of artificial intelligence (AI) in the legal field offers both enormous hazards and previously unheard-of benefits. This study critically investigates whether AI-powered legal assistance technologies can actually democratize access to justice in India or if they run the danger of exacerbating already-existing disparities caused by the digital gap, language diversity, algorithmic prejudice, and inadequate infrastructure. Utilizing the Legal Services Authorities Act and the Indian constitutional framework, 1987. The study examines the structural obstacles to AI integration and suggests an equity-centered governance framework appropriate for India's socio-legal conditions, taking into account both 1987 and current AI deployments in Indian legal institutions. The study comes to the conclusion that although AI has substantial potential for expanding legal access, its revolutionary potential can only be achieved by intentional policy intervention, inclusive design, and consistent public investment.

Keywords: Artificial Intelligence, Legal Aid, Access to Justice, India, Digital Divide, Algorithmic Bias, Legal Technology, NALSA, Constitutional Rights

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1. Introduction

The preamble of the Constitution of India enshrines justice — social, economic, and political — as the primary commitment of the Indian Republic. Article 39A, which was added by the 42nd Constitutional Amendment in 1976, further requires that the State provide equal justice and free legal assistance to citizens who are unable to afford legal representation. Despite these constitutional assurances, the reality of legal access in India remains significantly unequal. As of 2024, more than 50 million cases are pending in Indian courts, with district and subordinate courts alone accounting for over 43 million pending cases (National Judicial Data Grid, 2024). The National Legal Services Authority (NALSA) estimates that while nearly 80 crore Indians qualify for free legal aid based on income criteria, only a small percentage actually receive it, primarily due to limitations in institutional capacity, lack of public awareness, and the vast geographic size of the country.

Amid this persistent justice deficit, a surge of Artificial Intelligence (AI) technology emerges. Legal chatbots, natural language processing (NLP) tools, AI-driven document automation, and predictive legal analytics are transforming the delivery of legal services worldwide, and India is no exception. The Supreme Court of India has adopted technological modernization through initiatives such as the e-Courts Mission Mode Project, SUVAS (Supreme Court Vidhik Anuvaad Software) for multilingual translation, and SUPACE (Supreme Court Portal for Assistance in Court's Efficiency) for AI-assisted legal research. NALSA has also investigated AI-based triage tools in legal aid clinics. These advancements indicate a genuine institutional momentum towards technology-enabled justice. However, the potential of AI-powered legal aid must be considered in light of India's intricate socio-legal landscape: a population of 1.4 billion that speaks over 22 scheduled languages and numerous dialects; significant urban-rural disparities in digital infrastructure; profound inequalities related to caste, class, and gender; and a regulatory framework that is still evolving.

The frameworks required for the responsible governance of AI. This paper contends that AI legal aid tools possess a dual potential — to significantly enhance access to justice for marginalized communities while also risking the reinforcement of existing inequalities if implemented without intentional equity safeguards.

The paper is structured as follows. Section II reviews the landscape of AI legal tools in India. Section III explores how AI can truly promote access to justice within the Indian context. Section IV offers a critical examination of risks and structural obstacles. Section V addresses the governance and regulatory framework. Section VI suggests a way forward. Section VII provides a conclusion.

2. AI LEGAL TOOLS IN THE INDIAN CONTEXT

India's involvement with artificial intelligence in the legal field has progressed along two concurrent paths: judicial modernization spearheaded by the Supreme Court and High Courts, and legal aid innovation driven by NALSA and civil society organizations.

A. Judicial Modernization

The e-Courts Mission Mode Project, currently in its third phase, has digitized case management, facilitated e-filing, and provided real-time case status updates to litigants nationwide. The SUVAS system, created by the Supreme Court, employs AI to translate court judgments from English into nine Indian languages, thereby addressing a significant obstacle for litigants who are not proficient in English. SUPACE, introduced in 2021 by Chief Justice S.A. Bobde, aids judges in processing case-related information and pinpointing relevant precedents, which may alleviate the time constraints faced by an already overwhelmed judiciary.

State-level innovations are also emerging. The Telangana High Court has initiated a pilot program for AI-assisted document processing; the Delhi courts have implemented virtual hearings extensively since the onset of the COVID-19 pandemic; and the National Informatics Centre (NIC) has created backend AI systems for court administration across various states.

B. Legal Aid and Civil Society Initiatives

In the realm of legal aid, organizations such as Justice, Nyaaya (managed by the Vidhi Centre for Legal Policy), and the Agami Foundation have developed AI-driven tools targeted at lay users. Nyaaya's website provides straightforward explanations of Indian laws, searchable in simple English, and has started to integrate chatbot functionalities to assist citizens with common legal issues. injustice has tested mobile-based legal assistance tools for survivors of domestic violence and tribal communities in Jharkhand and Odisha. These initiatives serve as significant proof-of-concept demonstrations that AI legal tools can be tailored for Indian users across diverse languages and literacy levels.

3. AI AS AN EQUALIZER: OPPORTUNITIES FOR INDIA

A. Addressing the Scale of Unmet Legal Need

India's legal aid system is severely lacking in resources. The National Legal Services Authority (NALSA) and the State Legal Services Authorities (SLSAs) function with a limited number of attorneys compared to the eligible population. In states such as Uttar Pradesh, Bihar, and Madhya Pradesh — which are among the most populous and impoverished in India — the outreach for legal aid is especially sparse. AI technologies that can offer dependable first-level legal advice at minimal additional cost have the capacity to tackle this scale issue in ways that human staffing alone cannot achieve.

Research conducted by the Daksh Policy Initiative has shown that a significant number of Indians engaged in legal disputes, particularly at the trial court level, are either without representation or are represented by inadequately prepared attorneys. AI document preparation tools that assist a rural farmer in understanding and drafting a tenancy dispute petition, or aid a tribal woman in navigating the application process for a domestic violence protection order, can be pivotal in determining whether a legal right is exercised or forsaken.

B. Multilingual and Low-Literacy Accessibility

One of the most important contributions that AI can offer to legal access in India is its ability to work with vernacular languages. Traditionally, the legal system in India has functioned mainly in English, a language that is proficiently spoken by less than 15% of the population. The SUVAS translation initiative represents a significant advancement, yet legal assistance necessitates more than just translated rulings — it demands effective two-way communication in regional languages. Contemporary large language models (LLMs) that are trained in Hindi, Tamil, Telugu, Bengali, Marathi, Kannada, and other prominent Indian languages are becoming increasingly adept at providing legal support in these languages. Additionally, voice-based interfaces, which do not require literacy skills, have the potential to serve India's 250 million illiterate adults, for whom text-based legal assistance is completely out of reach.

C. Geographic Reach in Rural and Remote India

India is home to more than 600,000 villages, many of which are located several hours away from the nearest legal aid office, district court, or qualified attorney. By 2023, the smartphone penetration rate in rural India has significantly increased, reaching around 40% of rural households (IAMAI, 2023), and this trend continues to rise. This connectivity infrastructure, along with AI tools designed for low-bandwidth settings and regional languages, offers a viable means for legal guidance to access communities that have traditionally been completely outside the purview of the formal justice system. Para-legal workers who are trained to utilize AI tools — a model initiated by organizations such as Sampark Foundation — can act as essential intermediaries, enhancing the effective reach of AI legal guidance to the most remote areas.

4. REINFORCING INEQUALITY: CRITICAL RISKS

A. Algorithmic Bias in the Indian Legal Context

The potential for algorithmic bias is especially pronounced in India due to the country's deeply entrenched hierarchies of caste, religion, gender, and class. If AI legal tools are predominantly trained on data from higher courts — where the litigants, lawyers, and judgments predominantly represent urban, upper-caste, English-speaking populations — the resulting models may consistently generate guidance that is inappropriate, misleading, or even detrimental to Dalit communities, Adivasis, minorities, and women who are navigating a legal system that has historically failed to serve them adequately.

Indian courts have identified patterns of structural bias in rulings concerning land acquisition that impact tribal communities, bail decisions in sessions courts, and family law issues involving women from lower socioeconomic backgrounds. An AI system that is trained on this historical case data without specific bias correction will not merely replicate these patterns — it will institutionalize them within an automated framework that presents its outputs as if they possess algorithmic objectivity. This risk is further exacerbated by the lack of transparency in most commercial AI systems, which complicates the detection of bias and the ability to legally contest it.

B. India's Digital Divide

Despite significant advancements in mobile connectivity, the digital divide in India remains stark. The Telecom Regulatory Authority of India (TRAI) reports that internet penetration in rural regions was around 37% in 2023, in contrast to over 66% in urban areas. Digital access and literacy are considerably lower among women, senior citizens, and populations belonging to Scheduled Castes and Scheduled Tribes. A 2022 NSSO survey indicated that less than 25% of rural women had ever utilized the internet.

This demographic profile closely aligns with the population that is most in need of legal assistance. Consequently, a troubling paradox emerges: AI legal tools are most readily available to those who require them the least, while being least accessible to those who need them the most. In the absence of focused investment in digital infrastructure and digital literacy, especially for women, Dalits, Adivasis, and other marginalized communities, AI legal aid risks evolving into a premium service masquerading as a public good.

C. Language Gaps and the Risk of Mistranslation

Although the capabilities of AI in major Indian languages are progressing, there are still considerable gaps, especially concerning tribal languages, dialects, and the code-switching communication styles prevalent in Indian legal settings.

An AI tool that seems to offer assistance in Hindi may struggle to effectively address a question posed in Bhojpuri, Gondi, or Tulu.

Mistakes in legal translation in critical situations — such as immigration, criminal defense, and land rights — can lead to serious and irreversible repercussions.

Considering that many of India's most legally vulnerable populations communicate in minority languages, the existing state of AI language proficiency raises significant equity issues.

D. Misplaced Reliance and Hallucination Risks

Modern AI systems, such as large language models, are recognized for generating information that sounds confident yet is factually inaccurate — a phenomenon referred to by researchers as hallucination.

In a legal setting, an AI that erroneously informs a marginal farmer that their eviction notice is legally invalid, or mistakenly advises a first-generation litigant that their limitation period remains active, can lead to severe consequences.

Individuals with low literacy and first-time users, who do not possess the necessary background to critically assess AI-generated legal information, are particularly vulnerable to these dangers.

Currently, the Indian consumer protection framework lacks clear remedies for damages resulting from AI legal advice, leaving at-risk users without legal options if AI mistakes jeopardize their cases.

5. GOVERNANCE AND REGULATORY FRAMEWORK

A. Existing Legal Framework

The regulation of AI legal tools in India exists at the convergence of multiple established legal frameworks. The Legal Services Authorities Act of 1987 requires the provision of free legal services to qualifying individuals, yet it does not consider the delivery of these services through technology. The Advocates Act of 1961 limits legal practice to registered advocates, prompting inquiries into whether AI tools that offer substantial legal advice may be seen as unauthorized legal practice. The Information Technology Act of 2000 and the Digital Personal Data Protection Act of 2023 establish guidelines for data protection, but they have not been explicitly applied to AI legal tools.

India's developing AI governance framework remains in its early stages. The Ministry of Electronics and Information Technology (MeitY) has released discussion papers regarding AI regulation that highlight a risk-based approach, while the National Strategy for Artificial Intelligence (NITI Aayog, 2018) has recognized legal services as a key area of focus. Nevertheless, there are currently no binding regulations specifically addressing AI legal tools, resulting in a governance gap where commercial platforms function without obligatory standards for equity, transparency, or accountability.

B. Recommendations for Equitable AI Legal Aid in India

Initially, NALSA ought to formulate a National AI Legal Aid Policy that sets forth standards for AI tools utilized in publicly-funded legal aid environments. This policy should encompass mandatory linguistic coverage for all scheduled languages, requirements for algorithmic transparency, and regular bias audits that are disaggregated by caste, gender, and geographic location.

Subsequently, the Bar Council of India must provide explicit guidance regarding the application of AI in legal practice. This guidance should differentiate between AI tools that support enrolled advocates and those that are directly used by lay users, ensuring that appropriate consumer protection measures are in place for the latter group.

Furthermore, MeitY should categorize AI legal aid tools as high-risk AI systems within any upcoming AI regulatory framework. This classification would necessitate pre-deployment conformity assessments, the implementation of mandatory human oversight mechanisms, and the establishment of accessible grievance redressal systems in regional languages.

Lastly, State Legal Services Authorities should implement a hybrid AI-plus-paralegal model, wherein AI tools are not utilized as independent services but rather as capacity enhancers for trained paralegal workers. This approach will guarantee human oversight and foster community trust in AI-assisted legal guidance.

6. THE PATH FORWARD: AN EQUITY-CENTRED FRAMEWORK

The primary insight presented in this paper is that AI legal aid does not inherently promote democratization or stratification; rather, it is a technology whose implications for justice are entirely contingent upon the decisions made by policymakers, institutions, and developers. In the context of India, realizing the equitable potential of AI legal aid necessitates a framework founded on four essential commitments.

Design that is centered around the community must supplant a technocentric approach. AI legal tools intended for India should be developed with the active involvement of the communities they aim to serve, which includes Dalit communities, Adivasis, religious minorities, migrant workers, women who have survived domestic violence, and individuals with disabilities. Engaging in participatory research, conducting co-design processes in local languages, and establishing ongoing mechanisms for community feedback are not merely supplementary features; they are essential prerequisites for creating tools that are genuinely useful and trustworthy.

Public investment must be acknowledged as crucial. The discourse surrounding AI legal aid in India risks being dominated by a techno-optimist narrative that views technology as a cost-effective alternative to the more challenging tasks of institutional reform and public investment. The annual budget of NALSA, the capacity of District Legal Services Authorities, and the quality of legal aid panels must be enhanced in conjunction with, rather than replaced by, investments in AI. The experiences of countries that have reduced funding for human legal aid in favor of technology-based solutions — resulting in profoundly inequitable outcomes — should serve as a cautionary tale.

The linguistic diversity of India must be prioritized as a fundamental design requirement. AI legal tools for India that function solely in English and standard Hindi are designed for the privileged class. Investment in AI capabilities for Scheduled and tribal languages, the development of voice interfaces for users with low literacy, and dialect-aware natural language processing is not a matter of choice; it is the central equity challenge that sets the Indian context apart from that of high-income nations.

Lastly, strong accountability mechanisms are vital. India requires independent AI audit bodies that possess the authority and responsibility to ensure accountability. To assess AI legal tools concerning bias, accuracy, and equitable outcomes, it is essential to have enforcement authority and accessible remediation for users who are impacted. In the absence of accountability, transparency remains a goal rather than a reality.

7. CONCLUSION

Article 39A of the Indian Constitution is not merely a rhetorical statement — it represents a binding constitutional obligation to ensure that economic hardship does not obstruct access to justice. AI-driven legal assistance provides

India with a legitimate, albeit partial, means to fulfill this obligation at a scale that traditional methods have failed to achieve for seventy years.

Nevertheless, the challenges to realizing this potential are not mainly technological in nature. They are rooted in political, economic, and institutional factors. The digital divide in India, along with its linguistic variety, caste and gender disparities, and regulatory underdevelopment, are not issues that AI can resolve — they are the contexts in which AI must operate, influencing whether it aids or harms the most vulnerable populations. An AI legal solution that effectively serves an English-speaking urban professional while failing dramatically for a Gondi-speaking tribal woman facing land dispossession has not broadened access to justice — it has perpetuated the very inequality it sought to remedy.

The trajectory of AI legal assistance in India will be shaped not by the technology itself, but by the decisions made by the state, the judiciary, the legal community, and civil society. The constitutional requirement for equal justice necessitates that these decisions be informed by the needs of the most disadvantaged individuals — the poorest, the most marginalized, and those furthest removed from the centers of legal authority — rather than by the preferences of those who already possess access.

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