



Legal Analysis of the Role of Constitutional Law in Governing Artificial Intelligence Decision Making in Public Administration

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ABSTRACT

The integration of Artificial Intelligence (AI) into public administration has significantly transformed governmental decision-making by improving efficiency, speed, data analysis, and service delivery. However, the increasing reliance on AI-based systems raises important constitutional and legal concerns relating to equality, privacy, non-arbitrariness, transparency, natural justice, accountability, and judicial review. This study examines the role of constitutional law in governing AI-assisted decision-making within public administration, with particular emphasis on the Indian constitutional framework. It analyzes how Articles 14 and 21, along with principles of procedural fairness and proportionality, can regulate the use of algorithmic systems by public authorities. The study further examines relevant judicial decisions, including *E.P. Royappa v. State of Tamil Nadu* (1974), *Maneka Gandhi v. Union of India* (1978), *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017), and *Tata Cellular v. Union of India* (1994), to understand the constitutional limits on automated administrative decisions. The analysis indicates that AI cannot operate outside established constitutional principles merely because decision-making is technologically assisted. Effective human oversight, transparency, explainability, data protection, and accessible judicial remedies are necessary to ensure accountable AI governance.

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1. INTRODUCTION

Artificial Intelligence (AI) has emerged as an important technological tool in modern public administration, increasingly influencing the way governments collect information, assess risks, allocate public resources, deliver welfare services, detect fraud, and make administrative decisions. AI-based systems can process large volumes of data rapidly and may improve administrative efficiency, consistency, and service delivery. However, the increasing use of automated and algorithmic decision-making also raises significant constitutional and legal concerns, particularly where such decisions affect fundamental rights, individual liberty, privacy, equality, and access to public services.

The integration of AI into public administration creates a fundamental legal question regarding the extent to which governmental decision-making can be delegated to or assisted by algorithms while remaining consistent with constitutional principles. Unlike ordinary administrative decisions, AI-generated decisions may involve complex algorithms, large datasets, automated profiling, and decision-making processes that are difficult for affected individuals to understand. The possibility of algorithmic bias, inaccurate data, lack of transparency, and automated discrimination creates challenges for the traditional principles of administrative law and constitutional governance.

In the Indian constitutional framework, **Article 14** provides an important safeguard against arbitrary and discriminatory State action. AI systems used by public authorities must therefore operate in a manner consistent with equality and non-arbitrariness. The principles developed in *E.P. Royappa v. State of Tamil Nadu* (1974) and *Maneka Gandhi v. Union of India* (1978) are particularly relevant because they emphasize fairness, reasonableness, and protection against arbitrary governmental action. Consequently, the fact that a decision is produced through an algorithm cannot itself provide immunity from constitutional scrutiny.

The **right to privacy under Article 21** is another major constitutional consideration in AI-based administration. Modern AI systems frequently depend on extensive personal, biometric, financial, and behavioural information. In *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017), the Supreme Court recognized privacy as a fundamental right and emphasized the constitutional importance of individual autonomy and dignity. The use of AI by government authorities must therefore be accompanied by appropriate safeguards concerning data collection, processing, storage, and use.

AI-based administrative decision-making also raises important questions concerning **natural justice, transparency, explainability, and accountability**. When an automated system denies a public benefit, identifies an individual as a potential risk, or otherwise adversely affects a person's interests, the affected



person should have meaningful access to the reasons underlying the decision and an opportunity to challenge errors. The principles of natural justice, supported by cases such as *State of Orissa v. Dr. (Miss) Binapani Dei* (1967), are therefore relevant to determining whether automated administrative procedures satisfy constitutional standards of fairness.

2. LITERATURE REVIEW

2.1. CONSTITUTIONAL RIGHTS AND AI-BASED ADMINISTRATIVE DECISIONS

The increasing use of Artificial Intelligence (AI) in public administration has transformed the manner in which governments make decisions concerning welfare schemes, taxation, policing, public services, employment, immigration, and social benefits. Although AI can improve administrative efficiency, speed, and consistency, its use must remain subject to constitutional principles. In India, AI-driven administrative decisions are particularly governed by **equality, non-arbitrariness, privacy, personal liberty, fairness, and natural justice**. The Constitution therefore acts as a fundamental safeguard against unchecked or discriminatory algorithmic decision-making.

2.2 Right to Equality and Non-Discrimination

Article 14 of the Constitution guarantees equality before law and equal protection of laws. AI systems used by public authorities must therefore not produce discriminatory or arbitrary outcomes. Algorithmic systems can unintentionally reproduce biases contained in historical datasets, resulting in unequal treatment based on caste, gender, religion, socioeconomic status, geographical location, or other characteristics.

The principle established in *E.P. Royappa v. State of Tamil Nadu (1974)* is particularly relevant because the Supreme Court connected equality with the prohibition of arbitrariness. **Similarly, *Shayara Bano v. Union of India (2017)* strengthened the doctrine of manifest arbitrariness.** These principles can be applied to AI-based administration where an algorithm produces unexplained or unreasonable outcomes.

2.3 Right to Privacy and Protection of Personal Data

AI-based public administration often depends upon large volumes of personal information, including identity details, financial records, biometric information, health-related data, and behavioural patterns. Excessive or unjustified collection and processing of such information may interfere with an individual's constitutional right to privacy.



In *Justice K.S. Puttaswamy (Retd.) v. Union of India (2017)*, the Supreme Court recognized privacy as a fundamental right under Article 21. The judgment is highly significant for AI governance because government agencies using AI must ensure that data collection and processing satisfy constitutional requirements such as **legality, necessity, proportionality, and legitimate state purpose**.

2.4 Right to Life, Personal Liberty and Dignity

Article 21 protects life and personal liberty and has been interpreted broadly to include dignity, autonomy, and fairness. AI decisions affecting important aspects of an individual's life—such as access to welfare benefits, healthcare, education, employment, policing, or other public services—can directly affect these constitutional interests.

Therefore, an AI-generated decision should not be treated as automatically legitimate merely because it is technologically generated. Administrative authorities remain constitutionally responsible for ensuring that AI-assisted decisions respect individual dignity and liberty.

2.5 Principles of Natural Justice

AI-based administrative decisions raise an important question: **Can a person challenge a decision when they do not know how the algorithm reached it?**

The principles of natural justice require fairness in administrative decision-making. In *State of Orissa v. Dr. (Miss) Binapani Dei (1967)*, the Supreme Court emphasized the importance of procedural fairness where administrative decisions affect individual rights.

For AI-based decisions, this principle supports:

- notice of adverse decisions;
- an opportunity to respond;
- disclosure of relevant reasons;
- meaningful human review; and
- an effective mechanism for appeal or correction.

Thus, **“black-box” AI systems that produce significant administrative consequences without meaningful explanation may create constitutional concerns.**



2.6 Transparency and Explainability

Constitutional governance requires public authorities to exercise power in a manner that can be scrutinized. When AI is used to determine eligibility for government schemes, assess risks, allocate resources, or identify suspected violations, affected individuals should ordinarily be able to understand the **basis and relevant factors** behind the decision.

Transparency does not necessarily require disclosure of every technical detail of an algorithm. Rather, constitutional accountability requires sufficient explanation to determine whether the decision was **lawful, reasonable, non-discriminatory, and procedurally fair**.

2.7 Protection Against Arbitrary Administrative Action

AI should function as a **decision-support mechanism rather than an independent source of governmental authority**. The constitutional responsibility remains with the public authority that deploys the system.

The principle from *Maneka Gandhi v. Union of India (1978)* is important in this context because it emphasized that procedures affecting personal liberty must be fair, just, and reasonable. Consequently, government authorities should ensure that AI-assisted procedures do not become mechanical, unreasonable, or disproportionate.

2.8 Human Oversight and Constitutional Accountability

A major constitutional concern is the possibility of **automation bias**, where public officials unquestioningly accept an AI-generated recommendation. Human oversight is therefore essential, especially when decisions have serious consequences for fundamental rights.

A constitutionally responsible AI framework should provide:

- human supervision of high-impact decisions;
- independent review of algorithmic outcomes;
- mechanisms for correcting inaccurate data;
- monitoring for discriminatory outcomes;
- reasons for adverse decisions; and



- accessible appeal and grievance mechanisms.

3. JUDICIAL REVIEW AND ACCOUNTABILITY OF AI DECISIONS

The increasing adoption of Artificial Intelligence (AI) in public administration creates a need for effective mechanisms to ensure that automated and AI-assisted decisions remain within constitutional and legal boundaries. Judicial review provides an important safeguard against arbitrary, discriminatory, unreasonable, or procedurally unfair AI-based administrative action. Although courts may not ordinarily examine the technical functioning of an algorithm in every case, they can examine whether the **decision, procedure, purpose, and consequences** of using AI comply with constitutional principles and administrative law.

3.1 Judicial Review of AI-Based Administrative Decisions

Judicial review enables courts to examine decisions taken by public authorities and determine whether governmental power has been exercised lawfully. When AI is used to assist or generate administrative decisions, the use of technology does not remove the decision from judicial scrutiny. Courts can examine whether the authority acted within its statutory powers, followed the prescribed procedure, considered relevant factors, and avoided arbitrariness.

The principles established in *Tata Cellular v. Union of India (1994)* are relevant because the Supreme Court recognized that judicial review of administrative action is concerned primarily with the **legality of the decision-making process**, rather than substituting the court's own decision for that of the administration. In the AI context, this principle may allow courts to examine whether an algorithm was lawfully deployed and whether its output was relied upon in a rational and constitutionally permissible manner.

3.2 AI and the Principle of Non-Arbitrariness

Article 14 requires State action to be fair, reasonable, and non-arbitrary. An AI system may create constitutional concerns when it produces inconsistent, discriminatory, or unexplained outcomes. For example, if an automated government system denies benefits to similarly situated individuals without a rational basis, the affected decision may be challenged under Article 14.

The doctrine of non-arbitrariness developed in *E.P. Royappa v. State of Tamil Nadu (1974)* is particularly relevant. The case established an important connection between equality and arbitrariness. Therefore, public authorities cannot avoid constitutional scrutiny merely by arguing that an allegedly arbitrary decision was generated by a computer system or algorithm.



3.3 Accountability for Algorithmic Errors

AI systems may produce incorrect results because of inaccurate datasets, incomplete information, biased training data, programming errors, or inappropriate assumptions built into the system. When such errors affect citizens, an important legal question arises: **Who is responsible for the resulting harm?**

The ultimate responsibility should remain with the public authority that adopts and uses the AI system. Government departments should not be permitted to shift responsibility to software developers or describe an adverse decision as merely an “algorithmic outcome.” Administrative authorities must maintain mechanisms for identifying, correcting, and reviewing AI-generated errors.

3.4 Transparency and Explainability

Judicial review becomes difficult when AI systems operate as “black boxes” and the affected person cannot understand why a particular decision was reached. Transparency is therefore essential for meaningful accountability.

A person affected by an AI-assisted administrative decision should, particularly where significant rights or interests are involved, be provided with adequate information about the **nature of the decision, significant factors considered, relevant data, and reasons for the adverse outcome**, subject to legitimate restrictions such as privacy, security, and confidentiality.

This requirement is closely connected with principles of natural justice because an individual cannot effectively challenge a decision that is entirely unexplained.

3.5 Right to Human Review

Human oversight is particularly important where AI decisions have substantial consequences for individuals. An automated system should not necessarily be the final authority in matters involving fundamental rights, livelihood, welfare benefits, liberty, or other significant interests.

Human review provides an opportunity to examine whether the algorithm has relied upon inaccurate information or produced an unreasonable outcome. It also ensures that public officials remain accountable for the exercise of governmental power rather than simply accepting algorithmic recommendations without independent assessment.



3.6 Procedural Fairness and Natural Justice

The principles of natural justice require administrative authorities to follow fair procedures when their decisions adversely affect individuals. The Supreme Court's decision in *State of Orissa v. Dr. (Miss) Binapani Dei (1967)* is significant for the broader principle that administrative decisions affecting rights should comply with procedural fairness.

In AI-based administration, procedural fairness may require adequate notice, an opportunity to respond, disclosure of relevant reasons, correction of inaccurate information, and access to an appropriate appeal or review mechanism. Therefore, automation should not become a means of bypassing natural justice.

3.7 Proportionality in AI-Based State Action

AI systems may be used for surveillance, fraud detection, predictive policing, eligibility assessment, and other activities that can significantly affect individual rights. Such applications must be proportionate to the legitimate governmental objective they seek to achieve.

The principle of proportionality requires consideration of whether the governmental objective is legitimate, whether the AI-based measure is rationally connected to that objective, whether a less restrictive alternative is available, and whether the overall impact on individual rights is justified.

The Supreme Court's privacy jurisprudence in *Justice K.S. Puttaswamy (Retd.) v. Union of India (2017)* provides an important constitutional foundation for assessing State measures that interfere with privacy and personal autonomy.

4. CASE LAWS

4.1. *E.P. Royappa v. State of Tamil Nadu (1974)*

In *E.P. Royappa v. State of Tamil Nadu (1974)*, the Supreme Court established that **arbitrariness is incompatible with equality under Article 14** of the Constitution. This principle is highly relevant to AI-based administrative decision-making because algorithms may generate unequal or biased outcomes due to flawed datasets or discriminatory programming. Government authorities using AI must therefore ensure that automated decisions are rational, consistent, and non-discriminatory.

4.2. *Maneka Gandhi v. Union of India (1978)*



The judgment in *Maneka Gandhi v. Union of India* (1978) significantly expanded the interpretation of **Article 21** and emphasized that procedures affecting individual liberty must be fair, just, and reasonable. In the context of AI, this principle requires public authorities to ensure procedural fairness when automated systems affect citizens' rights, benefits, or freedoms. AI cannot be used as a justification for decisions that are unfair or unreasonable.

4.3. *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017)

In *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017), the Supreme Court recognized **privacy as a fundamental right** under the Constitution. The case is particularly important for AI governance because AI systems often process large amounts of personal, biometric, and behavioural data. Government use of such technologies must therefore respect privacy, necessity, legality, and proportionality.

4.4. *Tata Cellular v. Union of India* (1994)

In *Tata Cellular v. Union of India* (1994), the Supreme Court explained the principles governing **judicial review of administrative decisions**. The Court emphasized that judicial review primarily examines the legality and fairness of the decision-making process rather than replacing the administrative authority's decision. This principle is applicable to AI-assisted administration because courts can examine whether an AI-based decision was lawful, reasonable, procedurally fair, and within the authority's legal powers.

5. CONCLUSION

In conclusion, constitutional law provides an essential legal framework for regulating AI-based decision-making in public administration by ensuring that technological efficiency does not override fundamental rights and administrative fairness. The principles of **equality, non-arbitrariness, privacy, personal liberty, natural justice, proportionality, and judicial review** require AI systems to operate within constitutional boundaries. The decisions in *E.P. Royappa*, *Maneka Gandhi*, *K.S. Puttaswamy*, and *Tata Cellular* demonstrate that governmental power remains subject to constitutional accountability even when exercised through advanced technologies. Therefore, AI should function as a tool to assist public authorities rather than as an unchecked substitute for human and constitutional responsibility.

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