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Artificial Intelligence and Disability Management: From Assistive Innovation to Rights-Based Governance

A Critical Legal Analysis with Special Reference to India

Mini.S

Associate Professor

Govt. Law College, Ernakulam

Abstract

Artificial intelligence is rapidly entering the systems through which disability is identified, accommodated, treated and governed. It powers screen readers, speech recognition, alternative communication, navigation, rehabilitation and personalised learning. At the same time, it is increasingly used to screen job applicants, monitor workers, assess students, prioritise patients and determine access to public benefits. So necessarily the legal question is not whether AI is beneficial or harmful, but whether AI helps in addressing the issues of disabled community and convert disability into a condition that has to be managed by institutions. Using India as the principal jurisdiction, the article examines the Constitution, the Rights of Persons with Disabilities Act, 2016, the Digital Personal Data Protection Act, 2023, the Digital Personal Data Protection Rules, 2025 and leading disability-rights judgments. It draws comparative lessons from the Convention on the Rights of Persons with Disabilities, the European Union Artificial Intelligence Act and the United States disability-discrimination framework. A detailed attention is provided to employment because algorithmic hiring and workplace surveillance expose the central tension between efficiency and reasonable accommodation. It concludes that India needs a disability-centred AI governance framework built around participatory design, accessibility, impact assessment, data minimisation, meaningful human review, vendor accountability and effective remedies. AI should assist a person in exercising choices; it should not silently decide which persons are worthy of opportunity, care or public support.

Keywords: Artificial Intelligence; Disability Rights; Reasonable Accommodation; Algorithmic Discrimination; Data Protection.

I. Introduction

Artificial intelligence has begun to occupy an intimate place in the lives of persons with disabilities. A mobile phone can describe an unfamiliar room to a blind user, convert speech into text for a deaf student, predict words for a person who communicates through an augmentative device, or adapt a digital lesson to a learner with dyslexia. These applications can reduce dependence on institutions and make everyday activities more private, immediate and self-directed. Same technology have different opertaions according to the hands in which it rests.. An automated system may reject an applicant whose speech pattern differs from the statistical norm, classify disability-related absence as unreliable, treat an atypical facial expression as dishonesty, or infer a mental-health condition from behavioural data. Hence AI can be a tool in the hands of a person and at the same time the person becomes the object for the technology.[1]

The main issue is not that whether the use of AI is good or bad for disability management.but who defines the situation and the perspective of the person who views the issue, who controls the situation. The Convention on the Rights of Persons with Disabilities ("CRPD") rejects the idea that disability is located only in an impaired body. It recognises disability as arising from the interaction between impairment and social, legal, communicative, technological and environmental barriers.[2] India's Rights of Persons with Disabilities Act, 2016 ("RPwD Act") adopts the same relational understanding and protects equality, dignity, accessibility and reasonable accommodation.[3] If AI removes a barrier, it may advance those commitments. If it standardises an exclusionary environment and then labels the excluded person as deficient, it reproduces the very model disability law was enacted to dismantle.[4]

The United Nations Special Rapporteur on the rights of persons with disabilities has warned that AI offers genuine opportunities while also intensifying surveillance, discrimination and loss of autonomy. The risk is magnified because persons with disabilities are not a homogeneous category. Disability intersects with gender, caste, class, age, language, rural location and digital literacy. A high-accuracy English-language system may be practically useless to a rural user who communicates in Malayalam, or a regional sign language. A low-cost app may still be inaccessible to someone who cannot operate a touchscreen. A supposedly neutral employment model may penalise gaps in work history that reflect inaccessible education, caregiving responsibilities or periods of treatment.[5]

This article develops a rights-based approach to AI and disability management, with India as its primary focus and employment as its detailed case study. It uses "disability management" cautiously. In conventional organisational literature, the term often refers to rehabilitation, return-to-work planning, accommodations and coordination of services. In a rights framework, however, management cannot mean controlling the disabled person or reducing her to a medical file. It must mean managing barriers, institutional duties and support systems so that the person can exercise autonomy on an equal basis with others. The article argues that AI governance must begin from this inversion: institutions should manage exclusion, not manage disabled people.

[1] See World Health Organization & United Nations Children's Fund, Global Report on Assistive Technology 1-20 (2022); Special Rapporteur on the Rights of Persons with Disabilities, Artificial Intelligence and the Rights of Persons with Disabilities, U.N. Doc. A/HRC/49/52, paras. 14-31 (Dec. 28, 2021).

[2] Convention on the Rights of Persons with Disabilities arts. 9, 24, Dec. 13, 2006, 2515 U.N.T.S. 3.

[3] Rights of Persons with Disabilities Act, No. 49 of 2016, §§ 3, 21 (India).

[4] Convention on the Rights of Persons with Disabilities pmbl. para. (e), arts. 1, 3 & 9, Dec. 13, 2006, 2515 U.N.T.S. 3; Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 2(s), 2(y) & 3, India Code (2016).

[5] Special Rapporteur on the Rights of Persons with Disabilities, Artificial Intelligence and the Rights of Persons with Disabilities, U.N. Doc. A/HRC/49/52, paras. 32-52 (Dec. 28, 2021); Comm. on the Rights of Persons with Disabilities, General Comment No. 6 on Equality and Non-Discrimination, U.N. Doc. CRPD/C/GC/6, paras. 19-21 (Apr. 26, 2018).

From the Medical Model to a Rights-Based Understanding of AI

Traditional disability policy frequently treated impairment as an individual tragedy requiring cure, charity or professional supervision. The social and human-rights models shifted attention to inaccessible structures and unequal power. This movement matters for AI because technology is often marketed through medical language: detection, correction, optimisation, prediction and normalisation. Such language can be useful in clinical contexts, but it becomes dangerous when it assumes that every deviation from a statistical norm is a defect.[6]

A rights-based analysis asks whether a technology enlarges capability without making conformity the price of participation. An AI-powered prosthetic, hearing device or communication system may be transformative because the user chooses it and can adapt it to her needs. The WHO-UNICEF Global Report on Assistive Technology estimates that billions of people require assistive products while a very large proportion remain without access, especially in low- and middle-income countries. AI can improve functionality, personalisation and language support, but innovation alone does not create access. Cost, connectivity, repair services, training, procurement rules and interoperability determine whether an invention reaches the person who needs it.[7]

The difference between universal design and individual accommodation is also important. Universal design requires systems to be usable by the widest range of persons from the outset. Reasonable accommodation responds to the particular requirements of an individual where general design remains insufficient. The Supreme Court of India in Vikash Kumar v. Union Public Service Commission treated reasonable accommodation as a central component of substantive equality rather than an act of generosity. In Ravinder Kumar Dhariwal v. Union of India, the Court further recognised indirect discrimination and the need to examine how apparently neutral institutional practices disproportionately burden persons with psychosocial disabilities. These principles apply naturally to AI. A platform should be accessible by design, but it must also allow individual adjustments, alternative modes of interaction and exceptions where automated assumptions conflict with lived reality.[8]

AI systems complicate equality because their discriminatory effect may not be traceable to an expressly prejudicial rule. Harm may emerge from the composition of training data, the selection of proxy variables, the optimisation target, the interface, or the institutional use of a score. Four recurring forms of disability-related algorithmic harm can be identified.[9]

First, there is exclusion by absence. Persons with disabilities may be missing or underrepresented in datasets, particularly when disability is not recorded, is recorded inconsistently, or is hidden because disclosure invites stigma. A model trained on "average" speech, movement, gaze, response time or work history may treat disabled users as anomalies. Second, there is discrimination by proxy. A system may never receive a disability label, yet infer disability through employment gaps, typing speed, location data, medical purchases, communication style or patterns of device use. Third, there is exclusion through interface. A theoretically fair model is still inaccessible if notices cannot be read by screen readers, assessment videos lack captions, consent forms use complex language, or the only appeal mechanism requires speech. Fourth, there is automated paternalism. Systems may restrict a person "for her own

[6] See Convention on the Rights of Persons with Disabilities pmbl. para. (e), arts. 1 & 3, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 6 on Equality and Non-Discrimination, U.N. Doc. CRPD/C/GC/6, paras. 8-11 (Apr. 26, 2018).

[7] World Health Organization & United Nations Children's Fund, Global Report on Assistive Technology 1-20, 41-64 (2022).

[8] Vikash Kumar v. Union Public Service Commission, (2021) 5 S.C.C. 370, paras. 41-49 (India); Ravinder Kumar Dhariwal v. Union of India, (2023) 2 S.C.C. 209, paras. 50-69 (India).

[9] See Solon Barocas & Andrew D. Selbst, Big Data's Disparate Impact, 104 Calif. L. Rev. 671, 677-93 (2016); Andrew D. Selbst et al., Fairness and Abstraction in Sociotechnical Systems, in Proceedings of the Conference on Fairness, Accountability, and Transparency 59, 59-68 (2019).

safety," downgrade her choices, or substitute a guardian's decision without first providing support for her own decision-making.[10]

These harms expose the weakness of purely technical fairness metrics. Equal error rates do not establish justice where the underlying task is inappropriate. A perfectly accurate emotion-recognition system would still be objectionable if it treated facial movement or vocal tone as a reliable measure of honesty, motivation or pain. Similarly, a highly accurate model predicting the cost of accommodating an employee could be used to exclude the very candidates whom equality law requires the employer to consider individually. The legal inquiry must therefore address purpose, necessity and power, not only statistical performance.[11]

The Indian Legal Framework: Strong Rights, Fragmented AI Governance

India does not yet possess a single comprehensive statute governing all AI systems. The legal framework is distributed across constitutional rights, disability law, data protection, sectoral regulation, consumer protection, administrative law and emerging policy principles. This fragmentation is not necessarily fatal. Technology-neutral rights can often regulate new tools more effectively than narrow technology-specific rules. The difficulty is enforcement: institutions may treat AI as an external vendor product rather than as part of their own legal decision-making.[12]

Articles 14 and 21 of the Constitution protect equality, non-arbitrariness, dignity, autonomy and privacy. The Supreme Court linked disability equality with dignity and condemned treatment founded on stereotypes rather than an individual assessment.[13] Later the court had emphasised the connection between disability, representation and substantive equality, warning against language and portrayals that reinforce disabling stereotypes.[14] These cases are relevant to AI because models learn from cultural material and institutional records that may contain precisely such stereotypes.[15]

The RPwD Act provides a stronger statutory foundation. Section 3 guarantees equality, dignity and protection from discrimination; section 2(y) defines reasonable accommodation; sections 16 and 17 address inclusive education; section 20 prohibits discrimination in employment; and sections 40 to 42 require accessibility standards and access to information and communication technology. Rajive Raturi v. Union of India clarified that accessibility standards cannot remain merely recommendatory where the statute makes accessibility obligatory. This is critical for digital systems. Accessibility cannot be reduced to a checklist added after procurement. If an AI-enabled public service, examination, recruitment process or healthcare portal is inaccessible, the institution may violate equality even before the model produces a decision.[16]

The RPwD Act is broad enough to reach many AI harms, but three gaps remain. First, the Act does not expressly require an algorithmic or disability impact assessment before high-risk deployment. Second, enforcement institutions may lack technical expertise and access to vendor documentation. Third,

[10] See U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022), https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence; World Wide Web Consortium, Web Content Accessibility Guidelines (WCAG) 2.2, W3C Recommendation (Oct. 5, 2023), https://www.w3.org/TR/WCAG22/; Comm. on the Rights of Persons with Disabilities, General Comment No. 1: Article 12: Equal Recognition Before the Law, U.N. Doc. CRPD/C/GC/1, paras. 15-29 (May 19, 2014).

[11] See Solon Barocas & Andrew D. Selbst, Big Data's Disparate Impact, 104 Calif. L. Rev. 671, 701-12 (2016); Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence, art. 5(1)(f), 2024 O.J. (L 1689) 1.

[12] See NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 1-Principles for Responsible AI 33-42 (2021); Digital Personal Data Protection Act, No. 22 of 2023, India Code (2023).

[13] *Jeeja Ghosh v. Union of India*, A.I.R. 2016 S.C. 2393 (India).

[14] Nipun Malhotra v. Sony Pictures Films India Private Limited [2024] 7 S.C.R. 246.

[15] India Const. arts. 14 & 21; Jeeja Ghosh v. Union of India, (2016) 7 S.C.C. 761, paras. 37-46 (India); Nipun Malhotra v. Sony Pictures Films India Pvt. Ltd., 2024 INSC 465, paras. 44-74 (India).

[16] Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 2(y), 3, 16-17, 20 & 40-42, India Code (2016); Rajive Raturi v. Union of India, 2024 INSC 858, paras. 38-91 (India).

individual complaint mechanisms are poorly suited to systemic models that affect thousands of people while revealing little about why any one person was rejected.[17]

India's responsible-AI policy documents partly fill the conceptual gap. NITI Aayog's framework identifies safety, reliability, equality, inclusivity, non-discrimination, privacy, transparency and accountability as core principles. Its operational document recommends risk assessment, audits and institutional mechanisms. These principles align with disability rights, but soft-law commitments do not automatically create remedies. A person denied employment cannot obtain reinstatement merely by proving that a vendor departed from an ethical principle unless the principle is connected to a statutory or contractual duty.[18]

Data protection is the other major pillar. The Digital Personal Data Protection Act, 2023 ("DPDP Act") requires notice, consent in appropriate cases, accuracy where data are used to make decisions, security safeguards and grievance redress. Significant Data Fiduciaries may be required to conduct data-protection impact assessments and audits. The Digital Personal Data Protection Rules, 2025 contain a notable future obligation: once Rule 13 commences, a Significant Data Fiduciary must verify that technical measures, including algorithmic software used in processing personal data, are not likely to pose a risk to the rights of Data Principals. Because Rule 13 is scheduled to commence eighteen months after publication of the Rules, it should presently be understood as an important forthcoming foothold for algorithmic accountability rather than an obligation already in force.[19]

Yet data protection and disability equality are not identical. An AI system can discriminate using accurate and lawfully obtained data. It may also infer disability without processing an explicit medical record. Conversely, some disability data are necessary to test whether a system excludes disabled users. A blanket demand to remove protected attributes can make discrimination harder to detect. Good governance therefore requires controlled, purpose-limited equality monitoring rather than either unrestricted collection or deliberate blindness.[20]

The treatment of legal capacity deserves particular scrutiny. Section 9 of the DPDP Act requires verifiable consent from the lawful guardian before processing personal data of a person with disability who has such a guardian. The 2025 Rules narrow the category by referring to a person who, despite adequate and appropriate support, is unable to take legally binding decisions, and they require verification of lawful guardianship. This is more careful than equating disability with incapacity. Even so, digital systems may operationalise guardianship as a default rather than an exceptional support arrangement. Article 12 of the CRPD requires equal recognition before the law and a transition from substitute decision-making toward support that respects will and preferences. A platform should not infer incapacity from a diagnosis, disability certificate or communication difference. It should provide accessible information and supported decision-making before displacing the person's own consent.[21]

Privacy is especially significant because disability information can expose a person to stigma, insurance exclusion, employment discrimination and intimate surveillance. In Justice K.S. Puttaswamy v. Union of India, the Supreme Court recognised privacy as including decisional autonomy, bodily integrity

[17] See Special Rapporteur on the Rights of Persons with Disabilities, Artificial Intelligence and the Rights of Persons with Disabilities, U.N. Doc. A/HRC/49/52, paras. 72-90 (Dec. 28, 2021); NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 18-45 (2021).

[18] NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 1-Principles for Responsible AI 33-42 (2021); NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 18-45 (2021).

[19] Digital Personal Data Protection Act, No. 22 of 2023, secs. 5-13, India Code (2023); Digital Personal Data Protection Rules, 2025, rr. 1(4) & 13(3), Gazette of India, Extraordinary, pt. II, sec. 3(i), G.S.R. 846(E) (Nov. 14, 2025) (providing that Rule 13 will commence eighteen months after publication).

[20] See Solon Barocas & Andrew D. Selbst, Big Data's Disparate Impact, 104 Calif. L. Rev. 671, 688-714 (2016); Manish Raghavan et al., Mitigating Bias in Algorithmic Hiring: Evaluating Claims and Practices, in Proceedings of the 2020 Conference on Fairness, Accountability, and Transparency 469, 469-81 (2020).

[21] Digital Personal Data Protection Act, No. 22 of 2023, sec. 9, India Code (2023); Digital Personal Data Protection Rules, 2025, r. 11, Gazette of India, Extraordinary, pt. II, sec. 3(i), G.S.R. 846(E) (Nov. 14, 2025); Convention on the Rights of Persons with Disabilities art. 12, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 1: Article 12: Equal Recognition Before the Law, U.N. Doc. CRPD/C/GC/1, paras. 15-29 (May 19, 2014).

and control over personal information. AI challenges these protections by generating new inferences from ordinary data. A worker may never disclose depression, but a system may infer it from sleep patterns, keyboard activity or leave records. The law must therefore regulate sensitive inferences and consequential uses, not merely the collection of formally labelled health data.[22]

Employment as the Central Test of Disability-Sensitive AI

Employment is the clearest setting in which AI's promise and danger collide. Work provides income, identity, social participation and independence. Persons with disabilities have historically faced exclusion not only because of inaccessible workplaces but also because employers mistake difference for incapacity. Algorithmic hiring can either reduce arbitrary human prejudice or scale it with greater speed and opacity.[23]

Employers increasingly use software to parse résumés, rank applicants, administer games and personality tests, analyse video interviews, schedule work, monitor productivity and predict attrition. A vendor may describe these tools as neutral because disability is not an input. That claim is legally incomplete. A timed test may disadvantage a candidate who uses assistive technology. Speech analysis may penalise stammering, deaf speech or atypical prosody. Facial analysis may misinterpret limited facial movement, blindness, autism or the side effects of medication. Personality models may treat literal communication, anxiety or reduced eye contact as evidence of poor teamwork. A résumé model may downgrade gaps caused by inaccessible education, hospitalisation or the refusal of earlier employers to accommodate.[24]

Under section 20 of the RPwD Act, a government establishment cannot discriminate in employment and must provide reasonable accommodation and an appropriate barrier-free environment. Constitutional principles and general anti-discrimination reasoning also influence private employment, particularly where statutory duties, contractual fairness and fundamental rights values intersect. The essential lesson from Vikash Kumar is that accommodation must respond to individual capacity rather than rigid disability percentages or predefined categories. An AI system that automatically denies an alternative assessment because the applicant does not hold a particular certificate would repeat the formalism rejected by the Court.[25]

A lawful AI hiring process should therefore contain an "accommodation pathway" before assessment begins. The candidate must receive an accessible explanation of the tool, the abilities it purports to measure, the data it collects and the alternatives available. The request for accommodation should not itself become a negative signal. A person must be able to opt for a human-administered or differently designed assessment without being treated as less technologically capable. Where the system measures speed, voice, gaze or movement, the employer must establish that the metric is genuinely connected to an essential job function and that less exclusionary methods are unavailable.[26]

The United States provides a useful comparative warning. The Equal Employment Opportunity Commission has explained that AI tools may violate the Americans with Disabilities Act when they screen out qualified persons, make disability-related inquiries, or fail to provide reasonable accommodation. The

[22] Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 S.C.C. 1, paras. 297-325 (India); Digital Personal Data Protection Act, No. 22 of 2023, secs. 4-8, India Code (2023).

[23] Convention on the Rights of Persons with Disabilities art. 27, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 8 on the Right of Persons with Disabilities to Work and Employment, U.N. Doc. CRPD/C/GC/8, paras. 10-28 (Sept. 9, 2022).

[24] U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022), https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence; U.S. Department of Justice, Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring (May 12, 2022), https://www.ada.gov/resources/ai-guidance/.

[25] Rights of Persons with Disabilities Act, No. 49 of 2016, sec. 20, India Code (2016); Vikash Kumar v. Union Public Service Commission, (2021) 5 S.C.C. 370, paras. 41-49 (India).

[26] See U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022), https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence; Americans with Disabilities Act of 1990, 42 U.S.C. secs. 12111-12117.

Department of Justice has similarly cautioned that employers remain responsible when they purchase discriminatory hiring technology. In Mobley v. Workday, Inc., a federal district court allowed important theories to proceed against a software vendor alleged to perform algorithmic screening on behalf of employers, demonstrating that the boundary between employer and technology provider is legally contestable. India should not permit an employer to answer a discrimination claim by saying, "the software rejected you." Delegating a function does not delegate away the duty of equality.[27]

The greater and less discussed danger lies after hiring. Automated management systems measure keystrokes, screen time, location, call duration, task completion, breaks and customer ratings. These metrics often assume a standard body and a standard working rhythm. A worker with chronic pain may need short breaks; a blind employee may navigate software differently; a person with a psychosocial disability may benefit from flexible scheduling; a worker using speech recognition may generate unusual input patterns. When AI treats these patterns as low productivity or misconduct, the result is indirect discrimination.[28]

Ravinder Kumar Dhariwal is particularly instructive. The Supreme Court held that conduct connected with mental disability cannot be assessed through a disciplinary framework blind to disability and accommodation. An automated performance system can become precisely such a framework: it records deviation, triggers warnings and builds a record of "objective" underperformance while never asking whether the workplace created the barrier. Human review is not meaningful if the reviewer merely confirms the score. The reviewer must have authority, time and information to examine accommodation, contextual factors and alternative explanations.[29]

Workplace AI can also produce a surveillance burden that falls disproportionately on disabled employees. Health wearables, fatigue detection, ergonomic sensors and wellness platforms may be offered as supportive tools. But support can quickly become compulsory monitoring. Data collected to prevent injury may later influence promotion, insurance or termination. Consent in the employment relationship is structurally weak because refusal can appear uncooperative. The principle of purpose limitation should therefore be strict: data collected for accommodation or safety must not be repurposed for productivity scoring or disciplinary prediction.[30]

Emotion-recognition systems deserve prohibition in employment. Their scientific validity is contested, and their use is especially harmful to persons whose facial expression, speech or movement diverges from the model's assumptions. The European Union Artificial Intelligence Act prohibits certain emotion-recognition uses in workplaces and classifies many employment systems as high-risk, requiring risk management, data governance, documentation, logging, transparency, human oversight and accuracy controls. The EU framework is not perfect, but it correctly recognises that employment AI cannot be treated like an ordinary consumer application.[31]

India should adopt a comparable risk-based approach while grounding it in the RPwD Act. AI used to recruit, rank, discipline, promote or terminate workers should be presumed high-impact. Before deployment, the employer and vendor should jointly conduct a disability impact assessment. The

[27] U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022), https://www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence; U.S. Department of Justice, Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring (May 12, 2022), https://www.ada.gov/resources/ai-guidance/; Mobley v. Workday, Inc., 740 F. Supp. 3d 796, 804-16 (N.D. Cal. 2024).

[28] See Comm. on the Rights of Persons with Disabilities, General Comment No. 8 on the Right of Persons with Disabilities to Work and Employment, U.N. Doc. CRPD/C/GC/8, paras. 42-52 (Sept. 9, 2022); U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022).

[29] Ravinder Kumar Dhariwal v. Union of India, (2023) 2 S.C.C. 209, paras. 50-69 (India).

[30] Digital Personal Data Protection Act, No. 22 of 2023, secs. 4, 6-8, India Code (2023); Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 S.C.C. 1, paras. 297-325 (India).

[31] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence, arts. 5(1)(f), 6, 9-15 & annex III, 2024 O.J. (L 1689) 1.

assessment should identify the job function, variables, training data, known limitations, accessibility features, accommodation pathways and disparate outcomes across disability groups. Testing should include persons with physical, sensory, intellectual and psychosocial disabilities and should account for intersectional effects. Results should be independently auditable and available to regulators, worker representatives and courts under appropriate confidentiality protections.[32]

Procurement contracts are an underused regulatory tool. Public authorities and large employers can require vendors to comply with accessibility standards, retain logs, disclose material model changes, support audits, assist with complaints and indemnify the purchaser for concealed defects. A vendor should not be permitted to invoke trade secrecy to prevent a person from understanding a consequential decision. Full source-code disclosure will not always be necessary, but meaningful information about features, thresholds, validation and error patterns must be available.[33]

Finally, remedies must address both individual and systemic harm. An individual applicant needs reconsideration, accommodation, compensation and correction of records. But where a model has screened thousands of candidates, the regulator should be able to suspend the system, require retrospective review and order notification to affected persons. Equality law becomes ineffective when each victim must independently discover a hidden common cause.[34]

Healthcare, Rehabilitation and Assistive AI

Healthcare illustrates a different but equally serious dimension of AI and disability management. AI may assist diagnosis, interpret medical images, predict complications, support rehabilitation and enable remote monitoring. It may also improve communication between clinicians and persons who use sign language, augmentative communication or plain-language formats. The World Health Organization recognises the potential of AI for health while emphasising autonomy, transparency, accountability, inclusiveness and equity.[35]

The principal risk is that historical health data contain structural bias. Persons with disabilities may receive fewer investigations, delayed treatment or lower-quality care because clinicians attribute new symptoms to an existing impairment. If AI learns from those records, it can reproduce "diagnostic overshadowing." Models may also use healthcare cost as a proxy for need, even though lower expenditure may reflect barriers to access rather than better health. Disability may be treated as a poor outcome in itself, causing systems to undervalue treatments that preserve or improve the lives of disabled persons.[36]

A rights-based health model must distinguish between predicting a clinical event and judging the value of a life. Triage tools should not assign lower priority merely because a person requires support or has a pre-existing disability unrelated to survival from the present condition. Rehabilitation systems should pursue goals chosen with the person, not automatically optimise for a standard gait, speech pattern or appearance. The user must be able to reject a recommendation without losing access to care.[37]

Assistive AI raises questions of product safety and continuity. A cloud-based communication device may become essential to a person's ability to speak. A software update, subscription increase or server shutdown can therefore threaten basic participation. Regulators should treat certain AI-enabled assistive products as essential infrastructure, requiring reliability, offline alternatives, repairability, data portability

[32] See NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 18-45 (2021); Comm. on the Rights of Persons with Disabilities, General Comment No. 8 on the Right of Persons with Disabilities to Work and Employment, U.N. Doc. CRPD/C/GC/8, paras. 42-52 (Sept. 9, 2022).

[33] See Special Representative of the Secretary-General, Guiding Principles on Business and Human Rights, princs. 11-24, U.N. Doc. A/HRC/17/31, annex (Mar. 21, 2011); Regulation (EU) 2024/1689, arts. 16, 17, 25 & 26, 2024 O.J. (L 1689) 1.

[34] See Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 75-93, India Code (2016); Regulation (EU) 2024/1689, arts. 74-99, 2024 O.J. (L 1689) 1.

[35] World Health Organization, Ethics and Governance of Artificial Intelligence for Health: WHO Guidance 1-15, 64-87 (2021).

[36] See Ziad Obermeyer et al., Dissecting Racial Bias in an Algorithm Used to Manage the Health of Populations, 366 Science 447, 447-53 (2019); World Health Organization, Ethics and Governance of Artificial Intelligence for Health: WHO Guidance 64-87 (2021).

[37] Convention on the Rights of Persons with Disabilities arts. 10, 17, 25 & 26, Dec. 13, 2006, 2515 U.N.T.S. 3; World Health Organization, Ethics and Governance of Artificial Intelligence for Health: WHO Guidance 77-87 (2021).

and continuity plans. Public funding should support not only acquisition but also training, maintenance and replacement.[38]

Large multimodal and generative systems create additional risks. They may produce fluent but inaccurate medical explanations, fail to communicate uncertainty, or respond poorly to disability-specific questions that are underrepresented in training data. WHO guidance recommends governance, post-deployment auditing, stakeholder involvement and protection against automation bias. In disability contexts, this means that generative tools should assist, not replace, accessible communication with qualified professionals. They must not be used to pressure a person into a medical, reproductive or institutional decision.[39]

Consent must be accessible and ongoing. A lengthy privacy policy is not informed consent for continuous monitoring. Persons with intellectual or cognitive disabilities may require easy-read information, additional time, trusted support or repeated explanation. Supported decision-making should preserve the person's will and preferences. The relevant legal standard is not whether the user can navigate a conventional form, but whether the institution has made the decision process understandable and usable.[40]

Education and Public Services

AI can make education more inclusive through captioning, text simplification, speech synthesis, personalised pacing and accessible content conversion. Yet educational technology can also create new gates. Automated proctoring systems may flag students who do not maintain eye contact, remain still, use typical lighting, or interact with the computer in expected ways. Students with tics, mobility impairments, blindness, anxiety, attention differences or assistive devices may be marked as suspicious.[41]

The CRPD Committee's General Comment on inclusive education treats accessibility as a system-wide obligation covering buildings, communication, curriculum, materials and assessment. In Avni Prakash v. National Testing Agency, the Supreme Court reinforced the duty to provide reasonable accommodation in examinations. An educational institution cannot avoid that duty by adopting a standardised digital platform. If AI proctoring cannot reliably accommodate disability, the institution must provide an alternative that carries no stigma or penalty.[42]

Personalisation also requires caution. A learning model may direct a disabled child toward a simplified curriculum based on early performance, thereby converting support into lowered expectation. Predictive analytics can create self-fulfilling classifications: once a learner is labelled "unlikely to progress," she may receive fewer opportunities. Parents, students and educators should know when AI influences placement or assessment, and they should be able to demand human reconsideration.[43]

Public services present similar concerns at a larger scale. Welfare authorities may use AI to detect fraud, rank applications, identify "high-risk" households or allocate inspections. Disabled persons often depend on multiple schemes and may have irregular income, caregiving arrangements or documentation. These patterns can appear anomalous to a model. A false fraud flag may interrupt income, healthcare or mobility support, causing harm before an appeal is heard.[44]

[38] See World Health Organization & United Nations Children's Fund, Global Report on Assistive Technology 65-109 (2022); Convention on the Rights of Persons with Disabilities arts. 9, 19, 20 & 21, Dec. 13, 2006, 2515 U.N.T.S. 3.

[39] World Health Organization, Ethics and Governance of Artificial Intelligence for Health: Guidance on Large Multi-Modal Models 25-65 (2024).

[40] Convention on the Rights of Persons with Disabilities art. 12, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 1: Article 12: Equal Recognition Before the Law, U.N. Doc. CRPD/C/GC/1, paras. 15-29 (May 19, 2014).

[41] Comm. on the Rights of Persons with Disabilities, General Comment No. 4 on the Right to Inclusive Education, U.N. Doc. CRPD/C/GC/4, paras. 20-39 (Nov. 25, 2016); World Wide Web Consortium, Web Content Accessibility Guidelines (WCAG) 2.2, W3C Recommendation (Oct. 5, 2023), https://www.w3.org/TR/WCAG22/.

[42] Comm. on the Rights of Persons with Disabilities, General Comment No. 4 on the Right to Inclusive Education, U.N. Doc. CRPD/C/GC/4, paras. 20-39 (Nov. 25, 2016); Avni Prakash v. National Testing Agency, (2022) 2 S.C.C. 286, paras. 33-48 (India).

[43] See UNESCO, Recommendation on the Ethics of Artificial Intelligence paras. 100-104 (Nov. 23, 2021); Comm. on the Rights of Persons with Disabilities, General Comment No. 4 on the Right to Inclusive Education, U.N. Doc. CRPD/C/GC/4, paras. 67-73 (Nov. 25, 2016).

[44] See Virginia Eubanks, Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor 1-14, 173-214 (2018); Convention on the Rights of Persons with Disabilities art. 28, Dec. 13, 2006, 2515 U.N.T.S. 3.

Automated public administration must therefore comply with natural justice. Notice should identify the role of automation, the material reasons for an adverse decision and the evidence relied upon. The person must have access to an accessible, timely and human appeal. A digital-only grievance mechanism is inadequate where the claimant lacks connectivity, literacy or an accessible device. The CRPD's participation principle requires governments to consult organisations of persons with disabilities when designing systems that directly or indirectly affect them. Consultation after procurement is too late; affected users must participate in defining the problem, testing the system and monitoring outcomes.[45]

Comparative Regulatory Lessons

Three comparative approaches are particularly useful. The first is the CRPD's human-rights framework. It connects accessibility, non-discrimination, legal capacity, privacy, independent living, education, health, work and participation. It also insists that persons with disabilities be closely consulted and actively involved through their representative organisations. This prevents AI governance from becoming a conversation conducted solely between government, engineers and industry.[46]

The second is the EU AI Act's risk architecture. The Act prohibits AI practices that exploit vulnerabilities related to disability in ways likely to cause significant harm. It places strict requirements on high-risk systems used in employment, education, essential services and certain medical contexts. Its major strength is lifecycle governance: duties attach to design, data, documentation, deployment and monitoring rather than only to the final decision. Its weakness is complexity and dependence on technical standards that may not always reflect disability experience. India should borrow the risk logic without allowing certification to become a substitute for substantive equality.[47]

The third is the American use of existing civil-rights statutes. The EEOC and Department of Justice have made clear that employers remain liable when automated tools discriminate and that accommodation duties apply to software-based assessment. This approach is valuable because it prevents the novelty of AI from suspending established rights. Its limitation is the burden on individual litigation and the difficulty of discovering systemic discrimination. The continuing Workday litigation shows both the promise and cost of using conventional discrimination law against complex vendor ecosystems.[48]

India's advantage is that the RPwD Act, constitutional equality and emerging data-protection rules can be integrated before harmful systems become deeply entrenched. The challenge is institutional coordination. Disability commissioners, data-protection authorities, sectoral regulators, labour departments, education bodies, medical-device regulators and consumer authorities may each possess only part of the mandate. A coordinated protocol is needed for complaints involving both automated processing and disability discrimination.[49]

A Disability-Centred Governance Framework for India

A workable legal framework should be both principled and operational. The following structure would allow India to encourage assistive innovation while controlling high-impact uses.

First, the law should classify AI by function and consequence. Systems used directly by persons as optional assistive tools require safety, privacy, accessibility and consumer protections. Systems used by

[45] Convention on the Rights of Persons with Disabilities arts. 4(3), 13 & 21, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 7 on the Participation of Persons with Disabilities Through Their Representative Organizations, U.N. Doc. CRPD/C/GC/7, paras. 15-23, 43-54 (Nov. 9, 2018).

[46] Convention on the Rights of Persons with Disabilities arts. 4(3), 9, 12, 19, 21, 24, 25 & 27, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 7 on Participation, U.N. Doc. CRPD/C/GC/7, paras. 15-23 (Nov. 9, 2018).

[47] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence, arts. 5-15, 27 & annex III, 2024 O.J. (L 1689) 1.

[48] Americans with Disabilities Act of 1990, 42 U.S.C. secs. 12111-12117; U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022); U.S. Department of Justice, Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring (May 12, 2022); Mobley v. Workday, Inc., 740 F. Supp. 3d 796, 804-16 (N.D. Cal. 2024).

[49] See Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 75-83, India Code (2016); Digital Personal Data Protection Act, No. 22 of 2023, secs. 18-29, India Code (2023); NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 38-45 (2021).

institutions to determine employment, education, healthcare, insurance, credit, policing or public benefits should be treated as high-impact. Certain uses should be prohibited, including disability-based social scoring, workplace and educational emotion recognition, covert inference of disability for adverse decisions, and systems designed to exploit cognitive or psychosocial vulnerability.[50]

Second, every high-impact deployment should require an Algorithmic and Disability Impact Assessment. The assessment must describe the intended purpose, necessity, alternatives, data sources, proxy risks, accessibility, accommodation pathways, subgroup performance, human oversight and remedy process. It should examine whether the task itself is legitimate, not merely whether the model is accurate. A summary should be public, with confidential technical material available to regulators and courts.[51]

Third, participation must be mandatory. Organisations led by persons with disabilities should be involved from the earliest stage of problem definition. Participation should represent the diversity of disability and include women, rural users, persons with intellectual and psychosocial disabilities, and users of Indian languages and sign languages. The CRPD Committee has stressed that consultation is a legal obligation and not a symbolic invitation. Participants should be paid for their expertise; unpaid consultation often excludes those without institutional resources.[52]

Fourth, accessibility should be treated as a continuing legal requirement. Compliance with recognised standards is a floor, not a complete defence. Systems must support screen readers, keyboard navigation, captions, audio description, plain language, adjustable timing, alternative input and accessible authentication. Material model or interface changes should trigger renewed testing. Rajive Raturi's insistence on enforceable accessibility standards should apply equally to digital and AI-enabled environments.[53]

Fifth, data governance should address both explicit and inferred disability information. Data minimisation, purpose limitation, security and retention controls are essential. Equality testing may justify carefully governed use of disability data, but such data should be separated from operational decision-making wherever possible. Institutions should be prohibited from repurposing accommodation or health data for discipline, productivity scoring, pricing or marketing. Individuals should have rights to access relevant data, correct errors and know the categories of inferences drawn about them.[54]

Sixth, explanation must be connected to contestability. A generic statement that "the algorithm considered your profile" is meaningless. The person should receive the principal factors, the role of automation, the threshold or rule that mattered, known limitations, and instructions for seeking accommodation and human review. Explanation should be available in accessible formats and local languages. Human review must be conducted by a person with authority to depart from the model and training in disability equality.[55]

Seventh, responsibility should follow control across the AI supply chain. Employers, hospitals, universities and public bodies remain responsible for the systems they deploy. Vendors should bear duties concerning design, documentation, testing, updates and cooperation with audits. Contracts cannot exclude

[50] See Regulation (EU) 2024/1689, arts. 5-6 & annex III, 2024 O.J. (L 1689) 1; UNESCO, Recommendation on the Ethics of Artificial Intelligence paras. 25-32, 85-94 (Nov. 23, 2021).

[51] See Regulation (EU) 2024/1689, art. 27, 2024 O.J. (L 1689) 1; NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 18-45 (2021); Special Rapporteur on the Rights of Persons with Disabilities, Artificial Intelligence and the Rights of Persons with Disabilities, U.N. Doc. A/HRC/49/52, paras. 72-90 (Dec. 28, 2021).

[52] Convention on the Rights of Persons with Disabilities art. 4(3), Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 7 on Participation, U.N. Doc. CRPD/C/GC/7, paras. 15-23, 43-54 (Nov. 9, 2018).

[53] Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 40-42, India Code (2016); Rajive Raturi v. Union of India, 2024 INSC 858, paras. 38-91 (India); World Wide Web Consortium, Web Content Accessibility Guidelines (WCAG) 2.2, W3C Recommendation (Oct. 5, 2023), https://www.w3.org/TR/WCAG22/.

[54] Digital Personal Data Protection Act, No. 22 of 2023, secs. 4-13, India Code (2023); see also Solon Barocas & Andrew D. Selbst, Big Data's Disparate Impact, 104 Calif. L. Rev. 671, 688-714 (2016).

[55] Digital Personal Data Protection Act, No. 22 of 2023, secs. 11-13, India Code (2023); Regulation (EU) 2024/1689, arts. 13, 14 & 86, 2024 O.J. (L 1689) 1.

statutory liability. Where harm results from combined choices by provider and deployer, joint responsibility may be appropriate.[56]

Eighth, independent audits should test real-world outcomes rather than vendor claims alone. Auditors must examine accessibility and disparate impact across disability groups. Audit methods, limitations and conflicts of interest should be disclosed. The forthcoming DPDP Rules requirement that certain Significant Data Fiduciaries examine whether algorithmic software risks the rights of Data Principals should be expanded into a broader statutory duty for all high-impact AI systems.[57]

Ninth, public procurement should be used to shape the market. Government contracts should require accessible design, open interfaces, audit access, incident reporting, data portability and continuity of service. Publicly funded datasets and models should include documentation on disability representation and limitations. At the same time, procurement should support small Indian developers working on affordable assistive technologies and local-language access, rather than concentrating the field in a few global vendors.[58]

Tenth, remedies must be rapid and accessible. A person denied a job, examination, treatment or benefit cannot wait years for a final judgment. Regulators should possess interim powers to pause an automated decision, preserve logs and order human reconsideration. Collective complaints and representative actions should be facilitated where a common system causes widespread harm. Compensation should recognise dignitary, economic and consequential injury. Repeated or concealed violations should attract substantial penalties and procurement exclusion.[59]

Finally, AI literacy must include rights literacy. Persons with disabilities, families, educators, employers, clinicians, lawyers, judges and regulators need practical understanding of automated systems. Training should avoid two extremes: technological awe and technological panic. AI outputs are neither mystical truths nor inherently illegitimate. They are institutional tools created from choices that can and must be examined.[60]

Critical Reflections: Innovation, Dependence and the Politics of Normality

A disability-centred approach must resist the assumption that every technological improvement is emancipatory. Assistive AI can increase freedom, but it can also create new dependence on proprietary platforms. A person may become reliant on a device whose manufacturer controls updates, subscriptions and data. The language of personalisation can hide continuous surveillance. The promise of early detection can become pressure to identify, classify and intervene before a person has expressed any need.[61]

There is also a distributive question. High-end AI prosthetics and personalised systems may attract investment because they are technologically impressive, while basic accessibility, human support and affordable devices remain neglected. The global assistive-technology gap demonstrates that invention and access are different problems. Public policy should not fund a futuristic demonstration while schools lack accessible textbooks or public websites remain unusable.[62]

[56] See Regulation (EU) 2024/1689, arts. 16, 17, 25 & 26, 2024 O.J. (L 1689) 1; Special Representative of the Secretary-General, Guiding Principles on Business and Human Rights, princs. 11-24, U.N. Doc. A/HRC/17/31, annex (Mar. 21, 2011).

[57] Digital Personal Data Protection Rules, 2025, rr. 1(4) & 13(3), Gazette of India, Extraordinary, pt. II, sec. 3(i), G.S.R. 846(E) (Nov. 14, 2025); Regulation (EU) 2024/1689, arts. 9-15 & 27, 2024 O.J. (L 1689) 1.

[58] See Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 40-42, India Code (2016); Special Representative of the Secretary-General, Guiding Principles on Business and Human Rights, princs. 5-6, 11-24, U.N. Doc. A/HRC/17/31, annex (Mar. 21, 2011).

[59] See Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 75-93, India Code (2016); Regulation (EU) 2024/1689, arts. 74-99, 2024 O.J. (L 1689) 1.

[60] See UNESCO, Recommendation on the Ethics of Artificial Intelligence paras. 103-110 (Nov. 23, 2021); NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 2-Operationalizing Principles for Responsible AI 38-45 (2021).

[61] See Kate Crawford, Atlas of AI: Power, Politics, and the Planetary Costs of Artificial Intelligence 8-24, 93-124 (2021); Special Rapporteur on the Rights of Persons with Disabilities, Artificial Intelligence and the Rights of Persons with Disabilities, U.N. Doc. A/HRC/49/52, paras. 32-52 (Dec. 28, 2021).

[62] World Health Organization & United Nations Children's Fund, Global Report on Assistive Technology 1-20, 111-39 (2022).

The politics of normality is equally important. Models are built around targets: normal speech, efficient movement, stable attention, continuous productivity and predictable behaviour. Disability challenges the assumption that human worth can be measured against a single optimum. Law should therefore be suspicious when AI promises to distinguish the employable from the unemployable, the independent from the dependent, or the deserving from the undeserving. These categories often reflect institutional convenience rather than inherent human capacity.[63]

At the same time, a purely precautionary approach could deny persons with disabilities valuable tools. Overregulation may raise costs, delay local innovation or cause providers to withdraw accessible features. The solution is not to freeze technology but to distinguish empowerment from adjudication. Optional tools controlled by users should have room to develop, subject to safety and privacy. Systems that exercise power over people should face stricter duties. The greater the consequence and the weaker the person's ability to refuse, the stronger the law's demand for justification, transparency and remedy.[64]

This distinction also humanises the debate. A blind commuter using AI navigation does not need a philosophical lecture on algorithms; she needs a reliable tool that respects her privacy and works in the language she understands. A job applicant rejected at midnight by an automated system does not need reassurance that the model is generally accurate; he needs to know why he was rejected, how to request accommodation and who can reverse the decision. Rights become meaningful at these ordinary moments.[65]

Conclusion

Artificial intelligence will increasingly shape the practical meaning of disability rights. It can convert text, speech, images and movement into new forms of access. It can also convert people into scores, predictions and exceptions. The difference lies less in the sophistication of the model than in the legal and institutional relationship surrounding it.

India already possesses a substantial normative foundation. Constitutional equality and dignity, the RPwD Act's duties of non-discrimination, accessibility and reasonable accommodation, the Supreme Court's substantive-equality jurisprudence, and the emerging data-protection framework can regulate many AI harms. What is missing is an integrated governance structure that makes these duties operational before harm occurs.

The governing principle should be simple: AI must strengthen the agency of persons with disabilities, not displace it. Systems should be designed with disabled people, tested across disability experience, explained in accessible language, and subject to human reconsideration and effective remedy. Institutions must remain accountable for decisions made through purchased software. Disability information must not become a hidden currency traded between employers, platforms, insurers and service providers. Accommodation data must remain a source of support, not suspicion.[66]

A genuinely inclusive AI policy will not ask only whether a disabled person can use a system. It will ask whether the system respects her choices, recognises her difference without penalising it, and leaves her with a real power to challenge authority. That is the point at which AI ceases to be merely innovative and becomes compatible with justice.

[63] See Convention on the Rights of Persons with Disabilities pmbl. paras. (e), (i), arts. 1 & 3, Dec. 13, 2006, 2515 U.N.T.S. 3; Comm. on the Rights of Persons with Disabilities, General Comment No. 6 on Equality and Non-Discrimination, U.N. Doc. CRPD/C/GC/6, paras. 8-11 (Apr. 26, 2018).

[64] See Regulation (EU) 2024/1689, arts. 5-6 & annex III, 2024 O.J. (L 1689) 1; NITI Aayog, Responsible AI #AIForAll: Approach Document for India, Part 1-Principles for Responsible AI 33-42 (2021).

[65] Convention on the Rights of Persons with Disabilities arts. 9, 13, 21 & 27, Dec. 13, 2006, 2515 U.N.T.S. 3; U.S. Equal Employment Opportunity Commission, The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees (May 12, 2022).

[66] India Const. arts. 14 & 21; Rights of Persons with Disabilities Act, No. 49 of 2016, secs. 2(y), 3, 20 & 40-42, India Code (2016); Digital Personal Data Protection Act, No. 22 of 2023, secs. 4-13, India Code (2023); Convention on the Rights of Persons with Disabilities arts. 3, 4(3), 12 & 21, Dec. 13, 2006, 2515 U.N.T.S. 3.