

Technology can be Delayed but not Prevented¹

Salmon is one of the most technologically advanced countries of the world. In 2030, the government of Salmon decided to introduce Artificial Intelligence (AI) Policy in all spheres of public arena through 5 years plan programme. In 2035, agriculture was fully automated with AI and the success was resounding. In 2040, one medical hospital was run on AI as a pilot project. The diagnosis and treatment were 90% correct compared to 60% achieved by ordinary hospitals using the traditional methods of treatment like Allopathy, Ayurvedic, Homeopathy, Unani, etc. Looking into the success of the AI experiment and based on thorough research and investigation, the government decided to embrace AI fully and introduced a series of changes.

With the help of its AI innovations, Salmon in the year 2050 emerged as a super power. It became a global leader in AI innovation. With a strong emphasis on research and development, Salmon has produced groundbreaking advancements in various domains of AI. Salmon companies and startups have developed cutting-edge AI technologies and solutions, making significant contributions to fields like agriculture, automobiles, healthcare, robotics, autonomous systems, and smart infrastructure. Salmon's AI ecosystem has immensely developed, attracting top talent from around the world and fostering a culture of innovation. The country has established world-class AI research institutes and collaborated extensively with international organizations, universities, and industry leaders.

¹ This Moot Proposition is prepared by Smt. Ashwini Parab, Assistant Professor, Raja Lakhamgouda Law College Belagavi, Karnataka.

Salmon's AI applications have transformed several sectors. AI-powered healthcare systems have revolutionized diagnostics, treatment, and personalized medicine. The agriculture industry has benefited from AI-driven techniques for crop optimization and smart farming. AI-enabled education platforms have personalized learning experiences for students, making education more accessible and effective. Additionally, Salmon has implemented AI-driven smart cities with advanced infrastructure, efficient transportation systems, and optimized resource management. The government has formulated comprehensive policies and regulations to ensure ethical and responsible AI deployment. Salmon has become a prominent AI powerhouse, making groundbreaking innovations and positively impacting various sectors on a global scale. Due to the AI based investigation by the police department, conviction rate has considerably increased and crime rate is reduced.

In 2050, the Union of Salmon introduced the Artificial Intelligence Supported Ecosystem Act, 2050. This Act further introduced the AI technology in the landscape of the country and also initiated the universal financial support scheme in all sectors. Through this Act, the government discontinued the human involvement in the agriculture and made it completely AI based and withdrew the previously existing financial support for agricultural activities. The Act wiped away the traditional agricultural loan facility which was available to the poor farmers. Under the Act, the farmers who could not cultivate their own lands because of economic difficulties had to surrender their lands to the government and such land would be cultivated by the government using the AI technology. In return a reasonably fixed

sum of stipend would be paid every month to every farmer proportionate to the land holding that he has surrendered.

Further, the Act also made working for living optional; they introduced the National Stipend provision and made every citizen eligible for the stipend and work got outsourced to AI. Housekeeping, cooking, driving, plumbing, gardening, electrical work, etc. all got outsourced to AI. Work was made available as a hobby to the unemployed youth. According to this Act, the government would deposit certain reasonable stipend every month in account of such youth in lieu of his employment. However, the citizen who had keen interest in being employed, had to voluntarily apply to the government in which case government would provide him with employment. Such employed individual would however be entitled to the same amount of stipend that was paid to the unemployed youth under the Act.

The government also introduced an AI assisted healthcare provision according to which the testing, diagnosis and various medical procedures for the patients would be done with the help of AI. All hospitals in the country had to provide this method of treatment at concessional rate fixed by the government.

The most innovative change introduced by this Act was, one AI judge out of the 33 judges of the Supreme Court. And further it aspired to introduce more AI judges in the Supreme Court as well as subordinate judiciary.

Basappa was a farmer. He owned around 10 acres of fertile agricultural land with good irrigation facility. He wanted to cultivate the land himself using the traditional methods of agriculture. But under the AI Act, he was refused loan and was forced

to surrender his land to the government for cultivation and accept the stipend. Aggrieved Basappa challenged the constitutional validity of the AI Act before the Supreme Court.

Pratap was a young man of 24 years who had completed his automobile engineering degree and was aspiring to take up employment for optimal utilization of his educational qualification. As per the Act, he applied to the government for placement in some employment in automobile industry. The government on Pratap's request accommodated him in an automobile industry, but he was paid wages equal to the stipend paid to the unemployed youths under the Act. Pratap felt that the merits of his qualification placed him at a higher pedestal than the unemployed youth. He also felt that it was violation of his fundamental right to dignity, employment and right to be paid for the work done and therefore, he challenged the AI Act before the Supreme Court.

Jan Jeewan Swastha was an association of doctors. This association believed in traditional method of healthcare treatment. However, under the AI Act, the hospital in the country had to follow AI methods of testing, diagnosis and treatment. So, this association challenged the AI Act as violative of the fundamental right to profession under the Constitution as well as on the ground that it creates multiple complications in procedures in case of litigation.

Anand, an advocate, practicing at the Supreme Court challenged the AI Act on the ground that when other organs of the government, namely legislature and executive are free from AI intrusion then even judiciary should be free from AI

intrusion. He also contended that judicial process cannot be mechanical, it requires human touch that AI lacks.

After receiving several Petitions from various persons, the Supreme Court of Salmon decided to club all these cases in Jan **Jeewan Swastha and Others Versus the Union of Salmon**. The final hearing of this case is posted on 8th of March 2051.

The following points arose for consideration before the Hon'ble Supreme Court of Salmon-

1. Whether the provisions of AI Act violate the fundamental rights of farmers to cultivate their own field using the method of their choice and their right to obtain financial assistance in case of their economic difficulties.
2. Whether the provisions of AI Act, which provides for equal stipend irrespective of difference of merits of the persons, violate right to equality.
3. Whether provisions of AI Act violate freedom to live with dignity, freedom of employment, and right to be paid for work.
4. Whether the provisions of AI Act violate the freedom of profession of Medical Practitioners and the right to practice the traditional method of healthcare.
5. Whether the Judicial function of administration of justice through AI technology is violative of basic structure of the Constitution.

Note:

1. Laws in force in the Union of Salmon in 2051 are same as laws of India in 2024.
2. The jurisdiction of the Supreme Court need not be raised by the teams.
3. Teams are permitted to raise additional issues.