

## AI Economy: Labour and Human Rights

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### Abstract

Artificial Intelligence is often regarded as a revolutionary advancement that has the potential to improve efficiency, speed and cognitive capabilities across diverse domains of existence. However, hidden beneath this veil of development is the significant effort of endless human employees notably in places such as India whose crucial input often stays in the shadows. These workers take on responsibilities like data tagging, overseeing online content, handling tiny jobs and improving AI-generated outputs: the often-disregarded group that diligently cultivates and fine tunes generative AI technologies. Nonetheless, a substantial segment of these labourers' experiences conditions that are unfair defined by low wages, long hours, minimal appreciation and lacking safety measures. This situation prompts a disconcerting inquiry: Is the global AI economy advancing at the expense of human dignity? Though there are progress in the digital labour force still lack protection. The shift from "data colonialism" to "digital forced labour" leaves many vulnerable to exploitation, especially when platforms are not transparent and workers have little bargaining power or support. This paper also analyses that India's part in the worldwide AI workforce and reviews national and international labour laws, human rights protections and Universal Declaration of Human Rights and ILO conventions. By focusing on these workers and asking for AI rules based on rights, the paper shows why changes in laws and rules are needed to protect human rights in the digital economy. Protecting online workers is not just about fairness, it is a moral and legal duty if we want technology to be fair and open to everyone.

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## 1. INTRODUCTION

### 1.1 Background and Context

**“Wherever men and women are condemned to live in poverty, human rights are violated.”-UNESCO (1987)**

In today's AI-driven world this warning seems quite pertinent. AI is widely known as a revolutionary force that automate the economy which will replace the workers and indicating a

workless society. However, these technologies are silently powered by human workers beneath their sophisticated features. AI depends on a human augmented system that frequently relying on labour marked by low wages, absent social protections, and inadequate safety standards. These unseen labours are essential to the training of global AI systems in nations like India, where digital labour has become a lifeline

for many<sup>1</sup>. Their experiences expose the concerning of "data colonialism," in which people's time, feelings, and private information are taken for financial profit<sup>2</sup>. As AI systems proliferate, forcing many people into "digital forced labour," which is characterised by algorithmic control, weak bargaining power, and the degradation of fundamental labour rights<sup>3</sup>. Supplying the digital workforce making this issue more important for India. Workers who support global AI systems do not have the same rights, security, or dignity as conventional employees because they are not protected by traditional labour laws. Their work highlights a growing paradox although advances in AI promise a more efficient and humane future, individuals who enable this are often denied basic human rights in the present. This creates the serious moral issue. Everyone has the right to fair compensation, safe working environment and dignity at the working place<sup>4</sup> but the foundations of technological advancement become ethically precarious when digital workers, whose labour supports the global AI economy, are denied these rights. Therefore, placing India's AI workforce within a human-rights framework is not just an academic exercise, but a basic human need. It asks us to look beyond algorithms and technology and see the people whose work makes AI possible. Recognising their challenges and vulnerabilities shows why the digital economy must be regulated in a fair, humane, and rights-based manner. Only then can AI truly serve as a force that improves human lives rather than undermining them.

## 1.2 Problem Statement

The growth of Artificial Intelligence has created a massive digital workforce that largely invisible and unprotected. In India, the workers are quietly sustaining the insecure working conditions with no legal protection. Their continued exclusion from effective labour safeguards not only deepens economic vulnerability but also raises serious concerns about the erosion of human dignity and fundamental human rights in the emerging AI economy.

## 1.3 Hypothesis

The AI economy in India sustains digital forced labour by excluding digital workers from effective labour and human rights protections.

## 1.4 Objective

- To examine the working vulnerabilities of digital workers.
- To investigate the digital forced labour and data colonialism in relation to artificial intelligence.
- To assess international human rights standards and Indian labour regulations protect digital workers.
- To implement legislative and regulatory solutions to guarantee dignity in the AI-driven economy.

## 2. FROM DATA COLONIALISM TO DIGITAL FORCED LABOUR

### 2.1 Data Colonialism in The Digital Economy

Data colonialism is a modern system in where the data created by human which is constantly taken, controlled, and monetised by powerful digital corporations. Traditional colonialism included the conquest of land and natural resources but the digital colonialism involves the collection of personal information, online conduct, emotions, and social interactions. This practice converts human existence to a source of commercial profit without the knowledge, agreement or benefit of people whose data is collected<sup>5</sup>.

### 2.2 Human Labour Behind Data Extraction

Each AI system lies significant human effort, which is commonly overlooked. Before robots can analyse data, it must be obtained, validated and managed by humans. This employment is typically performed through digital platforms and outsourcing agreements, making the workers almost invisible in the greater narrative of technological growth. Digital labour has emerged as an important component of the global AI supply chain especially in India. International organisations have cautioned that the increased dependence on platform mediated digital employment may undermine basic labour norms. Workers are dependent and vulnerable since there is no transparency in algorithmic management, their salary is uncertain and there are no grievance processes. When human work is disguised behind automated systems, exploitation is simpler to overlook, allowing AI research to proceed without regard for its human basis. Recognising the human effort required for data extraction is therefore crucial. It demonstrates that AI is not merely a technological accomplishment, but also a human one, built on the time, expertise, and emotional labour of humans whose rights and dignity are still insufficiently protected.

### 2.3 Transition from Data Colonialism to Digital Forced Labour

Data is the New Oil<sup>6</sup> today's major tech companies centralize computing power, proprietary algorithms, and worldwide platforms similarly to how colonial oil companies-built refineries distant from the oil fields. The result is also similar individuals who contribute the resources through their labour, environments, or online presence are often left at a disadvantage when it comes to reaping the benefits. Digital technologies can reproduce colonial power dynamics by creating dependencies on technology, showcasing disparities in skills, exerting economic control, and promoting cultural dominance. These digital manifestations echo historical colonial practices, leading to contemporary ramifications that perpetuate global inequalities in the digital age. Digital platforms utilize algorithms to monitor productivity, assign ratings, and enable sudden dismissals without any explanation. This mirrors colonial power structures that exerted effective control through indirect means. Additionally, the ownership and expertise in technology remain centralized, which amplifies global inequality and dependency. Consequently, coerced digital labour is a contemporary extension of colonial exploitation, where human effort fuels the advancement of

<sup>1</sup> Mary L. Gray & Siddharth Suri, *Ghost Work: How to Stop Silicon Valley from Building a New Global Underclass* (2019).

<sup>2</sup> Nick Couldry & Ulises A. Mejias, *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism* (2019).

<sup>3</sup> Shenila Khoja-Moolji, *The Human Cost of AI: Invisible Workers and Digital Precarity in the Global South*, 58 *Harv. Int'l L.J.* 275 (2021).

<sup>4</sup> *Universal Declaration of Human Rights*, G.A. Res. 217 (III) A, arts. 23–24, U.N. Doc. A/RES/217(III) (Dec. 10, 1948).

<sup>5</sup> Kate Crawford, *Atlas of AI: Power, Politics, and the Planetary Costs of Artificial Intelligence* (Yale Univ. Press 2021).

<sup>6</sup>

digital technology while being undervalued and unprotected in the worldwide digital economy.

### **2.4 Emergence of Digital Forced Labour**

The rapid expansion of the AI-driven digital economy has transformed modern work arrangements. Although digital jobs are often portrayed as flexible and empowering, many workers experience conditions that resemble forced labour in online environments. This form of exploitation, described as digital forced labour, emerges when individuals continue working due to economic pressure, limited employment alternatives, and unequal power relations within platform-based systems<sup>7</sup>. Unlike traditional forced labour, digital forced labour does not rely on physical coercion. Instead, it operates through structural and economic mechanisms. Algorithmic management controls task distribution, wages, performance ratings, and continued access to work, often without transparency<sup>8</sup>. Workers are compelled to accept unfavourable conditions due to fear of account suspension, income instability, and platform exclusion<sup>9</sup>. These risks are particularly severe in countries such as India, where digital labour provides essential livelihoods for economically marginalised communities<sup>10</sup>. International labour standards recognise that forced labour may exist even without physical restraint when work is imposed under threat of economic harm<sup>11</sup>. The rise of digital forced labour thus reveals a troubling contradiction in the AI economy, where technological advancement progresses alongside the erosion of labour dignity and fundamental human rights.

## **3. HUMAN RIGHTS IMPLICATIONS OF DIGITAL FORCED LABOUR**

The traditional legal framework has primarily concentrated on physical workplaces, established employers, and well-defined employment relationships. However, the rise of the AI-driven digital economy has called these traditional beliefs into question. Nowadays, digital workers are essential in bolstering artificial intelligence systems, yet they frequently go unrecognized from a legal perspective. The core problem associated with digital forced labour stems from this lack of acknowledgment. This disparity worsens inequality, especially affecting marginalized communities. To safeguard human rights, technology should prioritize justice, fairness, and respect instead of corporate exploitation.

### **3.1 Right to Human Dignity**

The idea of human dignity is the ethical foundation for all human rights and workplace protections. Employment goes beyond merely being a source of income; it is deeply connected to a person's self-esteem, autonomy, and social identity. In workplaces marked by uncertainty, lack of transparency, and constant oversight, a person's dignity is gradually eroded. In the digital economy, workers often have minimal control over how they perform their jobs. Tasks are assigned through algorithms, pay can fluctuate without clear explanations, and being

abruptly deactivated from platforms is a frequent issue. These conditions reduce workers to mere data points instead of recognizing them as valued human contributors. This loss of control significantly affects their sense of dignity<sup>12</sup>. The philosophy underlying the Indian constitution has consistently linked dignity with the methods of earning a livelihood. In the Supreme Court case of Francis Coralie Mullin v. Administrator<sup>13</sup>, Union Territory of Delhi, it was established that the right to life includes the concept of living with dignity, going beyond mere survival. When digital workers are obliged to tolerate degrading conditions to secure their incomes, this constitutional assurance is compromised.

### **3.2 Right to Just and Favourable Conditions of Work**

A fundamental human right that is deeply connected to social justice and human dignity is the entitlement to fair working conditions. This right entails that employees receive just compensation, have reasonable working hours, and operate in environments that protect their physical and mental health. In the digital economy, where jobs are often fragmented, obscured, and poorly regulated, the importance of this right has intensified. Digital workers often face variable pay, prolonged screen use, and emotional strain due to constant performance surveillance. Unstable working conditions breed insecurity, compelling workers to remain available for tasks at all times without adequate rest or stability. Such conditions compromise the concept of decent work, transforming labor into a struggle for survival<sup>14</sup>.

Indian labor scholars have consistently argued that the ideas of fairness within the workplace are intrinsically connected to human rights principles. When positions are devoid of security and basic protections, the promise of social justice as described in labor laws remains unfulfilled<sup>15</sup>. Therefore, the digital work setting, even though it is virtual, should comply with the same fairness standards expected in traditional employment.

### **3.3 Economic Coercion and Erosion of Free Consent**

A fundamental aspect of a respectful workplace is authentic consent. Human rights standards dictate that individuals should accept jobs voluntarily, without any coercion or intimidation. Nevertheless, in the digital economy, the notion of consent is often influenced by financial necessity rather than true freedom of choice. Due to reliance on platform earnings, limited alternative job opportunities, and anxiety about job security, digital workers often remain in their roles despite unfavorable conditions. Although there's no physical force involved, this kind of pressure creates a scenario where opting out of work is extremely challenging. Such economic pressure poses significant human rights concern and diminishes the true meaning of consent. Researchers focused on labor in India have observed that coercion can manifest even in the absence of physical control, particularly in contexts where poverty and joblessness limit authentic freedom of choice. When concerns about earning a living force individuals to endure harsh conditions, work is no longer entirely voluntary. Consequently,

<sup>7</sup> Virginia Mantouvalou, *Structural Injustice and the Human Rights of Workers*, 10 UCL Labour Rights Inst. Working Paper Series (2018).

<sup>8</sup> Valerio De Stefano, *The Rise of the "Just-in-Time Workforce": On-Demand Work and Labour Protection*, 37 *Comp. Lab. L. & Pol'y J.* 471 (2016).

<sup>9</sup> Jeremias Prassl, *Humans as a Service: The Promise and Perils of Work in the Gig Economy* (Oxford Univ. Press 2018).

<sup>10</sup> Mary L. Gray & Siddharth Suri, *Ghost Work: How to Stop Silicon Valley from Building a New Global Underclass* (Houghton Mifflin Harcourt 2019).

<sup>11</sup> Int'l Lab. Org., *ILO Indicators of Forced Labour* (2012).

<sup>12</sup> Upendra Baxi, *The Future of Human Rights 121–23* (Oxford Univ. Press 2002).

<sup>13</sup> *Francis Coralie Mullin v. Adm'r, Union Territory of Delhi*, (1981) 1 S.C.C. 608 (India).

<sup>14</sup> B. Malik, *Labour Rights as Human Rights in India*, 39 *Indian J. Lab. Econ.* 213, 218–20 (1996).

<sup>15</sup> S.C. Srivastava, *Industrial Relations and Labour Laws 45–47* (6th ed. 2012).

digital forced labor operates in a more subtle way through algorithms, performance ratings, and dependence on income sources making coercion less visible yet deeply entrenched in the AI-driven economy<sup>16</sup>.

### **3.4 Inequality and Marginalisation in The Digital Economy**

Instead of alleviating current socioeconomic inequalities, the digital economy frequently exacerbates them. Groups that are economically disadvantaged and have few job options tend to gravitate towards platform-based work, leading to imbalanced bargaining power. This systemic reliance not only heightens marginalization but also contradicts fundamental human rights principles centered on equality and inclusive advancement<sup>17</sup>.

### **3.5 Human Rights Concerns in Algorithmic Governance**

Algorithmic governance has become a defining feature of digital labour platforms, where automated systems determine task allocation, performance ratings, and continuation of work. These systems often operate without transparency, leaving workers unaware of how decisions affecting their livelihood are made. The absence of explanation or review mechanisms limits workers' autonomy and access to fairness<sup>18</sup>. When livelihood depends on opaque digital systems, power becomes concentrated in technology rather than accountable human authority. Such conditions undermine procedural justice and weaken fundamental human rights related to dignity, equality, and access to information in the workplace.

## **4. INTERNATIONAL PERSPECTIVES ON DIGITAL LABOUR AND HUMAN RIGHTS**

### **4.1 European Union: Rights-Based Approach to Platform Work**

The European Union has adopted a forward-thinking approach to digital labour regulation by prioritizing human dignity and the protection of workers in platform governance. In 2021, the European Commission put forth the Directive on Improving Working Conditions in Platform Work, which seeks to avoid the wrongful classification of platform workers as independent contractors. The directive establishes a presumption of employment for workers when platforms exert control over them via algorithms<sup>19</sup>. Significantly, the EU framework also focuses on transparency in algorithms. Platforms are obligated to inform workers about automated decision-making processes and to establish pathways for human intervention. This represents a considerable transition from a stance of technological neutrality to one of rights-based digital governance, acknowledging that algorithmic authority can have a direct impact on livelihoods and dignity.

### **4.2 United Kingdom: Judicial Recognition of Worker Vulnerability**

Instead of creating new laws, the UK has primarily relied on judicial interpretation to manage digital work. The UK Supreme Court recognized in *Uber BV v. Aslam*<sup>20</sup> that platform workers should not be classified as genuinely independent

contractors due to the considerable influence that digital platforms possess. The Court determined that actual working conditions cannot be overridden by how contracts are labeled, highlighting economic dependence and an imbalance of bargaining power. This decision was a crucial acknowledgment that the responsibility of employers is not diminished by the mediation of technology. However, various forms of digital coercion remain insufficiently addressed, as the UK still lacks thorough legislation regulating algorithmic management.

### **4.3 United States: Fragmented and Market-Oriented Regulation**

In the United States, the approach to platform labour is primarily driven by market forces. Federal labour laws classify most digital workers as independent contractors, which means they do not receive minimum wage protections or collective bargaining rights. In California, Assembly Bill 5 sought to expand the classification of workers, but subsequent voter initiatives and exemptions have diminished its effectiveness<sup>21</sup>. Scholars note that American regulations frequently compromise worker rights by placing a higher value on innovation and flexibility than on job security. Consequently, there are limited protections against digital coercive labour, and these protections vary significantly across different states.

## **5. GAPS IN INDIAN LAW: A COMPARATIVE ANALYSIS WITH INTERNATIONAL STANDARDS**

### **5.1 Exclusion of Digital Workers from Traditional Labour Laws**

The immediate expansion of the AI-driven economy has led to the emergence of novel job types that don't adhere to conventional labour regulations. Historically, labour laws were designed with the assumption of a tangible workplace, set working hours, and a clearly defined employer. In comparison, digital workers carry out their tasks remotely via online platforms, where oversight is managed not by human supervisors but by algorithms. Employees are often classified as independent contractors by platform companies. This classification denies them fundamental labour rights such as minimum wage, job security, social security, and the right to participate in collective bargaining<sup>22</sup>. Even though they are labelled as independent, legal experts have observed that these workers are still economically reliant on the platforms that control their access to jobs and income. This inconsistency between their legal status and actual circumstances creates structural vulnerability. Conversely, the European Union assumes an employment relationship when platforms utilize algorithms to exert control. In contrast, Indian legislation does not provide for such an assumption, placing the onus on workers to prove their employment status an extremely challenging endeavor given the opaque nature of digital systems.

<sup>16</sup> Amita Dhanda, *Labour, Consent and Structural Inequality in India*, 41 *J. Indian L. Inst.* 245, 252–54 (1999).

<sup>17</sup> Jan Breman, *At Work in the Informal Economy of India* 112–15 (Oxford Univ. Press 2013).

<sup>18</sup> Frank Pasquale, *The Black Box Society: The Secret Algorithms That Control Money and Information* 190–94 (Harvard Univ. Press 2015).

<sup>19</sup> *Proposal for a Directive of the European Parliament and of the Council on Improving Working Conditions in Platform Work*, COM (2021) 762 final.

<sup>20</sup> *Uber BV v. Aslam*, [2021] UKSC 5.

<sup>21</sup> Katherine V.W. Stone, *The Gig Economy and the Future of Employment and Labour Law*, 51 *U. Tol. L. Rev.* 391, 402–05 (2020).

<sup>22</sup> Jeremias Prassl, *Humans as a Service: The Promise and Perils of Work in the Gig Economy* 43–47 (Oxford Univ. Press 2018).

## **5.2 Weak Protection Under the Code On Social Security, 2020**

The Code on Social Security, 2020 does recognize gig and platform workers but falls short of providing enforceable labour rights. Its provisions primarily emphasize welfare programs rather than legal protections. There is no assurance of minimum wages, controlled working hours, or job security. In contrast to the UK, where courts have interpreted labour laws to benefit platform workers, Indian laws lack both judicial clarity and statutory protections. The acknowledgment without enforceability leaves workers exposed to arbitrary terminations and unstable income.

## **5.3 Lack of Regulation Over Algorithmic Management**

The lack of legislative regulation regarding algorithmic governance is a significant flaw. Currently, India has no laws that regulate the influence of algorithms on salaries, performance evaluations, or account suspensions. Workers frequently find themselves removed from platforms without explanations or any recourse for appeal. Conversely, the EU's platform work directive requires both human oversight and transparency in algorithms. Economic pressure may quietly function in India due to the nation's failure to regulate digital decision-making, which jeopardizes worker autonomy and dignity. In the case of *People's Union for Democratic Rights v. Union of India*, the Supreme Court ruled that work performed under economic pressure cannot be considered voluntary. When digital workers feel obligated to comply with specific demands due to the threat of exclusion, their consent seems to be purely illusory<sup>23</sup>.

## **5.4 Limited Judicial Engagement with Digital Labour Rights**

A rights-focused perspective on the dignity of labour has long been acknowledged by Indian courts. In the case of *People's Union for Democratic Rights v. Union of India*<sup>24</sup>, the Supreme Court recognized that economic pressure compromises the notion of voluntary consent. However, this concept has not been sufficiently applied to arrangements involving digital labour. The absence of judicial oversight regarding algorithmic exploitation results in the incomplete realization of Article 21's constitutional assurances of dignity within the digital workplace, leading to a legal gap.

## **5.5 Need for Harmonisation with International Labour Standards**

International labour regulations acknowledge that both financial and indirect influences can lead to coerced labour<sup>25</sup>. Nonetheless, Indian legislation mainly links forced labour to physical intimidation. This limited perspective overlooks the modern digital landscape, wherein coercion manifests as job insecurity and reliance on platforms. If India's laws fail to align with changing international standards, the country could risk becoming a center for workers vulnerable to digital dangers rather than taking the lead in ethical AI governance.

## **6. RECOMMENDATION**

### **6.1 Acknowledge Digital Labour as a Human Rights Issue**

International human rights law affirms the entitlement to just and favorable working conditions. India should officially recognize digital labour within its human rights framework,

<sup>23</sup> *People's Union for Democratic Rights v. Union of India*, (1982) 3 S.C.C. 235 (India).

viewing fair remuneration, safe work environments, and respect for dignity as essential rights rather than optional privileges.

### **6.2 Promote Equality and Non-Discrimination in the Digital Workforce**

Digital labourers often come from economically disadvantaged backgrounds and experience imbalanced negotiating power. Human rights standards necessitate safeguarding against systemic inequality. India must ensure that platform-based employment does not lead to a new category of unseen and disregarded workers.

### **6.3 Ensure Transparency as a Fundamental Human Right**

The global dialogue on human rights increasingly acknowledges that transparency and access to information are vital rights. Consequently, decisions made by algorithms that influence people's livelihoods must be clearly understandable. India ought to enforce the requirement for disclosing the digital decision-making processes that affect workers' earnings and job stability.

### **6.4 Safeguard the Right to Livelihood and Human Dignity**

The right to a livelihood is intrinsically linked to human dignity. Regulations based on human rights must safeguard against arbitrary account suspensions and loss of income, ensuring that technology does not compromise essential survival rights.

### **6.5 Embrace an AI Governance Model Grounded in Rights**

Nations that implement human rights-focused AI frameworks highlight the necessity for technological advancement to uphold dignity, autonomy, and social equity. India should incorporate labour rights into its AI governance to guarantee that innovation uplifts human freedoms instead of undermining them.

## **7. CONCLUSION**

This research has investigated the shifts in employment within India's AI-driven economy by analyzing the interconnected viewpoints of human rights and labor laws. While artificial intelligence is often celebrated as a hallmark of progress and innovation, this study emphasizes that the human workforce supporting these technologies is frequently neglected and vulnerable. The shift from data colonialism to digitally coerced labor signifies a new form of exploitation, governed not by physical dominance but by economic dependence and algorithmic oversight. The study highlights that digital employment increasingly affects essential human rights, including dignity, equality, fair working conditions, and informed consent. Algorithmic management systems, which function without transparency or accountability, concentrate power within technological frameworks while limiting workers' independence and safety. These conditions weaken the human-centered principles that form the foundation of labor protections. The findings also show that the existing legal frameworks in India have not sufficiently evolved to address these emerging challenges. As a key player in the global AI

<sup>24</sup> *People's Union for Democratic Rights v. Union of India*, (1982) 3 S.C.C. 235 (India). *Need for Harmonisation with International Labour Standards*

<sup>25</sup> *Int'l Labour Org., ILO Indicators of Forced Labour (2d ed. 2012).*

workforce, India has a vital responsibility to ensure that technological advancements do not undermine human dignity. The fundamental rights are at risk due to digital exclusion. When advancements in technology are separated from human values, they become morally unacceptable. Research comparisons indicate that several governments are progressing towards rights-oriented laws by recognizing platform labour, managing algorithmic influence, and integrating human dignity into digital governance. As a major contributor to the global AI workforce, India cannot remain absent from this evolving legal conversation. If action is not taken, the nation may turn into a hub for inexpensive digital labour rather than a pioneer in the creation of ethical AI. Ultimately, the capacity of artificial intelligence to uphold human dignity should be prioritized over mere innovation or

economic growth. Incorporating labour laws and human rights principles into India's AI landscape is not merely a regulatory issue; it is an ethical, social, and constitutional obligation. For AI to truly serve as a tool for empowerment rather than a means of exploitation, it must be guided by a rights-based framework.

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