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Artificial Intelligence and Gender Equality: A Comparative Study of Algorithmic Bias and Women Empowerment in India and The United States

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Artificial intelligence (AI) is increasingly embedded in high-stakes decision-making processes from hiring and credit allocation to criminal justice and healthcare, with consequences that are far from gender-neutral. This paper undertakes a comparative analysis of algorithmic bias and women's empowerment through the lens of AI governance in India and the United States. Drawing on primary legislative instruments, government reports, empirical studies, and statistical data, the study examines how AI systems reflect, reproduce, and amplify pre-existing gender inequalities in both jurisdictions. The paper further evaluates the regulatory frameworks operative in each country including India's Digital Personal Data Protection Act, 2023 (DPDPA), the DPDP Rules, 2025, the Information Technology (Intermediary Guidelines) Rules Amendment, 2025, and the IndiaAI Mission; alongside the United States' Executive Order 14110 on Safe, Secure, and Trustworthy AI (2023), subsequently revoked by the Trump Administration in 2025, the Colorado Artificial Intelligence Act (SB 24-205, 2024), and the TAKE IT DOWN Act, 2025. The study identifies significant commonalities like bias, yet reveals divergent regulatory philosophies and levels of enforcement ambition. It concludes with a set of cross-jurisdictional policy recommendations aimed at making AI a tool of gender empowerment rather than subordination.

Keywords: *algorithmic bias, gender equality, artificial intelligence, women empowerment, digital discrimination, ai governance.*

INTRODUCTION

The emergence of artificial intelligence as a technology of government for the twenty-first century has caused some extraordinary optimism as well as legitimate alarm. Some visions expressed by proponents of AI imagine it as a force multiplier to reduce inequality and to remove bias in hiring, lending, and healthcare decisions from humans. Critics, however, argue that there is a growing body of evidence showing the use of AI systems that are trained on historically biased data is less a tool to correct their flaws than a reflection of the hidden inequalities in our societies. The intersection of AI and gender is one of the most consequential dimensions of this debate that is under-theorised.

A study by the United Nations cultural agency, the UN cultural agency-better known as the U.N. cultural agency United Nations Educational, Scientific and Cultural Organization (UNESCO)-has found that large language models (LLMs) role male bias in portraying women domestically or in precarious positions four times as often as men, with association terms such as 'home,' 'family' and "children' and 'executive,' 'business,' 'career' for men.[1] Beyond such representational harms, algorithmic bias at the level of consequential systems - those controlling employment screening, credit scoring, confidentiality and medical diagnosis- translates into material disadvantage for women: fewer loans are granted, lower salaries are earned, or no diagnosis is provided. A study by Berkeley Haas Centre for Equity, Gender and Leadership found that there was around 44 percent of gender bias and AI systems across industries, especially 25 percent of gender and racial bias.[2]

Cases of India and the United States are particularly instructive for purposes of comparison. Both are great producers and consumers of AI; both have taken notice of the problem of algorithmic discrimination on the policy level, but both differ quite fundamentally in their traditions of constitutionalism, the development of their data protection regimes, and the structural gender inequalities that AI systems face and potentially reinforce. This paper follows six substantive sections, namely conceptualising algorithmic bias - statistical

[1] *Challenging systematic prejudices: an investigation into bias against women and girls in large language models* (UNESCO, 2024)
[2] 'Artificial Intelligence and gender equality' (*UN Women,* 28 June 2024) <https://www.unwomen.org/en/articles/explainer/artificial-intelligence-and-gender-equality> accessed 15 March 2026

landscape, sectoral manifestations, regulatory frameworks in India, regulatory frameworks in the United States, and a comparative synthesis with policy recommendations.

CONCEPTUALIZING ALGORITHMIC BIAS AND GENDER INEQUALITY

Sources and Typologies of Bias: With systematic errors in machine-learning systems providing unfair or discriminatory outcomes, algorithmic bias occurs. It includes three main sources: (i) biased training data, where past data reflect past discriminatory practices and perpetuate them; (ii) flawed algorithmic design, where designers encode conscious or unconscious assumptions into model design; and (iii) feedback loops, through which biased outputs feed back into next pass training cycles, to compound first distortions. Gender bias can take the form of differential treatment, where similarly qualified women are treated worse than men or disparate impact, where facially neutral systems have disproportionate adverse effects on women.[3]

Proxy discrimination is especially insidious here. An algorithm based on postal codes and 'using them as a proxy for creditworthiness' or prior salary and 'using them as a proxy for productivity' could reproduce differences in pay worthiness based on gender, even if they don't explicitly process gender through the algorithms. Research conducted on the algorithms underlying internet search shows that algorithmic bias in search results is related to how much gender inequality exists within a particular society in a kind of 'self-reinforcing cycle' of bias propagation between society, algorithm and user.[4]

Gender Digital Divide as a Structural Amplifier: The gender digital divide serves to compound these algorithmic harms. Globally, 66 percent of women (1.5 billion) now use mobile internet, compared to 78 percent of men.32 In low-income countries, only 20 percent of women are connected to the internet.4 Since AI systems are trained on the available data, the underrepresentation of women online and especially of marginalised women means that models systematically do not have sufficient data about women's experiences, preferences, and behaviours. The resulting 'data gap' translates directly into 'AI gap': systems which are

[3] Jerlyn Q H Ho et al., 'Gender biases within Artificial Intelligence and ChatGPT: Evidence, Sources of Biases and Solutions' (2025) 4 Computers in Human Behavior: Artificial Humans <https://www.sciencedirect.com/science/article/pii/S2949882125000295> accessed 15 March 2026

[4] Madalina Vlasceanua and David M Amodio, 'Propagation of societal gender inequality by internet search algorithms' (2022) 119(29) Psychological and Cognitive Sciences <https://www.pnas.org/doi/10.1073/pnas.2204529119> accessed 15 March 2026

less accurate for and less responsive to women. In India, where rural women face compounded barriers of language, literacy and connectivity, this structural problem is particularly acute in India.[5]

The Statistical Landscape: Gender, AI, and the Workforce: The statistical record of gender disparity in both AI development and AI's impact on women provides the empirical foundation for regulatory intervention. The tables below synthesise key data from peer-reviewed studies, government reports, and international organisations.

Indicator	India	United States	Global Average	Source
Women in STEM workforce	~40% (enrollment); 18.6% researchers	28% of STEM employees	28% of STEM workforce	ILO, WEF, ORF (2024)
Women in AI workforce	~22%	~26%	22% of AI professionals	Interface EU (2024)
Women in tech leadership	7–10% of leadership roles	29–36% at GAFAM C-suite	12.2% reach C-suite in STEM	WEF & LinkedIn (2025)
Women AI researchers globally		~16% of tenure-track AI faculty	12% of AI researchers	Women in Tech Network (2025)
Gen AI daily usage gap (women vs men)		34% women vs 43% men use daily	25% lower adoption by women	BCG / Women in Tech (2024)

[5] *Artificial intelligence and gender equality: key findings of UNESCO's Global Dialogue* (UNESCO, 2020)

Women as % of STEM graduates	~43% (AISHE data)	~35% of computer science grads	~35% of STEM graduates	AISHE 2019-20; NSF (2024)
Female STEM graduates entering workforce	29% enter STEM jobs	Significant leaky pipeline	Global leaky pipeline pattern	Sattva Consulting (2024)

Table 1: Women in the AI and STEM Workforce – India and United States (2024–2025)

Study / Source	Finding	Year
UNESCO (LLM study)	Women described in domestic roles 4x more often by leading LLMs; associated with 'home', 'family', 'children'	2024
Berkeley Haas Center	44% of AI systems show gender bias; 25% show both gender and racial bias	2023
University of Washington	LLMs favor male names in 52% of resume rankings; Black male names never preferred over White male names in 500+ job listings	2024
PNAS / Du et al.	Greater national gender inequality correlates with more male-dominated	2022

	Google image search results for 'person'	
BCG / Women in Tech	33% of U.S. women used generative AI vs 44% of men; women 25% less likely to adopt GenAI tools	2024
AIPRM (2025 report)	47% of Indian adults have been victim of or know someone victimized by AI voice-cloning or deepfake scam	2025

Table 2: AI Gender Bias – Key Empirical Findings

The data help to reveal a consistent pattern of structure. Women are under-represented as AI creators, making up 22 percent of the global AI workforce35 but are over-represented as the targets of AI harms as consumers, workers, and citizens. This has been a troubling dynamic in which those who have been least represented in the design of AI are those who are worst affected by its implementation.

SECTORAL MANIFESTATIONS OF AI GENDER BIAS

Employment and Hiring: Algorithmic hiring tools have become one of the main spaces for AI gender discrimination to take place. Amazon's now-abandoned artificial intelligence (AI) recruitment engine, trained on a decade of mostly male hiring data, systematically downgraded resumes including the mention of 'women's' as in 'women's chess club captain' and docked the resumes of graduates from all-women colleges. University of Washington study 2024 email: Leading LLMS rank and prefer male names in 52 percent of resume rank exercises. In India, the rush to adopt AI screening tools by IT sector companies without proper auditing for bias runs the risk of reproducing, at scale, the unconscious biases of largely male hiring teams. Women represent 7 to 10 percent of leadership roles in India's tech

industry, which is a structural issue that, when mirrored in the training data, leads AI systems to link leadership skills to maleness.[6]

Financial Services and Credit: Credit-scoring algorithms pose a particularly acute issue from the perspective of financial inclusion for women, as in India, the gap between men's and women's access to formal financial services is still very much alive and kicking. When algorithms are based on proxies like past employment history, ownership of property or salary trajectory, they are systematically disadvantaging women because of career interruptions due to caregiving responsibilities. The main reason why 59 percent of female Indian graduates in 2024 were neither employed nor looking for work was the pressure of caring for their families. The UNDP has highlighted that women may be denied access to valuable microfinance and loans that they need to maintain their livelihoods because of biased financial algorithms. In the United States, the Consumer Financial Protection Bureau has been investigating algorithmic credit scoring models for gender-correlated disparate impact issues and has found that AI underwriting tools may have a gender-disadvantaging outcome on women who have taken maternity-related career breaks.[7]

Healthcare Diagnostics: Clinical AI systems where subjects are mainly men perform demonstrably worse when doing the same on women. Cardiovascular diagnostic algorithms trained using male-skewed clinical trial data have been shown to under-identify the risk of cardiac disease in women, whereby the symptom expression differs from the male norm. In India, maternal and reproductive health issues are an area that is unique to women's health concerns and is underrepresented in the datasets used for AI training, reflecting both the lower inclusion of women in clinical research and a devaluation of women's health concerns. The Global Dialogue about AI and Gender Equality by the United Nations Educational, Scientific, Cultural and Sports Organisation (UNESCO) identified healthcare algorithms as one of those 'critical areas calling for gender disaggregated training data and performance audits.'

Technology-Facilitated Gender-Based Violence: Perhaps the most visceral intersection of AI and gender inequality is the weaponisation of AI tools to perpetrate gender-based violence. Deepfake technology, which uses generative AI to superimpose a person's likeness

[6] Devika Oberai et al., *WOMEN in STEM: Challenges and Opportunities in India* (IWWAGE Policy Brief, 2024)
[7] *India Employment Report 2024* (International Labour Organization, 2024)

onto fabricated video content, is overwhelmingly deployed against women: over 90 percent of deepfakes globally are pornographic in nature. In India, the 2024 Rashmika Mandanna deepfake incident crystallised public concern and prompted the government to issue emergency advisories under the IT Rules, 2021. A 2025 analysis found that 47 percent of Indian adults had been victimised by, or knew someone victimised by, an AI voice-cloning or deepfake scam, nearly double the global average of 25 percent.[8] In the United States, the proliferation of non-consensual intimate imagery (NCII) generated using AI tools prompted the enactment of the TAKE IT DOWN Act in 2025.[9] UN Women's 2025 report on digital violence concluded that one in four women journalists receives online death threats, with AI-enabled tools used to generate and amplify coordinated harassment campaigns.

INDIA: AI GOVERNANCE AND THE GENDER DIMENSION

The Digital Personal Data Protection Act, 2023 and DPDP Rules 2025: The DPDPA makes DPDPA India's first comprehensive data protection law and the biggest legal development that has implications on AI governance in India.10 Enacted on August 11, 2023 and operationalised through the DPDP Rules, 2025 (notified as Rule 2D or DPDP Rules, 2025 from November 13, 2025), the DPDPA establishes a consent-based framework for the processing of personal data, which has narrations towards how AI systems may collect, store, and use the information of individuals.[10] The legislation arose from the constitutional foundation laid in *Justice K.S. Puttaswamy (Retd.) v Union of India* (2017), in which the Supreme Court of India unanimously recognised privacy as a fundamental right under Article 21.[11]

From a gender perspective, the DPDPA includes a number of interesting provisions. First, it is the first Indian statute to consistently use feminine pronouns 'she/her' throughout the text, which is symbolic if not a very symbolic move from legal convention. Second, its consent framework, where such processing is prohibited without 'specific, free, informed, unconditional and unambiguous' consent, offers potential protection from the AI systems that will scrape or aggregate women's personal data without authorisation. Third, the DPDP Rules, 2025 require Significant Data Fiduciaries, as defined by the volume and sensitivity of

[8] Pranoy Jainendran, 'Deepfakes and Financial Cybercrime: India's Multi-Layered Response' (*Observer Research Foundation*, 15 January 2026) <https://www.orfonline.org/expert-speak/deepfakes-and-financial-cybercrime-india-s-multi-layered-response> accessed 15 March 2026
[9] TAKE IT DOWN Act 2025
[10] Digital Personal Data Protection Rules 2025
[11] *Justice K S Puttaswamy (Retd) & Anr v Union of India & Ors* (2017) 10 SCC 1

data they process, to carry out Data Protection Impact Assessments (DPIAs), which could be used to assess the gender differential impact of the AI systems. The Rules became applicable eighteen months from notification, when they will start to expect full compliance in 2027 May.

However, the DPDPA has serious loopholes in terms of gender equality. It does not explicitly require bias auditing, impacts of algorithms or gender disaggregated reporting. Its broad exemptions for state entities and national security purposes open the prospect for discriminatory AI in government welfare programs, specifically the programs most affecting marginalised women. Civil society organisations have deplored a lack of provision explicitly mandating the assessment of AI systems for the discriminatory impact they may have.[12]

IT Rules Amendment, 2025: Addressing Deepfakes: The amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, which is effective from November 15, 2025, pertains to the proliferation of Artificial Intelligence-generated synthetic content.[13] It introduces the first definition of 'synthetically generated information' in India's legislation, information that is artificially or algorithmically created, generated, modified or altered using a computer resource, in a manner that appears reasonably authentic or true, a formulation similar to that taken in the EU AI Act. The amendment increases the obligations of significant social media intermediaries (SSMIs), providing for mandatory labelling and an expedited removal process (within three hours) and content provenance mechanisms for deepfake content. The Parliamentary Committee Report of August 2025 clearly pushed the government for a standalone deepfake prohibition law with reference to the disproportionate targeting of women. Separately, the National Commission for Women conceived and published in 2025 a comprehensive Review of Cyber Laws Relating to Women that made proposals to strengthen women's rights in the digital sphere in line with accountability on social media platforms.[14]

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[12] Dharish David et al., 'Algorithmic Bias and Discrimination in India: A Looming Crisis' (2025) 11(1) Journal of Development Policy and Practice <https://journals.sagepub.com/doi/10.1177/24551333251343358> accessed 15 March 2026

[13] Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021

[14] Anuradha Gandhi and Isha Sharma, 'NCW Urges Gender Sensitive Cyber Law Reform' (*S S Rana & Co,* 26 November 2025) <https://ssrana.in/posh-law/articles/ncw-urges-gender-sensitive-cyber-law-reforms/ -:~:text=NCW Calls for Gender-Sensitive,through education and community engagement.> accessed 15 March 2026

IndiaAI Mission and Gender-Responsive AI: The IndiaAI Mission, launched under MeitY, represents India's flagship AI policy initiative. At the India AI Impact Summit 2026 (February 2026), MeitY, in partnership with UN Women and the Ministry of Women and Child Development, released the Casebook on AI and Gender Empowerment, showcasing twenty-three AI solutions selected from 235 submissions across fifty-plus countries.[15] The casebook covers six sectors: education and STEM, safety and protection, legal empowerment, digital literacy, health and nutrition, and economic inclusion and explicitly commits the IndiaAI Mission to embedding gender-responsive principles across its Seven Chakras working groups.[16] This initiative is metaphorically making India a proactive force for gender-inclusive AI, especially in the case of the Global South. India's Digital Public Infrastructure (DPI), including Aadhaar, Jan Dhan accounts and the PMJDY scheme, has led to an efficient increase in the financial inclusion of women. The challenge is to ensure that AI built on top of this public infrastructure does not recreate the same kinds of biases that the DPI was set to overcome.

UNITED STATES: AI GOVERNANCE, ROLLBACK, AND STATE-LEVEL RESPONSES

Executive Order 14110 (2023) and Its Revocation: President Biden's Executive Order 14110 was signed on October 30th, 2023 and was the most extensive executive order on the governance of AI in American history. The EO specifically referenced algorithmic discrimination, asking the Department of Justice to lead federal civil rights offices in investigating violations of the law relating to AI, issuing orders to landlords, federal benefit programs, and contractors to ensure that AI will not result in a worsening of discrimination, and mandating actions by the Consumer Financial Protection Bureau and Federal Housing Finance Agency to review underwriting models to ensure lack of gender and racial bias.[17] The White House's Blueprint for an AI Bill of Rights (2022), while non-binding, articulated

[15] 'Casebook on AI and Gender Empowerment Launched at India AI Impact Summit 2026' (*PIB*, 27 February 2026) <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2233368&reg=3&lang=1> accessed 15 March 2026

[16] Dr Jyoti Chauthaiwale, 'AI for Her: Striving for gender inclusivity' (*Organiser*, 04 March 2026) <https://organiser.org/2026/03/04/342741/bharat/ai-for-her-striving-for-gender-inclusivity/> accessed 15 March 2026

[17] Joseph R Biden Jr, 'Sheet: Biden-Harris Administration Announces Key AI Actions Following President Biden's Landmark Executive Order' (*The American Presidency Project*, 29 January 2024) <https://www.presidency.ucsb.edu/documents/fact-sheet-biden-harris-administration-announces-key-ai-actions-following-president-bidens> accessed 15 March 2026

principles including protection from algorithmic discrimination and the right to human review of AI-generated consequential decisions.[18]

The Biden Administration's approach was turned on its head with the inauguration of President Trump. Executive Order 14173 (January 2025) removed DEI-related AI guidance and rescinded EO 14110, claiming that it 'hindered AI innovation and imposed onerous government control over AI development.'[19] The EEOC removed AI discrimination information from its website; the Department of Labour's AI Inclusive Hiring Framework was labelled as potentially outdated. The White House directive issued this July on 'Preventing Woke AI in the Federal Government' defined DEI in AI as including 'suppression or distortion of factual information about race or sex' and mandated DEI in AI within federal government contracts to reflect this outlining of 'suppressed' forms of data as possibly protecting discriminatory AI systems from oversight.

Colorado Artificial Intelligence Act, SB 24-205 (2024): In the regulatory vacuum created by the lack of action at the federal level, state-level regulation has become the key tool to address algorithmic discrimination in the United States. Colorado's SB 24-205, which was signed into law on May 17, 2024 and effective June 30, 2026 (after an August 2025 amendment extended the February 2026 original deadline), is the first comprehensive state legislated Artificial Intelligence (AI) statute in the nation. The Colorado Artificial Intelligence Act (CAIA) follows a risk-based approach very similar to that of the EU AI Act. system based on 'high-risk artificial intelligence systems' systems making consequential decisions that affect employment, housing, credit, healthcare, education, legal services, etc.[20] The CAIA defines 'algorithmic discrimination' as any condition where an AI system generates unlawful differential treatment or disparate impact on behalf of a protected characteristic that includes sex, race, age and disability. It places obligations on both the developer and the deployer to provide annual impact assessments, to notify the consumer, the right to human review of an

[18] 'BLUEPRINT FOR AN AI BILL OF RIGHTS: MAKING AUTOMATED SYSTEMS WORK FOR THE AMERICAN PEOPLE' (*Gov Info*, October 2022) <https://www.govinfo.gov/content/pkg/GOVPUB-PREX23-PURL-gpo193638/pdf/GOVPUB-PREX23-PURL-gpo193638.pdf> accessed 15 March 2026

[19] 'PREVENTING WOKE AI IN THE FEDERAL GOVERNMENT' (*The White House*, 23 July 2025) <https://www.whitehouse.gov/presidential-actions/2025/07/preventing-woke-ai-in-the-federal-government/> accessed 15 March 2026

[20] 'A Deep Dive into Colorado's Artificial Intelligence Act' (*National Association of Attorneys General*, 26 October 2024) <https://www.naag.org/attorney-general-journal/a-deep-dive-into-colorados-artificial-intelligence-act/> accessed 15 March 2026

adverse determination and mandatory disclosure to the Colorado Attorney General of known or foreseeable discriminatory risks within ninety days. Attorney General gets to enforce the law, with violations being unfair trade practices.[21]

The Trump Administration's July 2025 Executive Order specifically referenced Colorado's CAIA as an example of 'onerous' state AI law potentially subject to federal pre-emption and had directed the Attorney General to resolve the states' laws by the creation of an AI Litigation Task Force whose role would be to challenge it. The argument of pre-emption by federal laws versus state consumer protection authority over AI continues to be sorted out as of early 2026. Illinois has further supplemented this structure with two pieces of programming-the Artificial Intelligence Video Interview Act (2019) as well as revisions to the Illinois Human Rights Act (2024), making it illegal to discriminate with AI during the course of employment, spanning the entire hiring to promotion process.[22]

TAKE IT DOWN Act 2025: In one specific area of legislative consensus, the US Congress passed the TAKE IT DOWN Act (Tools to Address Known Exploitation by Immobilising Technological Deepfakes on Websites and Networks) in 2025. The Act makes it a criminal offence to publish non-consensual intimate visual depictions, such as AI-generated 'digital forgeries', with an intended purpose to cause harm. It requires demonstrating not only consent but an intent, and it carved out explicit protections for uses that are not surprising: educational, satirical, journalistic and public-interest uses. The Act offers a narrowly tailored federal response to deepfake intimate imagery abuse that, unlike more far-reaching AI governance measures, withstood the change of administration based on bipartisan commitment and pursuit grounded in child safety and women's protection interests.

COMPARATIVE ANALYSIS: CONVERGENCES, DIVERGENCES, AND POLICY GAPS

Parameter	India	United States
Primary AI Regulation	DPDPA 2023 + DPDP Rules 2025; IT Rules Amendment 2025	EO 14110 (revoked 2025); Colorado AI Act (SB 24-205,

[21] Consumer Protections for Artificial Intelligence Act 2026
[22] Ending Illegal Discrimination and Restoring Merit-Based Opportunity 2025

		2024); TAKE IT DOWN Act (2025)
Explicit Anti-Bias Mandate	No specific algorithmic bias auditing requirement	Colorado CAIA: explicit algorithmic discrimination prohibition
Deepfake Regulation	IT Rules Amendment 2025 (mandatory labeling & removal)	TAKE IT DOWN Act (2025): federal criminal prohibition of NCII
Gender-Specific Provisions	IndiaAI Mission Casebook; NCW Cyber Laws Review	Biden EO 14110 (revoked); EEOC guidance (removed Jan. 2025)
Enforcement Mechanism	Data Protection Board of India (DPB)	State AGs (Colorado); FTC; EEOC (guidance curtailed)
Constitutional Basis	Art. 21 privacy right (Puttaswamy 2017)	Title VII, Equal Credit Opportunity Act, Fair Housing Act
Federal Policy Direction (2025-26)	Gender-inclusive AI (IndiaAI Mission)	Federal rollback of equity-focused AI guidance
Data Protection Scope	Digital personal data (consent-based, GDPR-adjacent)	Sectoral (HIPAA, FCRA, ECOA); no comprehensive federal law

Table 3: Comparative Regulatory Framework – India and the United States

The comparative analysis demonstrates a remarkable divergence of federal trajectories. India, historically lagging in terms of data protection law, has incongruously inched towards a more coherent and national approach towards gender responsive AI through the IndiaAI Mission's effort in collaboration with UN Women, the Cyber Law Review Parliamentary

Committee of the National Commission for Women (NNCW), finally culminating in the DPDPA's comprehensive, if imperfect, provision of consent. The United States, which has led the world in contemplating advanced solutions to algorithmic discrimination with the EO 14110 and the Blueprint for an AI Bill of Rights, has backed away from these commitments at the federal level with the current administration.

Both countries have a common structural challenge: their AI governance frameworks have not been established with gender equality as a key goal. Rather, gender provisions are amendments to general privacy or consumer protection regimes. Neither of these countries has gender disaggregated auditing of AI systems as standard compliance; neither requires developers to show that their systems operate equally well across genders before their systems are deployed in areas of high-stakes consequences; and neither has a specific legal remedy for women harmed by algorithmic discrimination as a distinct category of rights violation.

India's Particular Structures of Vulnerability Influenced by the Intersection of AI Bias with Caste Discrimination, Linguistic Variety, and Rural-Urban Digital Divide. A caste-biased AI system with added gender-bias adds up to compounding, intersectional harms for Dalit women, Adivasi women, women from minority religious communities, harms which are merely ill-equipped by standard anti-discrimination frameworks that require single-axis analysis to address. The United States has an analogous problem where the intersection of being female and black or Hispanic is biased, and has been documented extensively in algorithmic resume screening and in predictive policing systems.

POLICY RECOMMENDATIONS

Drawing on the foregoing analysis, this paper proposes the following cross-jurisdictional recommendations:

Mandatory Gender-Disaggregated Algorithmic Impact Assessments (AIAs): Both jurisdictions should require, as a condition of deployment in high-stakes sectors, that AI systems demonstrate performance parity across gender (and gender-by-race) subgroups. India should amend the DPDPA's Significant Data Fiduciary framework to require gender-specific DPIAs; the United States should legislate AIA requirements at the federal level.

Intersectional Data Governance: AI training datasets for high-stakes systems should be required to reflect the demographic diversity of the populations they affect, with specific minimum representation thresholds for women, women from marginalised communities, and rural women. India's IndiaAI Mission should mandate demographic diversity requirements for public-sector AI procurement.

Independent Oversight Bodies with Gender Expertise: India's Data Protection Board should include members with expertise in gender equality and technology; the United States should establish (or restore) a dedicated interagency task force on AI and civil rights at the federal level, insulated from executive-level policy swings.

Comprehensive Deepfake Legislation: India should enact standalone deepfake prohibition legislation as urged by the August 2025 Parliamentary Committee, providing a direct civil and criminal remedy for victims of AI-generated non-consensual intimate imagery, beyond the current reliance on IT Rules advisories. The United States TAKE IT DOWN Act provides a useful model that can be adapted to India's legal architecture.

Closing the Representational Gap in AI Development: Neither jurisdiction can sustainably address AI gender bias without addressing the root cause of women's underrepresentation as AI designers, developers, and policymakers. India's KIRAN, Vigyan Jyoti, and WOS schemes alongside the AICTE's Pragati Scholarship should be expanded and adequately funded; in the United States, the NSF's EducateAI initiative should include explicit gender-parity targets.

India and the United States, as the world's two largest democracies and among its largest AI producers, should establish a bilateral AI governance dialogue with a dedicated gender-equity working group. This should be embedded within broader multilateral processes, including the UN Global Digital Compact (2024) and UNESCO's Recommendation on the Ethics of AI (2021).

CONCLUSION

Artificial intelligence has real potential for transforming gender equality, whether it be identifying cervical cancer in resource-constrained environments, providing financial services to unbanked rural women, finding patterns of domestic violence or personalising

STEM education for girls in rural areas. The reporting of India AI Impact Summit 2026's Casebook on AI and Gender Empowerment shows us that this potential is anything but academic. 29 Yet the same technology, without explicit designing for equity, becomes an enhancer of patriarchy on steroids: depriving women of jobs, loans and healthcare; generating non-consensual imagery for harassment and coercion; embedding gender stereotypes into the algorithmic infrastructure of everyday life.

The comparative study between India and the United States shows that regulatory intent, whether genuine or performative, is not enough without the infrastructure of enforcement, technical capacity and prolonged political will. India is creating a regulatory architecture by the month, with the DPDPA and IndiaAI Mission providing building blocks that, with an added gender equity thrust, could make India a leader around the world. The United States has the technical expertise and the legal doctrine, but has, at the Federal level, pulled back from the commitment to equity that gives these tools meaning, leaving the field to progressive states whose gains may be challenged by federal preemption.

The architecture of AI governance needs to be designed with gender equality as part of the structural requirements, rather than an afterthought. To do this, both countries need to move beyond treating the use of algorithms as a technical glitch that should be fixed, rather than as a political choice that should be pushed and fought over through laws, institutional designs, and democratic accountability.