

Constitutional framework of justice and human rights in India

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Abstract

Access to justice is a foundational element of any democratic system and an essential aspect of human rights and constitutional governance. It ensures that individuals are able to seek remedies when their rights are violated and strengthens the rule of law. In India, the Constitution provides a comprehensive framework by guaranteeing equality before the law, protection of life and personal liberty, and access to legal aid for disadvantaged sections of society. Over time, the judiciary has played a significant role in expanding access to justice through progressive interpretations of fundamental rights and the development of Public Interest Litigation, which has enabled marginalized communities to approach courts.

Despite these advancements, several challenges continue to limit effective access to justice. Issues such as judicial delays, high litigation costs, lack of legal awareness, procedural complexity, and unequal access to digital infrastructure remain significant barriers. This study adopts a doctrinal research methodology, relying on constitutional provisions, statutes, and judicial precedents, along with secondary sources such as books and reports.

The findings suggest that although India has made notable progress in strengthening its legal framework, structural and socio-economic barriers still restrict equitable access. The study also examines emerging solutions such as alternative dispute resolution mechanisms, legal aid services, and digital courts, which aim to improve efficiency and accessibility. It concludes that ensuring justice for all requires continuous institutional reforms, simplification of legal procedures, and inclusive use of technology, thereby promoting human dignity, equality, and effective constitutional governance.

Keywords: Access to justice, human rights, constitutional governance, rule of law, legal aid, public interest litigation, judicial system, social justice, ADR, digital courts

Introduction



Opportunity to seek legal remedies is really what makes Essential rights of human beings and social justice are effective in a country that's fair and democratic. It gives people the authority to say something when their rights are disregarded and they turn to the legal system for support. If we do not have this then the rights that are written in the Constitution do not mean much. They do not help the people who need them the most.

Human rights aim to ensure everyone is treated with respect and has the opportunities. Social justice is to guarantee that all individuals have a chance and that there is a lack of systems that treat some people unfairly. Access to justice is like By connecting these concepts, it offers people who are denied fair treatment a way to access justice through the legal system.

In India the Constitution is based on the ideas of being fair in all aspects of life. The Constitution says that everyone is equal under the law that people have the right to live their lives and be free and that people have the entitlement to obtain help from the system whenever necessary. The

Constitution also says that The government must ensure that individuals with limited financial resources can access help whenever they need it.

Even though India has a system of laws Numerous challenges still remain that make it hard for people to get the help they need. These problems include the system taking many years the process being too complicated financially underprivileged individuals and some people being treated unfairly. This paper looks at how access to justice works in India how it helps with rights and social justice and what is being done to reform the system and tackle the obstacles faced by citizens. Access to justice, in India is very important. It plays a big role in promoting human rights and social justice.

Methodology

Methodology / Approach

This study uses an analytical approach. It mainly relies on sources.

The study looks at provisions, statutes and key court decisions. These help build a legal framework. They also help understand principles.

- * Scholarly articles and academic writings are used. They provide perspectives. They give, in-depth insights.

- * Government reports and policy documents are also considered. They show how laws work in practice. They also show what their policy implications are.

The study combines these sources. It strives to identify trends, to examine concepts, to present reasoned conclusions.

This method ensures a study. It ensures a study of the topic. The Doctrinal approach focuses on:

- Examining constitutional provisions related to equality, liberty, and the guarantee of legal assistance
- Analyzing statutory frameworks, for instance, the Legal Services Authorities Act and other relevant legislation.
- Reviewing judicial interpretations that expand both procedural and substantive rights.

Analytical approach

Numerous shortcomings in the justice system call for corrective measures. It is trying to figure out why the justice system is slow and inefficient. It attempts to examine the causes of frequent delays and gaps in the system. The study also wants to assess the consequences of these problems for the way justice is delivered.

The research looks at ways to make the justice system better. It checks out reforms that can make the system more accessible and efficient. For example the study looks at Alternative Dispute Resolution methods. Such approaches provide a way for individuals to settle conflicts without legal proceedings. This helps reduce the burden on the justice system.

The study also looks at Lok Adalats. These courts deliver fast and low-cost solutions. They are especially helpful in minor criminal cases. The study also considers measures, like e-filing and online case management. It looks at how these actions can contribute to improving court procedures.

The goal of all these reforms and initiatives is to make the judicial system more effective and transparent. the judicial system should be easy to navigate. The study wants to make sure that the judicial system is fair and works well for everyone. The judiciary needs measures to resolve its existing problems. These reforms can help make that happen.

This study follows a qualitative research design, emphasizing critical evaluation and normative analysis rather than quantitative measurement. The main objective is to assess the effectiveness of India's access to justice mechanisms in promoting human rights and advancing social justice.

Challenges in access to Justice

Despite constitutional guarantees and judicial efforts, several challenges continue to hinder effective access to justice:

1. Judicial Delays

The Indian judiciary faces a massive backlog of cases, resulting in delays that can last for years. Delayed justice often leads to denial of justice.

2. High Cost of Litigation

Legal proceedings involve significant expenses, including lawyer fees, court fees, and other related costs, making justice inaccessible for many.

3. Lack of Legal Awareness

A large section of the population is unaware of their legal rights and remedies, which prevents them from seeking justice.

4. Procedural Complexity

Legal procedures are often technical and complicated, making it difficult for ordinary citizens to navigate the system.

5. Technological Barriers

While digital courts have improved efficiency, lack of access to technology in rural and remote areas creates a digital divide. These challenges disproportionately affect marginalized and economically weaker sections of society.

Alternative Dispute Resolution and Digital Justice

To overcome the limitations of the traditional judicial system, alternative mechanisms have been introduced:

Alternative Dispute Resolution (ADR)

ADR methods such as mediation, arbitration, and conciliation provide faster and cost-effective solutions. They reduce the burden on courts and promote amicable settlement of disputes.

Legal Aid Services

Legal aid programs aim to ensure that no individual is denied justice due to financial constraints. Institutions like NALSA play a crucial role in this regard.

Digital Courts and E-Governance

The introduction of e-courts and virtual hearings has improved efficiency and accessibility. However, efforts must be made to ensure that technological advancements are inclusive.

Major Findings

1. A Strong Foundation for Justice in India

Indias promise to give everyone a chance at justice starts with the Constitution of India. The Constitution of India says that everyone is equal in the eyes of the law of India and has the right to life and freedom in India. Rules like the one about being equal which's Article 14 of the Constitution of India and the right to life which is Article 21 of the Constitution of India help make sure people get a fair deal from the law of India. The courts of India have said that these rules of the Constitution of India also mean that people should get treatment from the law of India. The government of India has also promised to help provide aid to people in India and make sure everyone in India gets a fair chance at justice in India. The Legal Services Authorities Act of India helps make sure people in India who cannot afford lawyers get help from the government of India. All these rules of the Constitution of India and the laws of India together make a foundation for the idea that justice's a basic right, not just for some people in India. They help make sure everyone in India gets a chance at justice in India. The idea of justice in India is very important. The Constitution of India and the laws of India help to make sure that everyone, in India gets justice.

2. Role of Judicial Innovations like Public Interest Litigation

Public Interest Litigation has changed the way people get justice. It lets people go to court for others who cannot do it themselves. This helps a lot of people who do not have the money or the ability to go to court. Public Interest Litigation has made it easier for people to get justice. Courts have used Public Interest Litigation to help people who're poor or do not have a voice. They have looked at issues like protecting the environment making sure people are treated fairly at work and making sure prisons are okay. They have also made sure people have access to things like water and

food. Public Interest Litigation has changed the way courts work. Now courts do more than just listen to cases. They also help people who need it. This means that justice is fairer for everyone, for people who are vulnerable and cannot speak for themselves. Public Interest Litigation is very important for people who need help and for Public Interest Litigation to keep working.

3. Persistent Structural Barriers: Poverty and Lack of Awareness

There are still problems that stop people from getting fair treatment. Poverty is an issue because going to court can be very costly and take a long time. Many people cannot pay for a lawyer, court fees or the extra costs that come with a long court case. Not knowing about the law makes things worse. A lot of people do not know about their rights or how to make sure they are enforced. Things like not being able to read being treated unfairly. Living far from help also stop people from seeking justice. These problems mean that even though justice is supposed to be available it is not really accessible to everyone. Poverty and lack of awareness are issues. People need help, with poverty and lack of awareness.

4. Technological Reforms: Opportunities and Emerging Inequalities

Technology is changing the way we do things. This is also true for the justice system. We now have things like courts and virtual hearings that make it easier for people to access the court system. This is a thing because it helps to make the legal process faster and more fair. These technological reforms are really good at making the court system more open and honest. They also help people who have trouble getting to the court because of where they live or because they're not able to travel.

However technology is also creating some problems. The fact is that not everyone has access to the internet or devices like computers or smartphones. Some people do not even know how to use these things. This means that people who live in areas or who are poor or old may have trouble using the new technological systems.

As a result while technological reforms make the justice system better for some people they can also make it harder for reforms to help people who already have a tough time. Technological reforms can make things more efficient. They can also leave some people behind and that is not good, for technological reforms.

5. Need for Fair and Complete Changes

We need to change our justice system to make it fair for everyone. To do this we should help people get aid easily especially in rural areas. We should also teach people about their rights through awareness campaigns and education. At the level we need to make court procedures simpler and faster. We should also improve court buildings and technology. Technology should help people not make it harder for them to access justice. For example we can provide assisted services and expand internet access in rural areas. In the end having laws is not enough. We need to make sure they are enforced properly. We also need to make people aware of their rights and be prepared to deal with challenges. Access to justice requires laws, effective implementation and social awareness, about justice and laws.

Implications for Governance and Society

Improving access to justice is not about solving legal problems it actually affects how people see the whole justice system and how a country is run in daily life.

Strengthens institutions

When people can easily go to court and get fair decisions they start feeling that the justice system is actually working for them. This makes institutions like the judiciary more accountable, which is very important for a proper democracy. The justice system is very important for a country.

Promotes equality and social justice

Access to justice gives the weaker sections of society a chance to speak up for their rights. It helps reduce the gap between the rich and the poor because everyone gets an opportunity to be heard making society more equal. Access to justice is very important for society.

Enhances trust in the justice system

If legal processes are simple and not too expensive people start trusting the justice system. When trust increases people prefer legal ways to solve problems instead of unfair or illegal methods. The justice system should be easy to use.

Protects human rights

A good justice system protects human rights. When people know they can raise their voice without fear they feel more secure and confident in society. The justice system is there to protect rights.

Need for policy measures

To make all this possible the government should focus on making legal procedures easier reducing costs and spreading awareness about human rights. Because if people do not even know their rights or cannot afford justice then those human rights do not really mean much in real life. The government should make access to justice easier, for everyone.

Results and Discussion

The research indicates that India has developed a strong constitutional and judicial framework to support access to justice. Judicial interpretations have enlarged the scope of Article 21 to encompass not only fair procedures and timely trials but also the ability to free legal aid. Public Interest Litigation (PIL) has further strengthened the system by allowing marginalized groups—such as women, disadvantaged castes, prisoners, and communities affected by environmental issues—to assert their entitlements and seek remedies.

Despite these advances, several structural challenges continue to limit effective access to justice:

- **Judicial Backlog:** The large number of pending cases delays justice and diminishes the confidence of society in the justice system
- **Economic Barriers:** High costs of litigation prevent economically disadvantaged individuals from pursuing legal remedies.
- **Procedural Complexity:** Complex procedures, technical formalities, and frequent adjournments make the legal process difficult to navigate.

- **Social Inequalities:** Caste, gender, and regional disparities continue to restrict equitable participation in the justice system.
- **Digital Divide:** Although e-courts and digital platforms enhance efficiency, limited access to technology in rural and marginalized areas reduces inclusivity.

Institutional reforms, including Lok Adalats and legal aid programs, have contributed to reducing costs and promoting alternative dispute resolution. However, issues remain regarding the quality of legal services, public awareness, and the inclusiveness of these initiatives.

Overall, Ensuring justice requires more than just physical availability of courts. It requires empowering citizens, raising legal awareness, ensuring institutional accountability, and addressing socio-economic and structural inequalities. Legal provisions alone are insufficient; they must be accompanied by inclusive implementation and systemic reforms to achieve genuine social justice.

Conclusion

Ensuring access to justice is not about the law. It is how we make essential rights and social justice real for people. In India the constitution and court decisions have helped to make the law stronger and more fair. This has made it possible for people who're poor or do not have numerous power to go to court. Even with these initiatives, significant problems remain that stop individuals from achieving justice. Some people are still treated unfairly because of who they're where they come from. Consequently, justice is not available to everyone in the way. The ability to obtain justice is still not equal, for all people.

Social justice is what we want. To make social justice real we need to make some changes. We need to make courts work faster so people are without to wait a time. It is crucial that legal help is accessible to all, and that the law is simplified so it is easier for people to comprehend. Providing access to the internet and making the law understandable ensures that everyone knows what they are entitled to and how to seek assistance. We should also help people in communities solve their problems on their own. This means social justice will be fair for everyone and everyone can take part in the system. Social justice and the law will be better for everyone for ordinary people and, for social justice.

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