



ACCESS TO JUSTICE: A FUNDAMENTAL PILLAR OF HUMAN RIGHTS AND SOCIAL JUSTICE

Sukriti Pathak^{1*}

¹Assistant Professor, Faculty of Law, ISBM University

Abstract

Justice constitutes any democratic society. It helps protect rights and make sure everyone is treated fairly. If people are unable to receive assistance when their rights are violated, those rights lose their real significance. In India the Constitution sets a base for justice. It says everyone is equal under the law it protects The entitlement to life and freedom and It ensures that economically weaker people have access to legal assistance.

Over time the courts have assisted individuals in obtaining their rights by allowing them to file cases in the interest. This has given people chances to stand up for their rights and receive help whenever they truly need it.

Nevertheless, some issues continue to persist. that stop people from getting justice. Courts are too crowded it costs a lot to go to court Certain individuals live in extreme poverty. the rules are too complicated. Some areas are without good technology. This study looks at how people in India can get justice and how it affects rights and social justice. It checks the Constitution, laws, important court decisions and new ways to solve problems like mediation and online courts.

The study indicated that despite India has made progress in making laws it needs to do more Ensuring justice for everyone requires that all people in India are able to access the judicial system. and that the laws are applied fairly. This is important for justice and for protecting the basic entitlements of all people. Justice is important for everyone in India. It is vital to keep working on making it better. Access, to Justice is necessary for all citizens of India to uphold their rights and live without restrictions.

Keywords: *Access to Justice, Human Rights, Social Justice, Legal Aid, Judicial Reform.*

* Corresponding author

1. 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.



2. 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.

3. 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

4. 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.

5. 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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