
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**ACCESS TO JUSTICE IN INDIA: THE COMBINED IMPACT OF
POVERTY, ILLITERACY, AND SYSTEMIC BARRIERS**- Vinothini T V¹**Abstract**

Despite the Indian Constitution's guarantee of access to justice, many groups of people still have very little real access to it. This essay examines how poverty, illiteracy, and systemic institutional dysfunction come together to create a structural barrier that prevents people from effectively participating in the legal system. Economic fragility hinders the ability to file cases, find competent legal counsel, manage paperwork, and put up with the long timelines that characterize Indian litigation. Illiteracy exacerbates this exclusion by decreasing awareness of fundamental rights, making it challenging to navigate complex legal procedures, and increasing reliance on middlemen who frequently take advantage of this weakness. These disadvantages are made worse by systemic issues with the legal system, such as massive backlogs of cases, understaffed and ill-equipped lower courts, procedural rigidity from the colonial era, and persistent police bias that frequently prevents marginalized groups from even beginning the legal process. The paper claims that rather than functioning separately, these three components combine to form a multi-layered barrier that systematically restricts access to substantive justice. Even when one barrier is partially removed—for example, through digital initiatives, legal aid, or alternative dispute procedures—effective participation is still constrained. Through structural analysis and real-world examples, the article shows how the legal system often functions more as a gatekeeping mechanism that benefits those with means, knowledge, and social capital than as a tool for protecting rights. The final section proposes specific reforms, including decentralized courts, stronger public defense systems, streamlined procedures in vernacular languages, transparent and

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responsible policing, and extensive legal literacy initiatives, to rebuild accessibility from the ground up.

Keywords: Police Reform, Legal Literacy, Institutional Reform, India, Poverty, Illiteracy, Judicial Delays, Legal Aid, and Systemic Barriers.

Chapter I: INTRODUCTION

Access to justice, which ensures that everyone can seek legal recourse and the defense of their rights, is a fundamental component of a constitutional democracy. The Indian Constitution contains several provisions that support this notion. Article 14 guarantees equality before the law and equal protection under the laws, while Article 21 safeguards the right to life and personal liberty, which courts have interpreted to include the right to seek legal remedies and fair procedures. Article 39A specifically mandates that the state provide free legal aid to ensure that opportunities for justice are not hindered by social or economic disadvantage. Millions of Indian citizens, particularly the poor and disenfranchised, face structural barriers that prevent them from having meaningful access to the legal system, despite these clear prohibitions.

The constitutional guarantee of access to justice is further supported by judicial interpretations. In *Maneka Gandhi v. Union of India*, the Supreme Court decided that the right to life under Article 21 includes the right to due process and fair treatment before the law. Similarly, in *Hussainara Khatoon v. State of Bihar*, the Court recognized that systematic trial delays constituted a denial of fundamental rights, especially for inmates from low-income backgrounds. These decisions demonstrate the judiciary's acknowledgment of substantive access to justice, but they also draw attention to the system's enduring structural defects, which necessitate judicial intervention.

India's legal system functions within a complex socio-legal and historical framework. The majority of colonial-era legal procedures, hierarchical bureaucracy, and procedural formalism still exist, adding levels of complexity that are frequently incomprehensible to the average person. Poverty, illiteracy, and social marginalization exacerbate these structural barriers by restricting access to the legal system, managing

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bureaucratic processes, and ultimately obtaining enforceable remedies. Assuming that every citizen possesses the social capital, resources, and knowledge required to interact with the legal system is fundamentally false.

This article focuses on three interrelated barriers that collectively restrict access to justice: poverty, illiteracy, and systemic institutional dysfunction. When combined, these factors create a compounded disadvantage that systematically excludes vulnerable individuals, even though each of these factors is a significant barrier on its own. Meaningful participation is further undermined by systemic dysfunction, such as judicial delays, police bias, and bureaucratic inefficiencies; poverty limits financial capacity and endurance for drawn-out litigation; and illiteracy impedes understanding of rights, procedural knowledge, and negotiation within the legal system.

Understanding access to justice in India requires taking into account the institutional, educational, and socioeconomic elements that affect real participation in addition to formal equality and legal guarantees. As the following chapters fully explore, substantial reform must address the combined and reinforcing impacts of these obstacles in order to translate constitutional principles into actual reality.

Chapter II: Understanding Access to Justice in the Indian Context

Access to justice is more than just being able to formally approach a court; it also includes the capacity to recognize violations of rights, pursue remedies, comprehend procedural requirements, and guarantee the efficient implementation of court decisions.² Despite being ingrained in the constitution and reinforced by judicial interpretation, this principle is still not equally accessible in India due to systemic and socioeconomic barriers.

2.1 Constitutional and Judicial Foundations

Two essential principles of the Indian Constitution are the right to equality and the right to seek legal remedies.³ Article 14 ensures equality before the law, while Article 21 protects life and personal liberty, which courts have interpreted to include

²LAW COMM'N OF INDIA, Access to Justice and Legal Aid in India, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

³ INDIA CONST. art. 14.

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procedural fairness and substantive access to justice.⁴ Article 39A specifically mandates that the state provide free legal aid to those who are economically or socially disadvantaged in order to prevent the denial of justice based on poverty.⁵

The judiciary has played a major role in defining access to justice as a fundamental right. In *Hussainara Khatoon v. State of Bihar*, the Supreme Court emphasized that delayed justice is justice denied and that delayed trials violated the right to life and personal liberty under Article 21, particularly for poor prisoners.⁶ Similarly, the Court expanded the interpretation of Article 21 to require fair, just, and reasonable procedures in *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248, acknowledging that access to justice must take into account various social and economic contexts.⁷ and *M.C. Mehta v. Union of India*, which broadened the focus to include lawsuits pertaining to the environment and public interest.⁸

2.2 Distinguishing Formal and Substantive Access

Substantial and formal access differ in an important analytical way. In theory, any citizen can file a complaint with the appropriate authorities. Formal access is the term for this.⁹ Substantial access, however, requires that people have the knowledge, resources, and abilities needed to utilize legal systems effectively.¹⁰ Under Indian law, formal access is widely available, but substantive access is restricted by institutional, educational, and financial obstacles. According to reports released by the Law Commission of India, a sizable portion of the population, particularly those from rural and disadvantaged groups, are unable to engage meaningfully with the legal system.¹¹

2.3 Institutional Structures and Barriers

District courts, High Courts, and lower courts make up the Indian judicial hierarchy, with the Supreme Court at the top.¹² While higher courts have institutional visibility

⁴INDIA CONST. art. 21; see *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).

⁵ INDIA CONST. art. 39A.

⁶ *Hussainara Khatoon v. State of Bihar*, AIR 1979 SC 1369 (India).

⁷ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

⁸ *M.C. Mehta v. Union of India*, AIR 1987 SC 1086 (India).

⁹ LAW COMM'N OF INDIA, *supra* note 1, at 12–13.

¹⁰ M. P. JAIN, *Indian Constitutional Law* 112–15 (8th ed. 2019).

¹¹ LAW COMM'N OF INDIA, *supra* note 1.

¹² INDIA CONST. art. 141–144.

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and resources, most residents deal with subordinate courts, which are often overworked and underfunded.¹³ There are also significant differences in the effectiveness and professionalism of police stations, which are the primary point of entry for criminal justice.¹⁴ Economically disadvantaged litigants can receive free assistance from state-level legal aid organizations, but studies reveal that these programs are underfunded, poorly managed, and inconsistently implemented.¹⁵ Even when legal aid is formally provided, poor legal representation, bureaucratic delays, and a lack of outreach limit its practical effectiveness.¹⁶

2.4 The Socio-Economic Reality of Access

Access to justice is impacted by socioeconomic factors such as poverty, literacy, and social hierarchy.¹⁷ Millions of Indians lack the procedural skills, financial literacy, and basic literacy that courts demand. Due to this discrepancy, constitutional guarantees become theoretical entitlements rather than practical realities.¹⁸ Because of this, the legal system functions asymmetrically, allowing those with wealth, expertise, and social networks to access and manage it while marginalized groups are effectively disenfranchised.¹⁹

To understand access to justice in India, one must look at how constitutional principles, judicial interpretation, institutional operation, and socioeconomic reality interact. This chapter establishes the foundation for a comprehensive analysis of poverty, illiteracy, and systemic dysfunction in subsequent chapters by showing that structural and procedural barriers impede substantive access despite the robust legal framework.

Chapter III: Poverty as the Primary Structural Barrier

¹³ NATIONAL JUDICIAL DATA GRID, Annual Report 2022, available at <https://njdg.ecourts.gov.in/njdgnew/> (last visited Nov. 28, 2025).

¹⁴ HUMAN RIGHTS WATCH, "Police Accountability in India", 2019, <https://www.hrw.org/report/2019/india-police-accountability>.

¹⁵ LAW COMM'N OF INDIA, *supra* note 1, at 21–24.

¹⁶ *Id.*

¹⁷ *Id.* at 12; see also S. GOYAL, *Legal Awareness and Access to Justice in India* 35–40 (2020).

¹⁸ M. P. JAIN, *supra* note 9.

¹⁹ LAW COMM'N OF INDIA, *supra* note 1.

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Poverty is the most fundamental and pervasive barrier to true access to justice in India. It serves as a structural constraint that impacts people's ability to engage with legal institutions across the whole justice system in addition to acting as a limitation on financial resources.²⁰ The excessively high costs, delays, and procedural requirements of litigation effectively prevent millions of low-income people from practically exercising their constitutional rights.²¹

3.1 Economic Costs of Litigation

Using the legal system has both direct and indirect financial costs. Direct costs include things like court fees, stamp duties, travel expenses, documentation fees, and legal representation fees.²² Even in criminal cases where the state is in charge of prosecution, victims often have to pay for the gathering of evidence, obtain official or medical certifications, and travel frequently to police stations and courts.²³

The cost of legal counsel is one particularly big barrier. Even though the Constitution's Article 39A²⁴ mandates free legal aid, competent legal representation is actually expensive and not always available. Poor litigants who rely on underqualified or overworked legal-aid attorneys are less likely to have a successful outcome.²⁵ Legal vulnerability and economic deprivation are therefore directly correlated, creating a stratified justice system in which the wealthy enjoy advantages and the poor are continuously disadvantaged.²⁶

3.2 Time Poverty and Opportunity Costs

"Time poverty," in which a person's daily struggle to survive keeps them from participating in protracted legal proceedings, is another facet of poverty.²⁷ Litigation often requires multiple court appearances, document preparation, and travel, which

²⁰ LAW COMM'N OF INDIA, Access to Justice and Legal Aid in India, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

²¹ Id. at 12–14.

²² Id. at 18–19.

²³ NATIONAL LEGAL SERVICES AUTHORITY, Annual Report 2022, at 34–36, <https://nalsa.gov.in>.

²⁴ INDIA CONST. art. 39A.

²⁵ LAW COMM'N OF INDIA, supra note 1, at 21–24.

²⁶ Id.

²⁷ S. GOYAL, Legal Awareness and Access to Justice in India 35–40 (2020).

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may result in lost wages for daily or informal workers.²⁸ Long procedural timelines, frequent adjournments, and judicial delays exacerbate this burden.²⁹ Even those with legitimate claims frequently give up on legal action or accept less-than-ideal informal settlements in order to reduce financial losses.³⁰

3.3 Poverty and Vulnerability to Exploitation

Economic weakness allows for the use of intermediaries and institutional exploitation. Poor litigants often turn to unofficial brokers, touts, or local "advisors," who may provide misleading or self-serving advice, to negotiate bureaucratic procedures.³¹ These challenges are made worse by corruption at every level, from obtaining certified documents to filing FIRs.³² Richer litigants are able to lower these risks by using additional support, even though poor people are still susceptible to manipulation, which sustains systemic injustices.³³

3.4 Intersection with Social Status

In India, poverty frequently exacerbates barriers to justice by interacting with gender, caste, tribal identity, and geographic marginalization.³⁴ Individuals from low-income and socially disadvantaged backgrounds face discrimination in court, prejudice in law enforcement, and delays in registering complaints.³⁵ This intersectional disadvantage turns the legal system into a mechanism that subtly benefits social and economic elites.³⁶

3.5 Barriers to Enforcement

Even when favorable rulings are obtained, enforcement remains a challenge. Collecting decrees, ensuring compliance, and pursuing enforcement orders require

²⁸Id.

²⁹ NATIONAL JUDICIAL DATA GRID, Annual Report 2022, <https://njdg.ecourts.gov.in/njdgnew/> (last visited Nov. 28, 2025).

³⁰ LAW COMM'N OF INDIA, *supra* note 1, at 18–19.

³¹ Id. at 24–25.

³² HUMAN RIGHTS WATCH, Police Accountability in India (2019), <https://www.hrw.org/report/2019/india-police-accountability>.

³³Id.

³⁴ P. CHAKRABORTY, Poverty, Social Exclusion, and Access to Justice in India, 12 J. SOC. POL'Y & L. 45, 49–51 (2021).

³⁵Id.

³⁶ LAW COMM'N OF INDIA, *supra* note 1, at 22.

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funds, time, and ongoing engagement with governmental machinery.³⁷ Because low-income plaintiffs may not always be able to enforce court rulings, judicial victories are primarily symbolic.³⁸

Chapter IV: Illiteracy and Legal Awareness

Illiteracy, which is generally defined as the inability to read, write, or comprehend written material, significantly impedes access to justice in India. In the legal context, illiteracy goes beyond basic literacy to include the inability to understand rights, negotiate procedural requirements, or effectively engage with the justice system.³⁹ Legal literacy—the comprehension of legal rights and procedures—is essential for meaningful access to justice, yet a significant portion of India's population lacks this essential skill.⁴⁰

4.1 Rights Without Comprehension

One of the main components of illiteracy is ignorance of statutory and constitutional rights. Millions of people still lack the knowledge necessary to initiate a civil lawsuit, file a First Information Report (FIR), or appear in court regarding labor or land issues.⁴¹ [S. GOYAL, *Access to Justice and Legal Awareness in India* 35–40 (2020)]. Members of marginalized social groups, women, and residents of rural areas are particularly impacted by this deficiency because social and systemic barriers may deter them from pursuing legal claims.⁴² As a result, violations are routinely underreported and injustice is normalized for those who are unable to recognize or defend their rights.⁴³

4.2 Language and Procedural Complexity

³⁷ NATIONAL LEGAL SERVICES AUTHORITY, *supra* note 4, at 36–37.

³⁸ *Id.*

³⁹ LAW COMM'N OF INDIA, *Access to Justice and Legal Aid in India*, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

⁴⁰ *Id.* at 12–13.

⁴¹ S. GOYAL, *Legal Awareness and Access to Justice in India* 35–40 (2020).

⁴² LAW COMM'N OF INDIA, *supra* note 1, at 15–17.

⁴³ *Id.*

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The majority of people in India are unable to understand formal regional registers or English, which are commonly used for legal proceedings.⁴⁴ Court orders, petitions, affidavits, and rulings frequently use legalese and technical terms.⁴⁵ Even in local language courts, procedural documentation requires literacy and familiarity with legal formats.⁴⁶ Because of this complexity, litigants are compelled to rely on intermediaries such as clerks, lawyers, or unofficial consultants, which creates opportunities for misinformation and exploitation.⁴⁷

4.3 Vulnerability to Misinformation and Exploitation

People who are illiterate are very easily swayed. Intermediaries may give false advice, demand unofficial payments, or coerce plaintiffs into unfavorable agreements in order to expedite the process.⁴⁸ Corruption, a lack of accountability, and opaque procedures exacerbate these risks, which disproportionately impact marginalized and impoverished litigants who are unable to independently assess legal advice.⁴⁹

4.4 Procedural Disengagement

Even so, it is challenging for illiterate litigants to thrive in the legal system. Missed hearings, procedural defaults, or unintentional rights waivers are often caused by unclear notices, summonses, and court orders.⁵⁰ Even though digital systems are becoming more prevalent, courts and law enforcement rarely offer translation or an explanation of how they work, and they assume reading and digital proficiency.⁵¹ Because of this, illiteracy perpetuates poverty-related injustices and consistently leads to procedural disadvantage.

4.5 Implications for Access to Justice

Illiteracy creates both direct and indirect barriers by lowering awareness, increasing reliance on intermediaries, and preventing meaningful engagement with the legal

⁴⁴ M. P. JAIN, *Indian Constitutional Law* 112–15 (8th ed. 2019).

⁴⁵ *Id.*

⁴⁶ LAW COMM'N OF INDIA, *supra* note 1, at 14–15.

⁴⁷ *Id.* at 24–25.

⁴⁸ HUMAN RIGHTS WATCH, *Police Accountability in India* (2019), <https://www.hrw.org/report/2019/india-police-accountability>.

⁴⁹ LAW COMM'N OF INDIA, *supra* note 1, at 24.

⁵⁰ *Id.* at 15–16.

⁵¹ S. GOYAL, *supra* note 3, at 40–42.

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system.⁵² Studies have shown that participation, reporting of infractions, and use of legal aid programs can all be significantly impacted by even modest increases in legal literacy.⁵³ Therefore, addressing illiteracy is not only an educational problem but also a structural prerequisite for equitable access to justice.⁵⁴

Chapter V: Systemic and Institutional Barriers

Even after poverty and illiteracy are eliminated, structural and institutional barriers in the Indian legal system seriously impede access to justice. These systemic barriers, which are embedded in court procedures, bureaucratic structures, and policing practices, frequently render constitutional guarantees void before plaintiffs can actively engage in the legal process.⁵⁵

5.1 Judicial Delays and Case Backlogs

Large backlogs of cases result from India's courts' ongoing overwork.⁵⁶ More than 4.7 crore (47 million) lawsuits, many of which had been pending for decades, were pending in all courts as of 2022.⁵⁷ Delays in adjudication undermine the concept of justice, particularly for those with low incomes who cannot afford protracted court cases.⁵⁸ The Supreme Court has recognized that excessive delays violate Article 21 of the Constitution, as demonstrated in *Hussainara Khatoon v. State of Bihar*, where the Court found that a delay in the trial of undertrial inmates amounted to a breach of fundamental rights.⁵⁹

5.2 Infrastructure and Resource Deficits

Most locals file lawsuits in lower courts, which are routinely underfunded.⁶⁰ issues include inadequate courtrooms, outdated technology, a small administrative staff, and

⁵² LAW COMM'N OF INDIA, *supra* note 1, at 12–16.

⁵³ *Id.* at 18.

⁵⁴ *Id.*

⁵⁵ LAW COMM'N OF INDIA, *Access to Justice and Legal Aid in India*, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

⁵⁶ NATIONAL JUDICIAL DATA GRID, *Annual Report 2022*, <https://njdg.ecourts.gov.in/njdgnew/> (last visited Nov. 28, 2025).

⁵⁷ *Id.*

⁵⁸ S. GOYAL, *Legal Awareness and Access to Justice in India* 35–40 (2020).

⁵⁹ *Hussainara Khatoon v. State of Bihar*, AIR 1979 SC 1369 (India).

⁶⁰ LAW COMM'N OF INDIA, *supra* note 1, at 18–22.

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a shortage of judges.⁶¹ These infrastructure shortcomings hinder effective case management, which disproportionately affects marginalized litigants who cannot compensate for them with private resources like hiring additional lawyers or court assistants.⁶²

5.3 Police as Gatekeepers

Police are the primary entry point into the criminal justice system, despite research demonstrating institutional inefficiencies and biases.⁶³ Custodial coercion, delaying investigations, and refusing to file formal complaints for disadvantaged individuals are all common tactics used by police.⁶⁴ Political interference and a lack of accountability exacerbate these issues.⁶⁵ As evidenced by cases of complaints being postponed or rejected, particularly in rural and impoverished areas, police dysfunction acts as a systemic barrier to justice.⁶⁶

5.4 Procedural Complexity

Indian legal procedures are highly technical and procedural, often reflecting colonialism's legacy.⁶⁷ Litigants must comply with complicated documentation requirements, strict deadlines, and procedural formalities.⁶⁸ This complexity, which necessitates reading, legal knowledge, and familiarity with bureaucratic procedures, further disadvantages the poor and illiterate.⁶⁹ Dismissals or lengthy adjournments brought on by even minor filing or documentation errors can strengthen systemic exclusion.⁷⁰

5.5 Weaknesses in Legal Aid Institutions

⁶¹Id.

⁶²Id.

⁶³ HUMAN RIGHTS WATCH, Police Accountability in India (2019), <https://www.hrw.org/report/2019/india-police-accountability>.

⁶⁴Id.

⁶⁵Id.

⁶⁶ LAW COMM'N OF INDIA, *supra* note 1, at 21–22.

⁶⁷ M. P. JAIN, *Indian Constitutional Law* 112–15 (8th ed. 2019).

⁶⁸ LAW COMM'N OF INDIA, *supra* note 1, at 14–16.

⁶⁹Id.

⁷⁰ S. GOYAL, *supra* note 4, at 38–39.

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Article 39A mandates state-provided legal aid, but institutional implementation is still uneven.⁷¹ [India Constitution, Article 39A] Legal Aid Authorities frequently struggle with understaffing, underfunding, and insufficient oversight.⁷² According to research, legal aid cases frequently have inadequate representation, which diminishes the efficacy of the very system designed to ensure that the poor have access to justice.⁷³

5.6 Digital and Technological Challenges

Recent reforms, such as e-filing, virtual hearings, and digital case tracking, aim to increase efficiency.⁷⁴ However, these developments may exacerbate disparities for marginalized groups due to low digital literacy, poor internet connections, and a lack of support for technology use.⁷⁵ In the absence of inclusive design and support measures, digital systems have the potential to increase rather than decrease systemic barriers.⁷⁶

Chapter VI: The Combined (Compounding) Effect of Poverty, Illiteracy, and Systemic Barriers

Even though poverty, illiteracy, and institutional barriers all restrict access to justice on their own, when they come together, they produce a compounded disadvantage that disproportionately affects marginalized groups.⁷⁷ Together, these components create multilayered exclusion, which ensures that those who most need justice are consistently kept out of the legal system.⁷⁸

6.1 Intersectionality of Structural Barriers

Poverty restricts financial capacity; illiteracy makes it difficult to comprehend and navigate legal procedures; and systemic dysfunction increases delays, procedural

⁷¹ INDIA CONST. art. 39A.

⁷² LAW COMM'N OF INDIA, *supra* note 1, at 21–24.

⁷³ NATIONAL LEGAL SERVICES AUTHORITY, Annual Report 2022, at 34–36, <https://nalsa.gov.in>.

⁷⁴ *Id.* at 36–37.

⁷⁵ *Id.*

⁷⁶ S. GOYAL, *supra* note 4, at 40–42.

⁷⁷ LAW COMM'N OF INDIA, Access to Justice and Legal Aid in India, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

⁷⁸ S. GOYAL, Legal Awareness and Access to Justice in India 35–42 (2020).

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complexity, and bureaucratic prejudice.⁷⁹ A structural environment that exposes low-income and illiterate litigants to exploitation, procedural traps, and fewer enforcement opportunities is produced when these barriers come together.⁸⁰ For instance, a low-income rural woman might not be able to access justice due to ineffective local courts and police stations, a lack of resources for legal representation, and her inability to understand court notices.⁸¹

6.2 Evidence from Legal Aid and Judicial Studies

Studies show that the use of Legal Aid Authorities in India is severely limited by economic and intellectual disadvantage.⁸² Even when free legal aid is available, the poor and illiterate frequently cannot access it due to procedural complexity, bureaucratic barriers, and a lack of information.⁸³ According to National Judicial Data Grid data, cases involving underprivileged litigants are more likely to experience adjournments, delays, and attrition.⁸⁴

6.3 Social Consequences of Compounded Barriers

The interaction of these barriers perpetuates social inequality. Marginalized people experience repeated denial of rights, a drop in political participation, and a decline in trust in governmental institutions.⁸⁵ Furthermore, compounded obstacles support informal justice practices, which resolve disputes outside of formal legal procedures, usually through coercion or unfair settlements.⁸⁶ This puts the rule of law in jeopardy and perpetuates cycles of exclusion.

6.4 Implications for Constitutional Guarantees

⁷⁹ Id.; see also P. CHAKRABORTY, *Poverty, Social Exclusion, and Access to Justice in India*, 12 J. SOC. POL'Y & L. 45, 49–51 (2021).

⁸⁰ LAW COMM'N OF INDIA, *supra* note 1, at 22–25.

⁸¹ P. CHAKRABORTY, *supra* note 3, at 50.

⁸² NATIONAL LEGAL SERVICES AUTHORITY, *Annual Report 2022*, at 34–36, <https://nalsa.gov.in>.

⁸³ LAW COMM'N OF INDIA, *supra* note 1, at 24–25.

⁸⁴ NATIONAL JUDICIAL DATA GRID, *Annual Report 2022*, <https://njdg.ecourts.gov.in/njdgnew/> (last visited Nov. 28, 2025).

⁸⁵ S. GOYAL, *supra* note 2, at 38–40.

⁸⁶ P. CHAKRABORTY, *supra* note 3, at 51–52.

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The combined effects of poverty, illiteracy, and structural barriers make it challenging to put Articles 14, 21, and 39A of the Indian Constitution into practice.⁸⁷ Formal equality and procedural protections become superficial if structural barriers prevent genuine participation.⁸⁸ Courts have recognized this problem in public interest litigation, emphasizing that socioeconomic realities must be considered in order for access to justice to be meaningful.⁸⁹

6.5 Policy Implications and Need for Integrated Reform

To overcome these interrelated obstacles, integrated reform strategies are required:⁹⁰ Lowering procedural costs, growing and effectively implementing legal aid, and helping with travel and paperwork are all examples of financial support.

Legal literacy initiatives: focused actions to educate the public about their rights, procedures, and avenues for redress.

Institutional efficiency: Judicial reforms intended to improve infrastructure, reduce delays, digitize processes globally, and increase accountability in the police and legal systems.

Only by simultaneously addressing systemic, educational, and economic issues can the legal system progress toward substantive access for all people.⁹¹

Chapter VII: Conclusion

Access to justice is still more of an idea than a reality for a sizable portion of the Indian populace. As this study has shown, the challenges posed by poverty, illiteracy, and systemic dysfunction are interrelated and reinforce one another, resulting in a compounding disadvantage for marginalized communities. Systemic inefficiencies, such as judicial delays, bureaucratic opacity, and policing biases, further restrict meaningful involvement in the legal system; poverty restricts the time

⁸⁷ INDIA CONST. arts. 14, 21, 39A.

⁸⁸ LAW COMM'N OF INDIA, supra note 1, at 12–14.

⁸⁹ Hussainara Khatoun v. State of Bihar, AIR 1979 SC 1369 (India).

⁹⁰ LAW COMM'N OF INDIA, supra note 1, at 26–30; NATIONAL LEGAL SERVICES AUTHORITY, supra note 6, at 36–37.

⁹¹ S. GOYAL, supra note 2, at 40–42.

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and money available to pursue legal remedies; and illiteracy restricts understanding and procedural engagement.⁹²

Strong constitutional protections under Articles 14, 21, and 39A notwithstanding, the cumulative effect of these barriers is an unevenly accessible legal system.⁹³ The inability of those who most need legal protection to pursue justice or uphold their rights often results in social marginalization, a deterioration in institutional trust, and unofficial dispute resolution processes that typically disadvantage the poor.⁹⁴ Since the problem is structural rather than incidental, reforms that simultaneously address institutional, educational, and financial aspects are required.

In conclusion, meaningful access to justice in India cannot be achieved through statutory guarantees. It requires an integrated, inclusive approach that ensures the successful operationalization of constitutional rights, considers the socioeconomic circumstances of citizens, and facilitates communication with legal institutions. Addressing these issues is crucial for social stability, justice, and the legitimacy of democratic government in addition to being mandated by law.⁹⁵

⁹² LAW COMM'N OF INDIA, Access to Justice and Legal Aid in India, Report No. 140 (1993), available at <https://lawcommissionofindia.nic.in/reports/report140.pdf>.

⁹³ INDIA CONST. arts. 14, 21, 39A; see also Hussainara Khatoon v. State of Bihar, AIR 1979 SC 1369 (India).

⁹⁴ S. GOYAL, Legal Awareness and Access to Justice in India 35–42 (2020); P. CHAKRABORTY, Poverty, Social Exclusion, and Access to Justice in India, 12 J. SOC. POL'Y & L. 45, 49–52 (2021).

⁹⁵ LAW COMM'N OF INDIA, supra note 1, at 12–14.

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