

Challenges to Access to Justice in India: A Content Analysis Based Study

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Abstract —*Background: Access to justice has been globally recognized as a fundamental component of the legal mechanism. The Universal Declaration of Human Rights drafted in the year 1948 gave universal recognition to these rights including the right of ‘access to justice’. Access to Justice is a fundamental right guaranteed under Article 14 & 21 of the Indian Constitution. The words ‘access to justice’ immediately stir up in our mind the idea that every person who seeks justice must be provided with the requisite monies to approach a Court of Justice. In Addition access to justice also refers to the nature of different rights, to the number of Courts, to the quality of justice, to the independence of the Judges who man the Courts, to legal aid and public interest litigation and so on. Methods: Purposive sampling technique was used to draw the sample which comprised of published research works pertaining to the research area. Data was extracted through content analysis technique. Findings: Various challenges were found in context of access to justice in terms of; corruption, lack of good governance, lack of legal education among masses, denial of legal aid, economic costs, delay in delivery of justice, ineffectiveness of indigenous legal systems, decline in the case loads of modern nyaya panchayats and increase in the case loads of courts, lack of accountability of law enforcement agencies, problematic terminology, overburdened courts. Conclusion: Access to justice is of critical importance in India, however, studies have confirmed that there are various barriers and impediments in realizing that goal. Moreover, the prevailing negative developments further deteriorate the scope of access to justice. There in need of academic and research based interventions in order to facilitate and ensure the justice for all.*

Keywords: *Justice, access, challenges, courts, indigenous legal systems, India.*