



Gender Justice and Sustainable Development in India: Women's Access to Justice Under SDG 16

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Abstract

The Sustainable Development Goals (SDGs), adopted by the United Nations in 2015, recognize the interdependence of justice, equality, and sustainable development. Among these goals, SDG 16 seeks to promote peaceful and inclusive societies, provide access to justice for all, and build effective, accountable, and inclusive institutions. For India, achieving SDG 16 is closely linked with advancing gender justice, particularly in ensuring women's meaningful access to legal remedies, institutional support, and judicial protection. Despite constitutional guarantees of equality and an extensive framework of protective legislation, women in India continue to face multiple barriers in accessing justice. These include socio-cultural discrimination, economic dependency, legal illiteracy, institutional bias, procedural delays, inadequate legal aid, and underrepresentation within justice institutions. This article critically examines the relationship between gender justice and sustainable development through the lens of SDG 16. It analyses the constitutional foundations of gender justice in India, evaluates national legal frameworks and judicial interventions, and explores the role of institutions such as the National Legal Services Authority (NALSA), women's commissions, and alternative dispute resolution mechanisms. The article further investigates persistent challenges affecting women's access to justice, including gender-based violence, intersectional discrimination, and exclusion. Drawing upon international frameworks, UN Women reports, and recent studies on justice accessibility, the research argues that effective access to justice is not merely a legal objective but a prerequisite for sustainable development. The paper concludes by proposing reforms aimed at strengthening legal awareness, institutional accountability, gender-sensitive adjudication, and community-based justice mechanisms. Achieving SDG 16 in India requires a transformative approach that places women's rights, dignity, and participation at the centre of governance and development processes.

Keywords: Gender Justice, Sustainable Development Goals (SDGs), SDG 16, Women's Access to Justice, Legal Empowerment

Introduction

The concept of sustainable development has evolved beyond environmental protection and economic growth to encompass justice, human rights, and inclusive governance. The adoption of the 2030 Agenda for Sustainable Development by the United Nations marked a transformative shift in global development discourse by recognizing that sustainable development cannot be achieved without peace, justice, equality, and strong institutions.¹

Among the seventeen Sustainable Development Goals (SDGs), SDG 16 specifically seeks to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels." This goal acknowledges that justice is both a development

¹ UN Women, A Practitioner's Toolkit on Women's Access to Justice Programming (2018). <https://www.unwomen.org/en/digital-library/publications/2018/5/a-practitioners-toolkit-on-womens-access-to-justice-programming>



outcome and a catalyst for achieving all other goals. Women's access to justice, therefore, emerges as a crucial dimension of sustainable development.²

Gender justice refers to the equitable treatment of individuals regardless of gender and the elimination of structural inequalities that disadvantage women and girls. It encompasses legal equality, social inclusion, economic participation, and protection from discrimination and violence. In the Indian context, gender justice is deeply embedded within constitutional values and democratic principles. The Constitution of India guarantees equality before law under Article 14, prohibits discrimination on grounds of sex under Article 15, and ensures equal opportunity in public employment under Article 16. Directive Principles of State Policy further emphasize social justice and gender equality through provisions relating to equal pay, maternity relief, and welfare measures.³

Despite these constitutional safeguards, the lived experiences of many Indian women reveal significant disparities between legal rights and actual access to justice. Women continue to encounter obstacles at multiple levels of the justice system. Societal norms often discourage reporting of crimes, especially those involving domestic violence, sexual harassment, or family disputes. Economic dependency and lack of legal awareness further restrict women's ability to seek remedies. Even when women approach formal institutions, procedural complexities, delays, inadequate legal representation, and patriarchal attitudes may hinder effective justice delivery.

The relationship between gender justice and sustainable development is increasingly recognized by international institutions. UN Women has emphasized that justice for women is not merely a legal issue but a critical component of social protection, access to public services, and inclusive development.⁴ Without fair and accessible justice systems, discrimination persists, violence remains unaddressed, and women are unable to fully participate in social, economic, and political life. Consequently, the realization of SDG 5 (Gender Equality) is intrinsically linked to SDG 16 (Peace, Justice and Strong Institutions).⁵

India has made substantial progress in developing legal mechanisms for women's protection. Legislative measures such as the Protection of Women from Domestic Violence Act, 2005, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Criminal Law (Amendment) Act, 2013, and the Prohibition of Child Marriage Act, 2006 reflect the State's commitment to addressing gender-based discrimination and violence. Judicial activism has further expanded women's rights through landmark decisions concerning workplace equality, reproductive autonomy, sexual harassment, and personal liberty.

However, access to justice extends beyond the existence of laws. It requires accessible institutions, affordable legal services, awareness of rights, and confidence in justice mechanisms. Recent studies by the United Nations Development Programme (UNDP) indicate that marginalized populations, including women, continue to face significant barriers in obtaining meaningful justice despite robust legal frameworks. The report highlights gaps between legal aid policies and their implementation, emphasizing the need for people-centred and gender-responsive justice systems.⁶

The National Legal Services Authority (NALSA) plays an important role in promoting access to justice by providing free legal services to women and other vulnerable groups. Established under the Legal Services

² United Nations General Assembly, Transforming Our World: The 2030 Agenda for Sustainable Development (UNGA Resolution 70/1). <https://sdgs.un.org/2030agenda>

³ Constitution of India, arts 14, 15 and 16

⁴ UN Women, Justice for Women: High-Level Group Report (2020). <https://www.unwomen.org/en/digital-library/publications/2020/03/justice-for-women-high-level-group-report>

⁵ United Nations, Sustainable Development Goal 16: Peace, Justice and Strong Institutions. <https://sdgs.un.org/goals/goal16>

⁶ Anas Jameel and Waseem Ahmed, 'Sustainable Development Goals and India's Commitment to Gender Justice' (2022) 3(2) *Society & Sustainability* 68–86.



Authorities Act, 1987, NALSA seeks to ensure that economic or social disadvantages do not prevent individuals from accessing courts and legal remedies. Women are specifically recognized as beneficiaries entitled to free legal aid irrespective of income criteria.⁷

Another important dimension of women's access to justice concerns intersectionality. Not all women experience barriers in the same manner. Dalit women, tribal women, religious minorities, women with disabilities, migrant women, and transgender persons often face compounded forms of discrimination. Therefore, achieving gender justice requires a nuanced understanding of how social identities intersect to shape experiences of exclusion and vulnerability.⁸ The significance of women's access to justice extends beyond individual rights protection. It contributes directly to poverty reduction, social stability, economic growth, and democratic governance. Women who can access justice are better positioned to secure property rights, claim entitlements, challenge discrimination, and participate in decision-making processes. Consequently, strengthening women's access to justice is essential for achieving inclusive and sustainable development.⁹ This article examines the role of access to justice in advancing gender justice and sustainable development in India. It explores the normative framework of SDG 16, evaluates constitutional and legislative protections for women, analyses institutional mechanisms for justice delivery, identifies persistent challenges, and proposes policy recommendations for strengthening gender-responsive justice systems. By situating women's access to justice within the broader framework of sustainable development, the article seeks to demonstrate that justice is not merely a legal entitlement but a foundational requirement for social transformation and inclusive growth.

Conceptual Framework: Gender Justice, Sustainable Development and SDG 16

Understanding Gender Justice

Gender justice refers to the process of achieving fairness and equality between genders by addressing historical disadvantages and structural inequalities. Unlike formal equality, which focuses solely on equal treatment, gender justice recognizes the need for substantive equality that takes into account social realities and power imbalances.

The concept encompasses:

- Equal legal rights and protections;
- Freedom from gender-based violence;
- Equal access to education and employment;
- Participation in political and public life;
- Access to justice and legal remedies.

Gender justice therefore functions both as a human rights objective and as a development imperative.¹⁰

⁷ Legal Services Authorities Act 1987, s 12(c); National Legal Services Authority (NALSA), <https://nalsa.gov.in> accessed 16th June 2024.

⁸ UN Women, *Justice for Women: High-Level Group Report* (2020)

⁹ UN Women, *Progress of the World's Women 2019–2020: Families in a Changing World* (2019). <https://www.unwomen.org/en/digital-library/progress-of-the-worlds-women>

¹⁰ United Nations, 'Goal 16: Peace, Justice and Strong Institutions' <https://sdgs.un.org/goals/goal16> accessed 16 June 2024.



Sustainable Development and Social Justice

The modern understanding of sustainable development originated with the 1987 Brundtland Report, which defined it as development that meets present needs without compromising future generations. Over time, the concept expanded to include social inclusion, human rights, and governance. The 2030 Agenda recognizes that poverty, inequality, violence, and weak institutions undermine sustainable development. Therefore, sustainable development requires not only economic progress but also equitable access to resources, opportunities, and justice.¹¹

SDG 16: Peace, Justice and Strong Institutions

SDG 16 aims to:

- Promote peaceful and inclusive societies;
- Ensure equal access to justice;
- Strengthen rule of law;
- Develop accountable institutions;
- Reduce corruption and discrimination.

The target relating to access to justice is particularly relevant for women because legal systems often reproduce existing gender inequalities. UN Women has emphasized that women must be able to rely on fair, effective, and accountable institutions to protect their rights and address discrimination and violence.

The Interconnection Between SDG 5 and SDG 16

SDG 5 focuses on achieving gender equality and empowering women and girls, while SDG 16 seeks to ensure access to justice and strong institutions.¹²

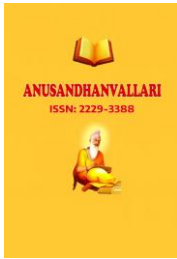
SDG 5 Objective	SDG 16 Contribution
End violence against women	Effective legal remedies
Eliminate discrimination	Equal protection of laws
Promote participation	Inclusive institutions
Economic empowerment	Enforcement of rights
Reproductive autonomy	Access to legal protection

UN Women's High-Level Group on Justice for Women emphasizes that justice is central to gender equality because women frequently encounter legal problems involving violence, family relations, employment, property rights, and public services.¹³

¹¹ World Commission on Environment and Development, *Our Common Future* (Oxford University Press 1987).

¹² World Commission on Environment and Development, *Our Common Future* (Oxford University Press 1987).

¹³ UN Women, *Justice for Women: High-Level Group Report* (2020).



Constitutional and Legal Framework for Women's Access to Justice in India

Constitutional Foundations of Gender Justice

The Indian Constitution provides a robust framework for the protection and advancement of women's rights. The framers of the Constitution envisioned equality not merely as formal equality before law but as substantive equality aimed at addressing historical disadvantages faced by women.¹⁴

Article 14: Equality Before Law and Equal Protection of Laws

Article 14 guarantees equality before law and equal protection of laws to all persons. The Supreme Court has repeatedly interpreted this provision as prohibiting arbitrary discrimination and requiring the State to take affirmative measures for disadvantaged groups.

Article 15: Prohibition of Discrimination

Article 15(1) prohibits discrimination on grounds of sex, religion, race, caste, or place of birth. Importantly, Article 15(3) empowers the State to make special provisions for women and children. This provision forms the constitutional basis for affirmative action and protective legislation benefiting women.

Article 16: Equality of Opportunity

Article 16 guarantees equality of opportunity in public employment. It has played a significant role in advancing women's participation in public institutions and governance.

Directive Principles of State Policy¹⁵

Several Directive Principles strengthen gender justice:

- Article 39(a): Equal right to livelihood.
- Article 39(d): Equal pay for equal work.
- Article 39(e): Protection of workers' health and strength.
- Article 42: Provision for just and humane conditions of work and maternity relief.

Fundamental Duties

Article 51A(e) imposes a duty on citizens to renounce practices derogatory to the dignity of women.

Together, these provisions establish constitutional commitments that align closely with SDG 16's emphasis on justice, equality, and inclusive institutions.

International Commitments and Their Influence

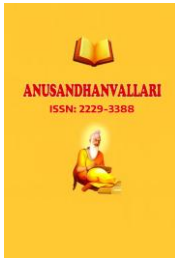
India's commitment to gender justice is also shaped by international human rights instruments.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

India ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993. Often described as the international bill of rights for women, CEDAW requires States to eliminate

¹⁴ Constitution of India, arts 14–16

¹⁵ Constitution of India, arts 39(a), 39(d) and 42.



discrimination in political, economic, social, and legal spheres. The Supreme Court has frequently relied upon CEDAW principles in interpreting constitutional guarantees.¹⁶

Beijing Platform for Action (1995)

The Beijing Declaration identified women's access to justice as a critical area requiring state intervention. It emphasized legal reforms, institutional accountability, and gender-sensitive adjudication.

Legislative Framework Protecting Women's Rights

India has enacted several laws addressing gender-based discrimination and violence.

Protection of Women from Domestic Violence Act, 2005¹⁷

The Act broadened the concept of domestic violence to include:¹⁸

- Physical abuse
- Emotional abuse
- Economic abuse
- Sexual abuse

It provides:

- Protection orders
- Residence orders
- Monetary relief
- Custody orders

The Act marked a shift from criminal punishment alone to comprehensive victim protection.

Sexual Harassment of Women at Workplace Act, 2013

This legislation was enacted following the Supreme Court's decision in *Vishaka v. State of Rajasthan* (1997).¹⁹

Key features include:

- Internal Complaints Committees
- Local Complaints Committees
- Employer obligations
- Time-bound inquiries

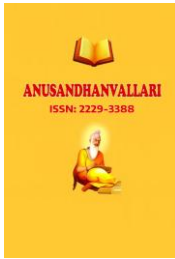
The Act recognizes workplace dignity as an essential aspect of gender justice.

¹⁶ Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13; India ratified on 9 July 1993.

¹⁷ Protection of Women from Domestic Violence Act 2005

¹⁸ Ayushi Agarwal, 'The Case for Treating Violence Against Women as a Form of Sex Discrimination in India' (2021) 21(1) *International Journal of Discrimination and the Law* 24–44.

¹⁹ *Vishaka v State of Rajasthan* AIR 1997 SC 3011



Criminal Law (Amendment) Act, 2013

The Act emerged after the 2012 Delhi gang rape incident and expanded criminal law protections by:

- Broadening the definition of rape.
- Criminalizing stalking.
- Criminalizing voyeurism.
- Strengthening punishment for sexual offences.

The reforms reflected growing recognition that access to justice requires responsive legal institutions.

Prohibition of Child Marriage Act, 2006

The Act seeks to eliminate child marriage and protect girls from early and forced marriages.

Child marriage often results in:

- Educational deprivation
- Economic dependency
- Increased vulnerability to violence

Thus, its prohibition contributes directly to SDGs 5 and 16.

Hindu Succession (Amendment) Act, 2005²⁰

The amendment granted daughters equal coparcenary rights in ancestral property.

This reform significantly enhanced women's economic empowerment and legal status within families.

Legal Aid and Women's Access to Justice²¹

The Legal Services Authorities Act, 1987 established the framework for free legal aid.

Women are entitled to free legal services regardless of income level.

The Act established:

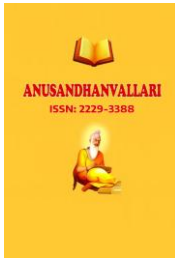
- National Legal Services Authority (NALSA)
- State Legal Services Authorities
- District Legal Services Authorities

Services include:

- Legal advice
- Representation
- Lok Adalats

²⁰ Hindu Succession (Amendment) Act 2005.

²¹ Legal Services Authorities Act 1987; National Legal Services Authority, Annual Report 2024–25 <https://nalsa.gov.in> accessed 16 June 2024.



- Mediation support

The legal aid system seeks to reduce economic barriers to justice.

Gender Justice and Rule of Law

The rule of law requires that all individuals have equal access to legal institutions and remedies. However, laws alone cannot guarantee justice. Effective implementation, institutional accountability, and public trust are equally important.

For women, access to justice involves:

- Awareness of rights;
- Availability of legal services;
- Accessibility of institutions;
- Fair adjudication;
- Enforcement of decisions.

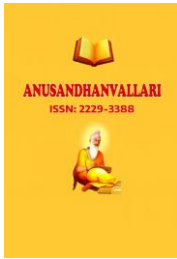
Therefore, achieving SDG 16 requires moving beyond legislative enactments toward practical realization of rights.

Institutional Mechanisms and Judicial Developments Advancing Women's Access to Justice in India

The realization of gender justice under Sustainable Development Goal 16 depends not only upon the existence of constitutional guarantees and legislative protections but also upon the effectiveness of institutions responsible for implementing these rights. Access to justice is a multidimensional concept encompassing the availability, affordability, accessibility, and responsiveness of justice institutions. In India, several institutional mechanisms have been established to ensure that women are able to seek legal remedies and obtain protection against discrimination, violence, and deprivation of rights. These institutions play a critical role in translating formal legal rights into substantive justice and thereby contribute to the broader objectives of sustainable development.

One of the most significant institutions in this regard is the National Legal Services Authority (NALSA), established under the Legal Services Authorities Act, 1987. NALSA was created with the objective of ensuring that economic or social disadvantages do not prevent individuals from accessing justice. Recognizing women as a vulnerable category, the Act entitles all women to free legal services irrespective of their income level. Through State Legal Services Authorities and District Legal Services Authorities, NALSA provides legal representation, legal advice, mediation services, and awareness programs aimed at empowering women to exercise their rights. Lok Adalats and legal aid clinics organized under NALSA have proven particularly beneficial in resolving family disputes, maintenance claims, domestic violence cases, and property disputes in an affordable and time-efficient manner. The institution has thus emerged as an important instrument for advancing SDG 16 by making justice more accessible to women from marginalized backgrounds.

Another significant institution contributing to women's access to justice is the National Commission for Women (NCW). Established under the National Commission for Women Act, 1990, the Commission functions as a statutory body tasked with reviewing constitutional and legal safeguards for women and addressing complaints relating to violations of women's rights. The Commission conducts investigations, recommends policy reforms, facilitates legal assistance, and collaborates with governmental and non-governmental organizations to strengthen gender-responsive governance. Through legal awareness campaigns and intervention in cases involving violence, workplace discrimination, trafficking, and cyber harassment, the NCW has contributed to increasing public



awareness about women's rights and available legal remedies. Its role demonstrates how institutional accountability can enhance women's confidence in justice systems and strengthen the rule of law.²²

In recent years, the Government of India has also introduced specialized support mechanisms such as One Stop Centres, commonly known as Sakhi Centres, under the Ministry of Women and Child Development. These centres provide integrated services to women affected by violence, including legal aid, medical assistance, psychological counselling, police facilitation, and temporary shelter. The establishment of such centres reflects a victim-centric approach to justice delivery and acknowledges that legal remedies alone are insufficient without supportive social services. By reducing procedural complexities and providing immediate assistance, these centres facilitate women's access to justice and contribute to the broader goal of creating inclusive institutions.²³

The judiciary occupies a central position in advancing gender justice in India. Judicial interpretation has frequently expanded the scope of constitutional protections and addressed gaps in legislative frameworks. One of the most influential decisions in this regard is *Vishaka v. State of Rajasthan* (1997), wherein the Supreme Court recognized sexual harassment at the workplace as a violation of fundamental rights guaranteed under Articles 14, 15, 19, and 21 of the Constitution. In the absence of specific legislation, the Court formulated the Vishaka Guidelines, which subsequently became the basis for the enactment of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The judgment represents a landmark example of judicial activism contributing to gender justice and institutional reform.²⁴

Similarly, the Supreme Court's decision in *Shayara Bano v. Union of India* (2017) marked a significant development in the protection of women's rights within personal law. By invalidating the practice of instant triple talaq, the Court reinforced constitutional principles of equality and dignity and emphasized that personal laws must conform to fundamental rights standards. The judgment strengthened legal protections for Muslim women and highlighted the judiciary's role in addressing discriminatory social practices.²⁵

Another notable decision is *Joseph Shine v. Union of India* (2018), in which the Supreme Court struck down the colonial-era adultery provision under Section 497 of the Indian Penal Code. The Court observed that the law treated women as the property of their husbands and violated principles of equality and personal autonomy. By affirming women's agency and dignity, the judgment contributed significantly to the evolution of gender-sensitive constitutional jurisprudence.²⁶

The judiciary has also addressed gender discrimination in public employment. In *Secretary, Ministry of Defence v. Babita Puniya* (2020), the Supreme Court granted women officers in the Indian Army the right to permanent commission, rejecting stereotypical assumptions regarding women's capabilities. The judgment reaffirmed the principle that equality requires the dismantling of structural barriers and prejudicial attitudes within institutions. Such decisions demonstrate how judicial interventions can transform legal norms and promote substantive equality.²⁷

Collectively, these institutional and judicial developments indicate that access to justice is not confined to courtrooms alone. It involves a network of legal aid bodies, commissions, support services, and judicial institutions working together to protect rights and address inequalities. These mechanisms are essential for

²² National Commission for Women Act 1990; National Commission for Women <https://ncw.nic.in> accessed 16 June 2024.

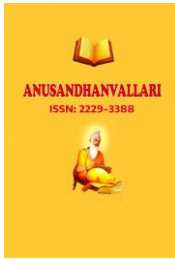
²³ Ministry of Women and Child Development, Government of India, 'One Stop Centre Scheme' <https://sakhi.gov.in> accessed 16 June 2024.

²⁴ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

²⁵ *Shayara Bano v Union of India* (2017) 9 SCC 1.

²⁶ *Joseph Shine v Union of India* (2019) 3 SCC 39

²⁷ *Secretary, Ministry of Defence v Babita Puniya* (2020) 7 SCC 469.



achieving SDG 16 because they strengthen public trust in legal institutions and ensure that justice becomes accessible to all, particularly women who have historically faced systemic disadvantages.

Persistent Challenges and Policy Reforms for Achieving Gender Justice under SDG 16

Despite significant constitutional, legislative, and institutional advancements, women in India continue to encounter numerous barriers in accessing justice. The existence of laws and institutions does not automatically guarantee the realization of rights. In practice, socio-cultural norms, economic inequalities, procedural complexities, and institutional shortcomings often prevent women from effectively utilizing available legal mechanisms. Consequently, achieving the objectives of SDG 16 requires a critical examination of the challenges that continue to impede women's access to justice and the reforms necessary to address them.

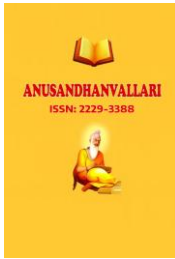
One of the most significant obstacles is the persistence of patriarchal social structures. Deeply entrenched gender norms frequently discourage women from reporting crimes, seeking legal remedies, or challenging discriminatory practices. Issues such as domestic violence, marital rape, workplace harassment, and property disputes are often viewed as private family matters rather than violations of legal rights. Women who seek justice may face social stigma, family pressure, community backlash, or even threats of violence. As a result, many cases remain unreported, creating a substantial gap between the prevalence of gender-based violations and the number of cases formally addressed by legal institutions. This social environment undermines both gender equality and the effectiveness of justice systems.

Economic dependency constitutes another major barrier. A large proportion of women, particularly those residing in rural areas and marginalized communities, lack independent financial resources. Legal proceedings often involve expenses related to transportation, documentation, legal representation, and repeated court appearances. Although legal aid services are available, indirect costs associated with litigation can still discourage women from pursuing justice. Economic insecurity may also compel women to remain in abusive relationships or accept informal settlements that fail to adequately protect their rights. Therefore, enhancing women's economic empowerment is closely linked with improving their access to justice.

Legal illiteracy remains a widespread concern across India. Many women are unaware of their constitutional rights, statutory protections, and available legal remedies. Lack of awareness regarding complaint mechanisms, legal aid services, and support institutions significantly limits women's ability to seek redress. This challenge is particularly pronounced among women belonging to economically disadvantaged, rural, and socially marginalized communities. Legal empowerment initiatives have therefore become increasingly important in promoting access to justice. By educating women about their rights and the functioning of legal institutions, such programs can enhance their confidence and ability to engage with justice systems effectively.

Institutional barriers further complicate women's pursuit of justice. Interactions with law enforcement agencies often reveal persistent gender biases and insensitive attitudes. Victims of violence may encounter reluctance on the part of police officials to register complaints, pressure to pursue reconciliation, or questioning that reinforces harmful stereotypes. Such experiences can discourage women from pursuing legal action and erode trust in public institutions. Additionally, judicial delays remain a significant challenge within the Indian legal system. The large number of pending cases means that many women must wait years before obtaining relief. Delayed justice not only increases emotional and financial burdens but also weakens the deterrent effect of legal sanctions.

The concept of intersectionality highlights the fact that women's experiences of injustice are shaped by multiple and overlapping forms of discrimination. Women belonging to Scheduled Castes, Scheduled Tribes, religious minorities, migrant communities, and other marginalized groups often face compounded barriers. Dalit women, for example, may experience discrimination based on both caste and gender, while women with disabilities encounter physical, communicational, and institutional obstacles that restrict access to legal services. Similarly, tribal women residing in remote regions may have limited access to courts, legal professionals, and support



services. These realities underscore the need for justice policies that recognize diversity among women and address specific vulnerabilities.

Technological developments have introduced both opportunities and challenges for access to justice. The digitization of courts, online filing systems, and virtual hearings have improved efficiency and expanded access in many contexts. However, the digital divide continues to disproportionately affect women. Limited access to digital devices, inadequate internet connectivity, lower levels of digital literacy, and language barriers can exclude women from benefiting fully from digital justice initiatives. Unless these disparities are addressed, technological reforms may inadvertently reproduce existing inequalities rather than eliminate them.²⁸

In light of these challenges, comprehensive reforms are required to strengthen women's access to justice in India. Legal awareness campaigns should be expanded through schools, universities, community organizations, and local governance institutions. Such initiatives should focus not only on informing women about their rights but also on encouraging active engagement with justice mechanisms. Simultaneously, police personnel, judicial officers, and legal practitioners should receive regular training on gender sensitivity and victim-centred approaches to justice delivery. Institutional reforms must prioritize accountability, transparency, and responsiveness to ensure that women are treated with dignity throughout legal proceedings.

The legal aid system also requires further strengthening. Greater investment in legal aid infrastructure, increased outreach in rural and remote areas, and enhanced coordination among government agencies can improve the accessibility and effectiveness of legal services. Furthermore, community-based justice initiatives should be encouraged, provided that they operate within a framework that respects constitutional rights and gender equality. Such mechanisms can offer accessible and culturally sensitive avenues for dispute resolution while reducing the burden on formal courts.

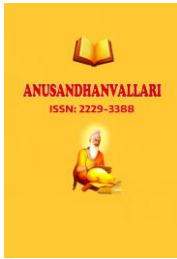
Another important reform concerns women's representation within justice institutions. Increasing the participation of women as judges, lawyers, police officers, prosecutors, and policymakers can contribute to more inclusive and gender-responsive decision-making. Representation not only enhances institutional legitimacy but also helps challenge stereotypes and biases that may influence legal outcomes. Research consistently demonstrates that diverse institutions are better equipped to understand and address the needs of marginalized populations.

Ultimately, the achievement of SDG 16 requires recognizing access to justice as both a legal right and a development priority. Women who can effectively exercise their rights are better positioned to participate in economic activities, access public services, claim social benefits, and contribute to democratic governance. Therefore, strengthening women's access to justice is essential not only for achieving gender equality but also for promoting sustainable development, social inclusion, and the rule of law. A justice system that is accessible, affordable, inclusive, and responsive to women's needs constitutes a fundamental pillar of a democratic and sustainable society.

Conclusion

The pursuit of gender justice has emerged as one of the most significant challenges and priorities of contemporary democratic governance and sustainable development. In the context of the United Nations Sustainable Development Goals, particularly SDG 16, which seeks to promote peaceful and inclusive societies, ensure access to justice for all, and build effective, accountable, and inclusive institutions, women's access to justice occupies a central position. Justice is not merely a legal entitlement; it is a transformative mechanism through which individuals can claim rights, challenge discrimination, secure protection against violence, and participate fully in

²⁸ E-Courts Mission Mode Project, Government of India <https://ecourts.gov.in> accessed 16 June 2024



social, economic, and political life. Consequently, ensuring meaningful access to justice for women is indispensable to achieving both gender equality and sustainable development in India.

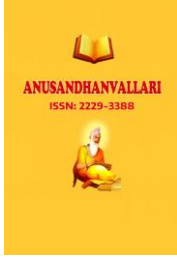
This study has demonstrated that India possesses a strong constitutional and legal foundation for advancing gender justice. The Constitution guarantees equality before law, prohibits discrimination on the basis of sex, and empowers the State to adopt affirmative measures for the advancement of women. These constitutional commitments are reinforced by numerous legislative enactments, including the Protection of Women from Domestic Violence Act, 2005, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Criminal Law (Amendment) Act, 2013, and the Hindu Succession (Amendment) Act, 2005. Together, these laws seek to address structural inequalities and protect women from various forms of discrimination and violence.

The study has further highlighted the significant role played by institutional mechanisms in facilitating women's access to justice. Institutions such as the National Legal Services Authority (NALSA), the National Commission for Women (NCW), One Stop Centres, legal aid clinics, and specialized courts have contributed to improving access to legal remedies and support services. Judicial interventions have also played a transformative role in advancing gender justice. Landmark decisions such as *Vishaka v. State of Rajasthan*, *Shayara Bano v. Union of India*, *Joseph Shine v. Union of India*, and *Secretary, Ministry of Defence v. Babita Puniya* have expanded the scope of constitutional protections and reinforced principles of equality, dignity, and autonomy. These developments illustrate the capacity of legal institutions to challenge discriminatory norms and promote substantive equality. However, the existence of constitutional guarantees, progressive legislation, and institutional frameworks has not completely eliminated barriers to justice. Women across India continue to face significant challenges in exercising their legal rights. Deeply entrenched patriarchal attitudes, social stigma, economic dependency, legal illiteracy, and institutional biases often prevent women from seeking legal remedies or obtaining effective redress. The gap between legal rights on paper and their realization in practice remains a major concern. In many instances, women encounter procedural delays, inadequate legal representation, insensitive treatment by law enforcement agencies, and difficulties in enforcing judicial decisions. Such barriers undermine public confidence in justice institutions and impede progress toward the realization of SDG 16.²⁹

The analysis also underscores the importance of adopting an intersectional perspective when addressing women's access to justice. Women do not constitute a homogenous group, and experiences of exclusion vary according to caste, class, religion, disability, ethnicity, geographic location, and other social identities. Dalit women, tribal women, women with disabilities, migrant women, and women belonging to minority communities often face multiple and overlapping forms of discrimination that intensify their vulnerability. Therefore, policies aimed at promoting gender justice must recognize these diverse realities and ensure that justice systems are responsive to the needs of all women, particularly those belonging to marginalized groups.

Another significant finding of this study is that access to justice should be understood as a development issue rather than solely a legal concern. Women who are able to access justice are more likely to secure property rights, claim social welfare benefits, participate in economic activities, challenge discriminatory practices, and contribute to decision-making processes. Conversely, barriers to justice reinforce cycles of poverty, exclusion, and vulnerability. Access to justice thus serves as a catalyst for achieving multiple Sustainable Development Goals, including poverty eradication, gender equality, quality education, decent work, reduced inequalities, and inclusive institutions. In this sense, SDG 16 functions as an enabling goal that supports the achievement of the broader sustainable development agenda.

²⁹ National Judicial Data Grid (NJDG) <https://njdg.ecourts.gov.in> accessed 16 June 2024.



Anusandhanvallari
Vol 2024, No.1
December 2024
ISSN 2229-3388

Looking ahead, the realization of gender justice under SDG 16 requires a comprehensive and multidimensional approach. Legal awareness and empowerment programs must be expanded to ensure that women are informed about their rights and available remedies. Justice institutions must become more accessible, affordable, and gender-sensitive through continuous training, institutional reforms, and accountability mechanisms. Greater representation of women within the judiciary, law enforcement agencies, and policymaking bodies is necessary to promote inclusive governance and enhance institutional responsiveness. Efforts should also be made to address the digital divide and ensure that technological innovations in justice delivery benefit women across all social and economic backgrounds.