

DIGITAL LEGAL EMPOWERMENT OF RURAL INDIA: THE WAY TECHNOLOGY CAN FACILITATE SUSTAINABLE ACCESS TO JUSTICE – AN ANALYTICAL REVIEW

ARKAPRAVA DUTTA^{1*} AND ESITA DAS²

Digital legal empowerment has been identified to be one of the characteristics of the transformation of the justice sector in India, especially in rural areas, that has so far acted as a distance, cost and institutional constraint of legal service. The review is an overview of the existing (scholarly) literature, governmental reports and present trends of digitalisation with an aim of critically reporting whether technology has been employed to radically reorganize the access of justice among the rural population. Although the internet penetration rate in the rural areas has also reached higher levels, despite the number of consultation (more than 50 lakh) already made by Tele-Law and e-courts¹. There is no system wide digital adoption with even distribution which is unevenly distributed. This article holds that structural barriers of infrastructural inequalities, linguistic marginalization, and low digital capability, algorithmic obfuscation, and gender restrictions to access continue to characterize the beneficiaries of the changes to technology to digital adoption. The review reveals some of the processes through which digital tools extend or limit the access points to justice by the implementation research, case studies, and real-time data on court digitalisation. It concludes that legal empowerment, in terms of sustainable digitalism, must be dualistic, in the sense that technology subsidizes (but does not eliminate) systems of ground-level, human-provided systems, networks of paralegals, vernacular interfaces and localised dispute-resolution systems. These cross roads ought to be reinforced to bring a technological change towards the constitutional mandate of equal access to justice.
