
DIGITAL ACCESS TO JUSTICE IN A GLOBALIZED WORLD: A DOCTRINAL ANALYSIS OF INDIAN AND COMPARATIVE LEGAL FRAMEWORKS

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ABSTRACT

Globalization and digitization have reshaped justice delivery, offering new opportunities while also presenting challenges. The expansion of e-courts, virtual hearings, and online dispute resolution mechanisms demonstrates the potential of technology to make justice more accessible. At the same time, the digital divide, limited digital literacy, and concerns regarding privacy and data protection continue to affect equal participation. This study examines how India has responded to these developments, with particular emphasis on the role of Public Interest Litigation (PIL) in extending constitutional protections into the digital sphere. Landmark judgments such as Justice K.S. Puttaswamy (Retd.) v. Union of India (2017), Shreya Singhal v. Union of India (2015), and Anuradha Bhasin v. Union of India (2020) illustrate how the judiciary has recognized privacy, free expression, and internet access as essential elements of constitutional freedoms. While these interventions have been significant, they also highlight the need for complementary institutional and policy measures to ensure consistency and inclusivity. A comparative perspective of the European Union's e-Justice Portal, online court models in the United States, and South Africa's inclusive digital strategies provides useful lessons for India. These global experiences underscore the importance of structured frameworks, infrastructural investment, and equity-driven approaches in strengthening digital justice. The study concludes that India can benefit from a combined strategy—continuing judicial innovation while encouraging legislative and administrative measures. A “Digital Justice Charter” setting out guiding principles of accessibility, inclusivity, privacy, and proportionality is proposed as a way forward. Such an approach can ensure that the promise of equal access to justice is fulfilled in a manner consistent with both constitutional values and international best practices.

Keywords: Digital Justice; Globalization; Access to Justice; Comparative Law; Doctrinal Research

1. INTRODUCTION

Globalization and digitization have brought about a profound transformation in the way justice is delivered across the world. The traditional image of a courtroom dominated by physical hearings, voluminous paper records, and face-to-face interactions has gradually given way to **digital platforms, virtual hearings, e-filing systems, and online dispute resolution mechanisms**. These innovations demonstrate the potential of technology to expand judicial reach, reduce delays, and make courts more accessible. The COVID-19 pandemic accelerated this trend, forcing courts worldwide—including those in India—to adopt digital tools almost overnight to ensure continuity of justice.¹

Yet, these developments also expose **serious structural challenges**. The digital divide, inadequate technological infrastructure in rural and semi-urban areas, lack of digital literacy among litigants, and concerns over privacy and data security raise questions about whether access to justice in a digital age is truly equitable. In India, while the **Supreme Court E-Committee's Phase III Vision Document (2021)** provides a roadmap for a unified digital judicial system, implementation remains uneven.² The result is a two-tier system where digitally empowered stakeholders benefit, while marginalized communities risk further exclusion.

Globally, several jurisdictions have moved further in creating structured frameworks for digital justice. The **European Union's e-Justice Portal** provides cross-border access to legal information and judicial processes, setting a strong precedent for harmonized digital justice.³ The United States has experimented with **online courts and dispute resolution models** in states like Michigan and Utah, showing how technology can reduce cost and delay in litigation.⁴ South Africa, meanwhile, has integrated constitutional values with digital adaptation, ensuring inclusivity in its judicial process. These comparative models highlight both the promise and the pitfalls of digitizing justice.

For India, the issue is particularly pressing because **access to justice is enshrined as part of the constitutional guarantee of Article 21** and has been judicially recognized as a fundamental right.⁵ As globalization deepens and technology permeates every sphere of life, ensuring digital access to justice is not merely a policy choice but a constitutional obligation.

This paper situates the discussion within the framework of **law and justice in a globalized world**, examining how India's judiciary—through innovation and doctrinal expansion—has

addressed digital access challenges, and what lessons may be drawn from global practices. The introduction thus lays the groundwork for a deeper analysis of doctrinal case studies, comparative frameworks, and policy suggestions.

2. STATEMENT OF PROBLEM

Access to justice has been recognized as an essential component of the rule of law and a fundamental constitutional guarantee under Article 21 of the Indian Constitution.⁶ However, the shift towards digital justice in India has revealed serious gaps in the existing legal and institutional framework. While globalization and digitization have introduced tools such as e-courts, video-conferencing, e-filing, and online dispute resolution, the absence of a comprehensive legal framework has left critical questions of inclusivity, privacy, and accountability unresolved.

The problem lies in the **uneven development and implementation** of digital justice mechanisms. Urban litigants and technologically empowered lawyers have benefitted from digitization, but marginalized communities continue to face barriers such as the digital divide, limited internet access, and inadequate digital literacy.⁷ This creates a risk of deepening inequalities, where technology may exclude rather than empower. Further, concerns over data protection, confidentiality of proceedings, and cybersecurity remain inadequately addressed despite the enactment of the Digital Personal Data Protection Act 2023, which itself does not directly regulate judicial processes.⁸ Comparative jurisdictions such as the European Union and the United States have moved ahead with structured frameworks like the EU's e-Justice Portal and state-level online courts in the U.S.,⁹ providing more certainty and predictability to litigants. In India, judicial innovation through PIL has often played a pioneering role in addressing gaps, while legislative and executive frameworks are still evolving to comprehensively regulate digital justice.

Thus, the central problem is twofold: first, the absence of a comprehensive statutory framework governing digital access to justice in India; and second, the inconsistent implementation of existing judicial digitization initiatives, both of which threaten to undermine the constitutional promise of equal and meaningful access to justice in a globalized world.

3. OBJECTIVES & METHODOLOGY

The primary objective of this study is to examine how globalization and digitization have

reshaped the meaning of access to justice, with a particular focus on India's judicial framework. While traditional access to justice emphasized the removal of physical, economic, and procedural barriers, the digital age introduces new challenges related to technology, infrastructure, and inclusivity. This paper seeks to address these emerging concerns by identifying doctrinal developments, reviewing statutory frameworks, and analyzing comparative international practices.

The specific objectives are fourfold:

- 3.1 To trace the evolution of the concept of access to justice in India and its linkage with constitutional guarantees under Articles 14, 19, and 21 of Indian constitution.¹⁰
- 3.2 To analyze how Indian courts, particularly through Public Interest Litigation (PIL), have expanded judicial process to address questions of privacy, digital speech, and internet access.¹¹
- 3.3 To compare India's digital justice initiatives with global frameworks such as the European Union's e-Justice Portal, online courts in the United States, and constitutional approaches in South Africa.¹²
- 3.4 To propose a set of reforms for India, including a possible statutory framework or a "Digital Justice Charter," aimed at ensuring inclusivity and fairness in the age of globalization.

This study adopts a **doctrinal research methodology**. The doctrinal approach is particularly suited to this inquiry as it relies on primary legal sources such as constitutional provisions, statutes, case law, and judicial reports. Secondary sources including books, journal articles, and policy papers are used to contextualize doctrinal developments. A **comparative legal analysis** supplements this approach by drawing lessons from foreign jurisdictions with more structured digital justice frameworks. The research is limited to **desk-based study** and does not involve empirical fieldwork, making it feasible within the academic timeframe while ensuring analytical depth.

4. EVOLUTION OF PUBLIC INTEREST LITIGATION IN INDIA

The development of Public Interest Litigation (PIL) in India is regarded as one of the most significant contributions of the judiciary to constitutional jurisprudence. Emerging in the late 1970s and gaining momentum in the 1980s, PIL expanded the traditional boundaries of

standing and procedure, allowing courts to take cognizance of matters affecting disadvantaged and marginalized communities. This innovation represented a conscious effort by the Supreme Court to make justice more accessible and to transform itself into an institution capable of addressing systemic injustices.

The roots of PIL may be traced to the post-Emergency era, when the judiciary sought to reassert its legitimacy and moral authority after the constitutional crisis of the mid-1970s.¹³ In **S.P. Gupta v. Union of India**, the Court articulated the principle that any member of the public acting bona fide could approach the Court in cases of public wrongs or violation of constitutional rights.¹⁴ This decision laid the foundation for a broader conception of *locus standi*, moving away from the traditional adversarial system that limited standing to directly affected parties.

During the 1980s and 1990s, the Supreme Court employed PIL to address a wide spectrum of issues, ranging from bonded labor, prison conditions, and environmental degradation to gender justice and corruption. Landmark cases such as **Hussainara Khatoon v. State of Bihar** (right to speedy trial for undertrials),¹⁵ **M.C. Mehta v. Union of India** (environmental protection),¹⁶ and **Vishaka v. State of Rajasthan** (sexual harassment at the workplace)¹⁷ exemplify the Court's expansive use of PIL as a tool for social justice. These cases not only broadened the scope of Articles 14, 19, and 21 of Indian Constitution but also transformed judicial process into a mechanism for governance and policy direction.

While the early phase of PIL was dominated by socio-economic concerns, the subsequent decades saw its application to issues arising from technological change and globalization. In **People's Union for Civil Liberties (PUCL) v. Union of India**, the Court recognized that telephone tapping without adequate safeguards violated the right to privacy under Article 21.¹⁸ This judgment marked an early acknowledgement of the intersection between technology and fundamental rights, anticipating the digital age concerns that would later come before the Court.

By the early 2000s, PIL had become a central feature of Indian judicial process, but also attracted criticism for judicial overreach and encroachment into executive and legislative domains. Scholars such as Upendra Baxi and S.P. Sathe have defended PIL as a necessary corrective in a polity marked by institutional failures,¹⁹ while others have warned against its potential misuse by interest groups. Nevertheless, the institutionalization of PIL in India has

created a unique judicial culture where the courts are not passive adjudicators but active guardians of constitutional justice.

In the context of the digital age, PIL has played a pivotal role in extending constitutional rights to cyberspace. Decisions such as **Shreya Singhal v. Union of India** (2015), where Section 66A of the IT Act was struck down for violating freedom of speech,²⁰ and **Justice K.S. Puttaswamy (Retd.) v. Union of India** (2017), which recognized privacy as a fundamental right,²¹ demonstrate how PIL continues to adapt to contemporary challenges. The judiciary's willingness to interpret constitutional guarantees dynamically has ensured that PIL remains relevant even as the nature of rights and wrongs evolve in a globalized and digitized society.

Thus, the evolution of PIL in India reflects both continuity and change. Continuity, in the sense that it has consistently functioned as a vehicle for expanding access to justice; and change, in that its substantive focus has shifted from socio-economic rights to emerging domains like environmental justice, governance accountability, and digital freedoms. As this paper will demonstrate, PIL is not merely a procedural innovation but a transformative instrument that has redefined the very nature of the judicial process in India.

5. CASE STUDIES ON DIGITAL RIGHTS THROUGH PIL

The Indian Supreme Court has played a pivotal role in extending constitutional protections into the digital sphere, often through the instrument of Public Interest Litigation (PIL). In the absence of a comprehensive statutory framework, PIL has enabled litigants, journalists, and civil society organizations to bring issues of privacy, free speech, surveillance, and internet access before the Court. This section examines five landmark judgments that illustrate how the judicial process has adapted to digital rights concerns.

5.1 Justice K.S. Puttaswamy (Retd.) v. Union of India (2017) – Privacy as a Fundamental Right

The right to privacy had long been debated in Indian constitutional law, but judicial recognition remained inconsistent until the nine-judge bench decision in *Justice K.S. Puttaswamy (Retd.) v. Union of India*.²² The petitioner, a retired High Court judge, challenged the Aadhaar scheme on the ground that mandatory collection of biometric data violated individual liberty. The central question was whether privacy could be read into Article 21.

The Court unanimously held that privacy is a constitutionally protected right inherent in the guarantee of life and liberty.²³ The judgment expanded the scope of Article 21, recognizing informational privacy, decisional autonomy, and bodily integrity as protected dimensions. The Court also linked privacy with dignity, noting that in a digital age, control over personal data is essential to personal liberty.²⁴

This decision has profound implications for digital rights. It not only struck at the heart of state surveillance but also laid the doctrinal foundation for future debates on data protection, cybersecurity, and digital dignity. In the judicial process, it represents the Court's most significant act of activism in aligning constitutional rights with technological realities.

5.2 *Shreya Singhal v. Union of India* (2015) – Free Speech Online

In *Shreya Singhal v. Union of India*, the Supreme Court addressed the constitutional validity of Section 66A of the Information Technology Act, 2000.²⁵ The provision criminalized online communication deemed “grossly offensive” or “menacing.” The arrest of two young women in Maharashtra for a Facebook post criticizing a bandh following a veteran politician death sparked widespread debate, leading to the PIL.

The Court struck down Section 66A as unconstitutional, holding that its vague and overbroad terms violated Article 19(1)(a).²⁶ It reasoned that restrictions on speech must fall within the grounds of Article 19(2), which Section 66A exceeded. Importantly, the Court recognized that online speech deserves the same constitutional protection as traditional forms of expression.

This case underscores how PIL has enabled judicial scrutiny of statutory overreach in cyberspace. By invalidating a central provision of India's cyber law, the Court reaffirmed its role as the guardian of free expression in the digital domain. The judgment remains a cornerstone for internet freedom advocacy in India.

5.3 *Anuradha Bhasin v. Union of India* (2020) – Internet Access as a Fundamental Right

The abrogation of Article 370 in August 2019 was followed by prolonged internet shutdowns in Jammu and Kashmir. Anuradha Bhasin, executive editor of the *Kashmir Times*, filed a writ petition challenging the restrictions.²⁷ The Court was asked to determine whether indefinite suspension of internet services violated Articles 19(1)(a) and 19(1)(g).

The Court held that freedom of speech and expression, as well as the freedom to practice any trade or profession, extend to the internet.²⁸ While acknowledging the government's power to impose restrictions, the Court held that indefinite shutdowns are impermissible and that restrictions must be necessary, proportionate, and subject to periodic review.²⁹

This judgment illustrates the judiciary's responsiveness to globalization and digitization. By recognizing internet access as integral to fundamental freedoms, the Court extended constitutional protections into cyberspace. From a judicial process perspective, it demonstrates the Court's increasing reliance on the proportionality doctrine, borrowed from comparative constitutional law.

5.4 People's Union for Civil Liberties (PUCL) v. Union of India (1997) – Telephone Tapping and Privacy

Although predating the digital era, *PUCL v. Union of India* remains highly relevant to discussions on surveillance and privacy. The case was filed as a PIL challenging telephone tapping by the government under Section 5(2) of the Telegraph Act, 1885.³⁰

The Court upheld the right to privacy as part of Article 21 and laid down procedural safeguards for phone tapping, including recording reasons in writing and limiting the duration of surveillance.³¹ Though decided in a pre-digital context, the case represents an early recognition of the risks posed by technological intrusions into personal life.

In doctrinal terms, *PUCL* demonstrates the adaptability of PIL in anticipating emerging rights issues. It created a jurisprudential bridge from traditional communication surveillance to contemporary debates on data monitoring and digital privacy.

5.5 K.S. Puttaswamy v. Union of India (2019) – Aadhaar and Balancing Privacy with Welfare

Following the recognition of privacy as a fundamental right, the Supreme Court delivered another significant judgment on Aadhaar in *K.S. Puttaswamy v. Union of India (Aadhaar case)*.³² Civil society organizations challenged the Aadhaar Act on grounds of privacy, exclusion, and surveillance.

The majority upheld the constitutionality of Aadhaar, emphasizing its role in welfare delivery

and financial inclusion. However, the Court struck down provisions mandating Aadhaar linkage with bank accounts and mobile numbers, holding them disproportionate and violative of privacy.³³ The dissenting opinions warned of potential state overreach and mass surveillance.

This case reveals the Court's attempt to balance competing constitutional values in the digital age. It illustrates the limits of PIL as a transformative tool, showing that while the Court recognized privacy rights, it was also reluctant to dismantle a nationwide identification scheme.

Doctrinal Insights from the Case Studies

Taken together, these cases demonstrate how PIL has enabled the judiciary to reshape the judicial process in response to technological change. They highlight three doctrinal trends:

- First, the expansion of Article 21 to include privacy, digital dignity, and access to the internet.
- Second, the judiciary's willingness to strike down statutory provisions inconsistent with constitutional guarantees.
- Third, the gradual incorporation of comparative constitutional tools, such as proportionality, into Indian adjudication.

These case studies confirm that in the absence of legislative clarity, PIL has functioned as a mechanism of constitutional adaptation. It has transformed the judicial process by ensuring that rights remain effective in a digitalized and globalized environment.

6. COMPARATIVE PERSPECTIVE: DIGITAL ACCESS TO JUSTICE IN GLOBAL CONTEXT

While India has relied extensively on Public Interest Litigation (PIL) and judicial innovation to address digital rights concerns, other jurisdictions have developed structured frameworks for integrating technology into the justice system. A comparative analysis of the European Union, the United States, and South Africa provides valuable insights into models of digital justice that may inform Indian reforms.

6.1 European Union – Institutionalizing Digital Justice

The European Union (EU) has been a pioneer in creating a harmonized digital justice system

across member states. The **European e-Justice Portal**, established in 2010, serves as a central platform providing access to legal information, case law databases, cross-border procedures, and digital filing systems.³⁴ It enables individuals, lawyers, and judges to conduct proceedings online, particularly in civil and commercial matters with cross-border dimensions.

The EU's framework is underpinned by strong data protection norms under the **General Data Protection Regulation (GDPR)**, which ensures that digital justice initiatives are consistent with privacy and security principles.³⁵ Moreover, the EU Digital Strategy emphasizes interoperability of judicial systems and investment in digital infrastructure. This demonstrates a policy-driven approach where legislative and executive institutions take the lead, unlike India where the judiciary has assumed a central role.

6.2 United States – Online Courts and Experimentation

In the United States, the federal system allows states to innovate with judicial digitization. Experiments in Michigan and Utah have implemented **online dispute resolution (ODR) platforms** to resolve small claims, traffic violations, and family disputes without requiring physical court appearances.³⁶ These platforms have reduced costs, expedited case disposal, and expanded access for litigants unable to attend in person.

The U.S. Supreme Court has also grappled with digital rights, particularly under the First and Fourth Amendments. In *Carpenter v. United States*, the Court held that accessing cell phone location records without a warrant violated the Fourth Amendment, extending privacy protections into the digital sphere.³⁷ This demonstrates the judiciary's role in safeguarding rights, though in the American model legislative and executive innovation in digital justice is more prominent than judicial activism.

6.3 South Africa – Constitutional Values and Inclusivity

South Africa provides another instructive model, where the judiciary has consistently emphasized inclusivity in access to justice. The **Constitutional Court** has been at the forefront of using digital tools to increase public access to judgments, live-stream hearings, and provide multilingual resources.³⁸

In doctrinal terms, South Africa has relied on its Constitution's explicit recognition of socio-economic rights to integrate technology in ways that promote equity. For example, initiatives

to digitize court records and provide free online legal resources are framed not merely as administrative conveniences but as constitutional obligations.³⁹ This approach contrasts with India, where constitutional guarantees of access to justice have been judicially implied rather than textually explicit.

6.4 Lessons for India

The comparative review highlights three key lessons for India. First, the EU demonstrates the importance of legislative clarity and policy-driven frameworks, which complement judicial efforts and provide systemic consistency. Second, the U.S. model illustrates how experimentation at decentralized levels can generate best practices that may be scaled effectively. Third, South Africa underscores the significance of embedding digital justice initiatives within a constitutional commitment to inclusivity, ensuring that technology enhances rather than restricts access.

For India, where Public Interest Litigation has historically played a pioneering role in advancing rights in emerging areas, these lessons suggest the value of adopting a more holistic model. Judicial creativity can continue to safeguard constitutional freedoms, but sustainable reform will also benefit from legislative action, infrastructural investment, and explicit policy measures aligned with constitutional values.

7. CRITICAL ANALYSIS

The evolution of Public Interest Litigation (PIL) in India demonstrates both the transformative potential and the inherent limitations of judicial process in responding to the demands of a digital age. On one hand, PIL has expanded the scope of constitutional rights, ensuring that privacy, free speech, and internet access are meaningfully protected in cyberspace. Landmark judgments such as *Puttaswamy*, *Shreya Singhal*, and *Anuradha Bhasin* illustrate how the judiciary has stepped into a normative vacuum, exercising creativity to adapt constitutional principles to technological realities.⁴⁰

However, this reliance on PIL raises concerns of sustainability and legitimacy. Scholars have noted that while judicial innovation has expanded rights, it raises important debates on the separation of powers and the appropriate scope of judicial intervention.⁴¹ While the judiciary has played an indispensable role in protecting digital rights, its interventions are often reactive,

limited to the facts of individual cases, and inconsistent in providing long-term policy solutions. The *Aadhaar* judgment demonstrates these limitations: although the Court recognized privacy as fundamental, it ultimately upheld the Aadhaar framework with certain modifications, thereby reflecting the continuing challenge of balancing welfare delivery with concerns of privacy and data protection.⁴²

Further, the over-reliance on PIL reflects weaknesses in India's legislative and executive institutions, which have failed to create a comprehensive statutory framework for digital justice. This judicial dependence also risks uneven development, as not every litigant has equal access to the Supreme Court. The comparative perspective shows that jurisdictions like the EU and the U.S. place greater emphasis on **policy-driven initiatives**, while South Africa embeds digital justice within constitutional commitments.

Thus, while PIL has transformed judicial process in India, it cannot substitute for systemic reforms. Without legislative clarity, institutional investment, and administrative innovation, the judiciary's proactive role may risk creating fragmented solutions rather than a coherent framework for digital justice.

8. FINDINGS & SUGGESTIONS

The doctrinal analysis of Indian case law, combined with comparative perspectives from other jurisdictions, leads to several important findings. First, Public Interest Litigation (PIL) has played a central role in extending constitutional protections into the digital domain. Cases such as *Puttaswamy*, *Shreya Singhal*, and *Anuradha Bhasin* illustrate that the judiciary has acted as the primary guardian of digital rights while legislative frameworks are still evolving.⁴³

Second, this judicial leadership has been both transformative and limited. Transformative, in that it has provided recognition of privacy, online free speech, and internet access as integral to constitutional freedoms. Limited, because judicial decisions are reactive and cannot provide the holistic policy frameworks required for sustainable digital justice. The *Aadhaar* judgment exemplifies this tension: while privacy was affirmed, some concerns regarding surveillance and data protection remain subject to debate.⁴⁴

Third, comparative models demonstrate that India's reliance on PIL is exceptional. The European Union's policy-driven framework, the United States' state-level experimentation,

and South Africa's constitutional embedding of inclusivity show that sustainable digital justice requires legislative clarity, infrastructural investment, and administrative innovation.⁴⁵

Based on these findings, this paper proposes the following suggestions:

8.1 Statutory Framework for Digital Justice: India should enact a dedicated law regulating digital access to justice, covering issues of digital divide, infrastructure, and minimum standards for online courts.

8.2 Digital Justice Charter: A model charter may be introduced, setting out core principles such as inclusivity, accessibility, privacy protection, proportionality in restrictions, and interoperability of systems. This could serve as guiding standards for courts and policymakers.

8.3 Strengthening Infrastructure and Capacity: Investment in broadband infrastructure, training for judges and lawyers, and digital literacy programs for litigants are essential to ensure meaningful access.

8.4 Data Protection in Judicial Processes: The Digital Personal Data Protection Act, 2023, should be harmonized with judicial functioning to secure confidentiality of proceedings and protect sensitive litigant data.

8.5 Comparative Borrowing: India may draw on the EU's institutional models, the U.S. experiments with ODR, and South Africa's equity-driven digitalization to tailor reforms suited to its socio-economic context.

8.6 Balanced Judicial Role: While PIL must continue to protect digital rights, the judiciary should encourage legislative and executive action to institutionalize reforms, thereby avoiding over-dependence on judicial process.

Taken together, these measures would ensure that India transitions from a primarily court-driven model of digital justice towards a more coherent, policy-driven framework. Such reform is indispensable for fulfilling the constitutional promise of equal access to justice in a globalized and digitized world.

9. CONCLUSION

The trajectory of Public Interest Litigation (PIL) in India reveals how judicial process has been transformed into a vehicle for safeguarding rights in new and complex domains. In the digital era, this transformation has been especially pronounced, with the Supreme Court extending

constitutional guarantees of privacy, free expression, and access to information into cyberspace. Judgments such as *Puttaswamy*, *Shreya Singhal*, and *Anuradha Bhasin* illustrate that PIL has functioned as a constitutional bridge between traditional rights and the realities of globalization and digitization.⁴⁶

At the same time, the limitations of judicial innovation are equally evident. Courts can recognize and protect rights, but they cannot substitute for legislative clarity, policy design, and infrastructural development. The *Aadhaar* judgment demonstrates this tension, as the Court attempted to balance privacy with welfare delivery while leaving systemic surveillance risks unresolved.⁴⁷ In the absence of comprehensive statutory guidance, reliance on PIL has led to case-specific solutions, which highlight the importance of developing broader, policy-driven frameworks.

The comparative perspective further underlines this point. The European Union's institutionalized e-Justice system, the United States' state-level experimentation, and South Africa's constitutional integration of inclusivity show that sustainable digital justice depends on systemic reforms rather than case-by-case adjudication.⁴⁸

For India, the way forward must therefore combine judicial vigilance with legislative and administrative action. A statutory framework, complemented by a Digital Justice Charter, would ensure inclusivity, privacy, and fairness while reducing over-dependence on PIL. By embedding digital justice within constitutional values and global best practices, India can fulfill its constitutional promise of equal access to justice and strengthen its credibility as a democracy responsive to the challenges of a globalized digital world.

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