

Access to Justice in Nepal : Procedural Safeguards and Institutional Challenges

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Abstract

This article examines the state of access to justice in Nepal by analyzing procedural safeguards and institutional challenges within the legal system. Despite robust constitutional guarantees, including the right to a fair trial and legal representation, a significant gap persists between statutory provisions and their practical implementation. Procedural safeguards such as due process, legal aid, and the principles of natural justice remain inconsistently applied across the judiciary. Furthermore, deep-rooted institutional challenges-including severe case backlogs, inadequate infrastructure, limited human resources, and weak legal aid mechanisms-severely hinder effective justice delivery. These systemic deficiencies create compounded barriers for vulnerable and marginalized groups, who are already disproportionately affected by socio-economic disparities, legal illiteracy, and procedural rigidity. Adopting a doctrinal methodology, this study draws upon constitutional provisions, legislative statutes, judicial precedents, and institutional reports. It concludes that achieving meaningful and equitable access to justice requires comprehensive reforms focused on procedural simplification, institutional capacity building, and enhanced inclusivity within the judicial framework.

Keywords: Access to Justice, Procedural Safeguards, Institutional Challenges, Institutional Barriers, Rule of Law.

Background

Access to justice is a fundamental component of the rule of law and a cornerstone of democratic governance. It guarantees that individuals can pursue and obtain remedies for their grievances through both formal and informal justice mechanisms, in accordance with international human rights standards. While the Constitution of Nepal explicitly ensures equality before the law and upholds the right to justice, the realization of these rights remains highly uneven in practice due to persistent procedural and institutional barriers.

Despite these constitutional and statutory commitments, meaningful access to justice in Nepal continues to be constrained by deep-rooted structural and procedural challenges. Empirical evidence indicates that a significant proportion of the population faces severe difficulties in navigating judicial institutions due to complex legal frameworks, limited public awareness of

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legal rights, and pervasive socio-economic disparities (International Journal for Court Administration, 2024). Procedural complexity, in particular, remains a formidable obstacle, leaving a vast majority of citizens to perceive judicial processes as prohibitively cumbersome, exclusionary, and difficult to navigate.

Institutionally the Nepali justice system is plagued by critical issues such as severe case backlogs, protracted delays in adjudication, and inadequate infrastructure, all of which heavily undermine the timely delivery of justice. These systemic inefficiencies not only weaken public trust in the judiciary but also disproportionately affect marginalized groups, including women, Dalits, and persons with disabilities (Luitel, 2025). Furthermore, access to justice is severely hindered by low levels of legal literacy and awareness, particularly among socio-economically disadvantaged communities (Rising Nepal Daily, 2024). The formal, highly bureaucratic, and intimidating nature of judicial institutions discourages many individuals from seeking legal remedies, thereby leaving widespread structural injustices unaddressed. Procedural safeguards, though constitutionally designed to ensure fairness, equality, and due process, are frequently downplayed or inadequately implemented in practice. For instance, the absence of necessary procedural accommodations- such as sign language interpreters, physically accessible court infrastructure, and victim-sensitive adjudication mechanisms- creates formidable barriers, especially for persons with disabilities and vulnerable populations (International Commission of Jurists, 2025).

Additionally Nepal's constitutional transition to a federal structure has introduced new institutional complexities, necessitating seamless vertical and horizontal coordination among local, provincial, and federal judicial bodies. However, weak institutional capacity, fiscal constraints, and implementation gaps continue to challenge the effective functioning of these newly decentralized justice delivery mechanisms (National Federation of the Disabled Nepal, 2025). Taken together, these challenges expose a critical schism between formal legal guarantees and the lived realities experienced by ordinary citizens. Therefore, a comprehensive examination of procedural safeguards and institutional constraints is essential to identify existing shortcomings and recommend structural reforms for a more inclusive, efficient, and accessible justice system in Nepal.

Objectives of the Study

The primary objective of this study is to examine the current state of access to justice in Nepal by analyzing existing procedural safeguards and identifying the key institutional challenges that impede effective justice delivery. To achieve this overarching aim, the specific objectives are:

- To critically examine the constitutional and legal frameworks governing access to justice in Nepal;
- To analyze the adequacy and practical effectiveness of procedural safeguards—including due process, fair trial rights, and legal aid provisions—as interpreted in statutory laws and judicial precedents; and

- To identify and evaluate the institutional challenges within the judicial system, and subsequently propose necessary legal and structural reforms to enhance equitable access to justice in Nepal.

Literature Review

Access to justice is widely recognized as a fundamental element of the rule of law and an indispensable prerequisite for the protection of human rights. According to the United Nations (2012), access to justice ensures that individuals can seek and obtain remedies through formal or informal institutions in accordance with international human rights standards. This broad understanding highlights not only the structural availability of legal institutions but also their systemic accessibility, affordability, and overall effectiveness.

In the context of developing nations, access to justice is frequently hindered by deep-rooted institutional weaknesses and pervasive socio-economic disparities. The World Bank (2017) notes that ineffective judicial systems, severe case backlogs, and inadequate infrastructure significantly limit the delivery of timely and equitable justice. These institutional deficiencies heavily undermine public confidence in legal systems and restrict the meaningful realization of statutory rights.

Focusing on Nepal, several studies have highlighted persistent challenges within the domestic justice system. The International Commission of Jurists (2018) reports that marginalized communities, particularly women and persons with disabilities, face significant hurdles in accessing justice due to procedural rigidity, a lack of institutionalized legal aid, and social discrimination. Similarly, the Nepal Law Commission (2020) has identified critical gaps in the implementation of procedural laws, emphasizing the urgent need for structural reform to ensure fairness and efficiency in judicial processes.

The Constitution of Nepal explicitly guarantees the right to justice under Article 20, which encompasses the right to a fair trial and competent legal representation. However, legal scholars argue that a substantial gap persists between these constitutional guarantees and their practical enforcement. For instance, Yubaraj Sangroula (2019) contends that protracted procedural delays and weak institutional capacity continue to obstruct effective justice delivery in Nepal. He further emphasizes that legislative and legal reforms must be accompanied by rigorous institutional strengthening to achieve meaningful access to justice for the populace.

Although the introduction of local-level judicial committees under Nepal's federal structure has been viewed as a positive step toward decentralizing the judiciary, empirical studies indicate that these bodies face severe operational hurdles. These challenges include a pronounced lack of legal expertise among local representatives, limited fiscal resources, and ambiguous jurisdictional boundaries, all of which compromise their overall effectiveness in resolving community-level disputes (Dhungana, 2020).

Overall, the existing literature reveals that while Nepal has made significant legal and constitutional advancements in ensuring access to justice, substantial procedural and institutional challenges remain. These include procedural complexity, inadequate implementation of safeguards, institutional inefficiencies, and limited accessibility for

vulnerable groups. This study builds upon the existing body of knowledge by critically analyzing these pertinent issues through a doctrinal lens and identifying specific areas for legal and institutional reform.

Methodology

This study adopts a doctrinal, qualitative research methodology, focusing on the systematic analysis of existing legal materials related to access to justice in Nepal. The research is primarily grounded in secondary sources, including the Constitution of Nepal, relevant legislative statutes (such as procedural codes), judicial precedents of the Supreme Court of Nepal, and reports published by national and international institutions. In addition, peer-reviewed scholarly books, journal articles, and authoritative legal commentaries have been systematically reviewed to contextualize theoretical perspectives and interpretative developments.

This study employs a descriptive and analytical approach to critically observe the adequacy and effectiveness of procedural safeguards while identifying structural and institutional challenges within the justice system. Furthermore, a comparative perspective is utilized, where relevant, to assess Nepal's domestic legal framework against international standards on access to justice and fair trial rights.

Conceptual Framework of Access to Justice

Access to justice is a foundational principle of the rule of law, ensuring that individuals can seek and obtain remedies for violations of their rights through formal or informal legal institutions. It extends well beyond mere physical access to courtrooms, encompassing the broader capability of individuals to effectively utilize legal mechanisms in a fair, timely, and affordable manner. The concept has evolved over time from a focus on formal procedural fairness to a broader demand for substantive justice, emphasizing equity, equality, and inclusiveness within the justice delivery system (United Nations, 2012).

The modern understanding of access to justice is intrinsically linked with the protection of human rights and democratic governance. It mandates that legal systems be structurally designed to dismantle barriers that prevent individuals—especially marginalized groups—from seeking justice. These hindrances typically manifest as financial constraints, procedural complexity, a lack of legal awareness, and pervasive institutional inefficiencies (World Bank, 2017). Thus, access to justice is not merely an isolated legal concept, but also a complex socio-economic and institutional issue that reflects the overall efficacy of democratic governance (*Jitendra Kumar Rode v. Union of India*, 2025).

Scholarly contributions have significantly shaped the conceptual development of access to justice. Mauro Cappelletti and Bryant Garth (1978), in their seminal work, identified access to justice as a transformative movement aimed at making legal rights effective by addressing structural inequalities within legal systems. They emphasized the need for comprehensive legal aid, the radical simplification of court procedures, and the development of alternative dispute

resolution (ADR) mechanisms to ensure broader societal access. This classic perspective highlights that formal equality before the law remains insufficient unless accompanied by practical, accessible mechanisms that enable everyday individuals to assert their rights.

Consequently, access to justice incorporates four key operational pillars: accessibility, affordability, fairness, and efficiency (Organisation for Economic Co-operation and Development [OECD], 2019). Accessibility refers to both the physical and institutional availability of justice mechanisms; affordability concerns the financial viability of legal processes for ordinary citizens; fairness relates to strict adherence to due process and judicial impartiality; and efficiency emphasizes the timely resolution of disputes. These elements collectively determine whether a justice system is capable of delivering meaningful justice to its citizens.

In the context of Nepal, access to justice is constitutionally guaranteed, particularly through provisions ensuring the right to justice, fair trial, and free legal representation for the indigent. However, the practical realization of these rights relies entirely on the functional effectiveness of procedural safeguards and institutional mechanisms. Therefore, understanding access to justice in contemporary Nepal requires a comprehensive framework that integrates constitutional provisions, institutional capacity, and prevailing socio-economic realities.

Constitutional and Legal Framework of Access to Justice in Nepal

Access to justice in Nepal is firmly grounded in its constitutional and statutory architecture, which guarantees fundamental rights and establishes institutional mechanisms for their enforcement. The Constitution of Nepal explicitly recognizes access to justice as an indispensable component of the rule of law and democratic governance. Article 20 guarantees the right to justice as a fundamental right, which encompasses the right to a fair trial, the right to competent legal representation, and the protection against self-incrimination (Constitution of Nepal, 2015, art. 20). These constitutional mandates ensure that individuals are not only entitled to approach courts of law but are also structurally protected by the procedural safeguards necessary for an impartial adjudication process.

In tandem with these protections, Article 18 of the Constitution ensures equality before the law and equal protection of the law, serving as a foundational pillar for equitable access to justice (Constitution of Nepal, 2015, art. 18). Without substantive equality, access to justice risks becoming a purely formalistic exercise that fails to address the unique needs of marginalized and vulnerable groups (*R [UNISON] v. Lord Chancellor*, 2017). Furthermore, Article 46 guarantees the right to constitutional remedies, empowering individuals to directly petition the Supreme Court for the enforcement of their fundamental rights (Constitution of Nepal, 2015, art. 46). This provision strengthens judicial oversight and ensures that state-sponsored or private violations of rights can be effectively challenged through public interest litigation or extraordinary judicial writs.

This constitutional framework is operationalized by various statutory laws that regulate the procedural aspects of justice delivery. The National Civil Procedure Code (2017) and the National Criminal Procedure Code (2017) provide detailed, codified procedures for civil and

criminal trials, respectively, strictly incorporating the core principles of due process and a fair hearing. Additionally, the Legal Aid Act (2018) aims to democratize access to justice by providing free legal services to financially disadvantaged individuals, thereby attempting to mitigate the prohibitive financial barriers to the formal legal system.

Judicial interpretation by the apex court has played a transformative role in expanding and clarifying the scope of access to justice in Nepal. In the landmark case of Advocate Om Prakash Aryal v. Government of Nepal, the Supreme Court emphasized that access to justice is an indivisible part of fundamental human rights, directing the government to ensure the effective implementation and funding of institutionalized legal aid services (NKP 2065, D.N. 8009).

Similarly, the Court has consistently underscored the importance of procedural fairness, gender equity, and transparency in administrative decision-making, linking these elements directly to the broader right to justice (Dr. Chanda Bajracharya v. HMG/Nepal, 1996; Meera Dhungana v. HMG/Nepal, 1995; Reena Bajracharya v. HMG/Nepal, 2000).

Moreover, the Supreme Court has recognized that protracted delays in justice delivery undermine the very essence of constitutional guarantees. In several decisions, the Court has vigorously reaffirmed the legal maxim "justice delayed is justice denied," stressing the urgent need for timely adjudication and efficient judicial administration (Abadhlaal Shah v. Nepal Police Headquarter, 2023).

These judicial pronouncements reflect an evolving domestic jurisprudence aimed at strengthening procedural safeguards and ensuring effective access to justice. Despite these robust constitutional and legal provisions, deep schisms remain in their practical implementation. Procedural complexity, a lack of institutionalized legal aid, and systemic inefficiencies continue to hinder the realization of access to justice in Nepal. Therefore, while the legal framework provides a strong normative foundation, its ultimate effectiveness depends heavily on Right to Fair Trial and Due Process The right to a fair trial and due process is a cornerstone of access to justice in Nepal. The Constitution of Nepal, 2015 explicitly guarantees the right to justice under Article 20, which includes the right to a fair hearing by an independent and impartial court (Constitution of Nepal, 2015, art. 20). This provision ensures that no individual is deprived of life or liberty except in accordance with the law and established procedures.

Due process encompasses several elements, including the presumption of innocence, the right to be informed of charges, the right to present evidence, and the right to appeal. These principles are further reinforced by the National Criminal Procedure Code, 2017, which outlines procedural requirements to prevent arbitrary actions by the state.

The Supreme Court of Nepal has repeatedly emphasized that procedural fairness is indispensable for the legitimacy of judicial decisions. In Dr. Chanda Bajracharya v. His Majesty's Government of Nepal, the Court held that procedural rules must be applied in a manner that promotes fairness rather than technical rigidity (Dr. Chanda Bajracharya v. His Majesty's Government of Nepal, 1996). This reflects a shift toward a more substantive understanding of due process, where the focus is on achieving justice rather than merely following formal procedures.

Right to Legal Representation and Legal Aid

The right to legal representation is another critical procedural safeguard that enables individuals to effectively assert their rights. Article 20 of the Constitution guarantees the right of every accused person to consult and be defended by a legal practitioner of their choice (Constitution of Nepal, 2015, art. 20(2)). This right is particularly important in criminal proceedings, where the imbalance of power between the state and the accused can significantly affect the outcome.

To address financial obstacles, the Legal Aid Act, 2018 provides for free legal services to indigent and marginalized individuals. This legislation aims to ensure that a lack of financial resources does not prevent individuals from accessing justice. However, in practice, the effectiveness of legal aid services remains limited due to inadequate funding, a lack of awareness, and insufficient institutional capacity.

Judicial activism has also contributed to strengthening legal representation. In *Meera Dhungana v. His Majesty's Government of Nepal*, the Supreme Court expanded the scope of public interest litigation, allowing third parties to represent the interests of those unable to approach the court themselves (*Meera Dhungana v. His Majesty's Government of Nepal*, 1995). This development has significantly enhanced access to justice, particularly for the disadvantaged groups.

Principles of Natural Justice

The principles of natural justice form the foundation of procedural fairness in the Nepalese legal system. These principles primarily include *audi alteram partem* (the right to be heard) and *nemo iudex in causa sua* (no one should be a judge in their own cause) (De Smith, 1980). These doctrines ensure that decisions are made impartially and after giving all parties a fair opportunity to present their case.

Nepalese courts have consistently upheld these principles as essential components of the rule of law. Administrative and quasi-judicial bodies are also required to adhere to natural justice, and failure to do so may be invalidated by the courts. This ensures that fairness is maintained not only in judicial proceedings but also in administrative decision-making processes.

The application of natural justice has been particularly important in preventing arbitrary state action and protecting individual rights. It reinforces public confidence in the legal system by ensuring transparency and accountability in decision-making.

Protection of Vulnerable Groups within Procedures Ensuring access to justice for vulnerable groups is a key aspect of procedural safeguards. The Constitution of Nepal guarantees special protections for marginalized communities, including women, Dalits, and persons with disabilities, to promote substantive equality (Constitution of Nepal, 2015, arts. 18 & 42).

Irrespective of these legal provisions, vulnerable groups often face significant barriers in accessing justice, such as social discrimination, a lack of legal awareness, and procedural complexity. The Supreme Court, in the case of *Man Bahadur Bishwokarma v. His Majesty's Government of Nepal*, underscored the need for inclusive legal mechanisms that address caste-

based discrimination and ensure equal protection of the law (*Man Bahadur Bishwokarma v. His Majesty's Government of Nepal*, 1992).

Similarly, in *Sapana Pradhan Malla v. His Majesty's Government of Nepal*, the Court adopted a gender-sensitive approach that highlights the importance of interpreting laws in a manner that promotes women's rights and access to justice (*Sapana Pradhan Malla v. His Majesty's Government of Nepal*, 2002). These decisions demonstrate the judiciary's role in adapting procedural safeguards to the needs of vulnerable populations.

However, the effective protection of such groups requires not only legal recognition but also practical measures such as victim-friendly procedures, availability of interpreters, and accessible infrastructure. Without these measures, procedural safeguards remain largely theoretical and fail to achieve their intended purpose.

Institutional Challenges in Access to Justice in Nepal In spite of having robust constitutional and legal frameworks, access to justice in Nepal is facing significant constraints posed by various institutional challenges. These challenges undermine the effective implementation of procedural safeguards and create a gap between legal guarantees and practical realities. The effectiveness of any justice system depends not only on laws but also on the capacity, efficiency, and integrity of the institutions responsible for their enforcement.

One of the most persistent institutional challenges in Nepal is the problem of case backlog and delay in adjudication. Courts at all levels, particularly district courts, face an overwhelming number of pending cases, resulting in prolonged delays in the delivery of justice. Such delays not only violate the principle of timely justice but also discourage individuals from seeking legal remedies. The maxim "justice delayed is justice denied" is particularly relevant in this context, as delays often lead to denial of effective relief (*Abadhlaal Shah v. Nepal Police Headquarter*, 2023).

Another critical issue is the lack of adequate infrastructure and human resources within the judicial system. Many courts in Nepal suffer from insufficient physical facilities, limited technological support, and a shortage of trained personnel. This inadequacy evidently hampers the efficient functioning of courts and affects the quality of justice delivery (World Bank, 2017). Furthermore, the limited number of judges relative to the caseload exacerbates delays and reduces the system's overall responsiveness.

The question of judicial independence and accountability also presents institutional challenges. While the Constitution guarantees judicial independence, concerns have been raised regarding transparency, consistency in decision-making, and mechanisms for accountability (United Nations Development Programme [UNDP], 2020). Lack of public trust in judicial institutions equally weakens the legitimacy of the justice system and discourages individuals from pursuing legal remedies. Ensuring a balance between independence and accountability remains a critical issue for strengthening access to justice.

In addition, the transition to a federal system, which is envisioned as a governance model to ensure timely service delivery and justice to the people, has introduced complexities in the coordination and functioning of judicial and quasi-judicial bodies. The establishment of judicial committees at the local level was intended to decentralize justice and enhance accessibility.

However, these bodies often face challenges such as scarcity of legal expertise, jurisdictional dilemma, and institutional support in short supply (Dhungana, 2020). As a result, their effectiveness in resolving disputes remains limited, particularly in complex legal matters.

Another significant institutional barrier is the limited effectiveness of the legal aid system. Although the Legal Aid Act, 2018 provides a framework for free legal services, its implementation is marred by insufficient funding, lack of awareness among beneficiaries, and weak institutional coordination. It has forced the economically disadvantaged individuals to face difficulties in accessing legal representation. It grossly undermines the principle of equality before the law.

Moreover, bureaucratic inefficiencies and procedural rigidity within justice institutions further impede access to justice. Administrative delays, complex documentation requirements, and lack of coordination among institutions cause inefficiencies in the justice delivery process (Organisation for Economic Co-operation and Development [OECD], 2019). These issues disproportionately affect marginalized groups, who are often in a short supply of resources and knowledge to navigate such complexities.

Overall, these institutional challenges expose a critical gap between the normative framework of access to justice and its practical realization in Nepal. Addressing these issues requires comprehensive reforms aimed at strengthening institutional capacity, enhancing efficiency, ensuring accountability, and promoting inclusiveness. Without such reforms, the constitutional promise of access to justice will remain slow off the marks.

Gap Between Law and Practice Although Nepal has established a comprehensive constitutional and legal framework guaranteeing access to justice, a yawning gap persists in practical aspects. This disparity reflects a broader challenge of translating normative commitments into effective institutional practices, thereby limiting the realization of justice for many citizens.

At the constitutional level, the right to justice, fair trial, and equality before the law are firmly guaranteed. However, in practice, these rights are often undermined by procedural delays, limited accessibility, and institutional inefficiencies. The existence of such contradiction indicates that formal legal recognition alone is insufficient without corresponding mechanisms for effective enforcement.

One of the key manifestations of this gap is the inconsistent implementation of procedural safeguards. While laws provide for due process, legal representation, and fair hearing, these safeguards are not uniformly applied across all levels of the judiciary. In many instances, procedural complexities and rigid application of legal rules create barriers rather than facilitating access to justice (Cappelletti & Garth, 1978). This results in a situation where legal protections exist in theory but eludes in practice.

The limited effectiveness of legal aid services further illustrates the divide between law and practice. Despite statutory provisions ensuring free legal assistance to the disadvantaged groups, many eligible individuals remain unaware of such services or are unable to realize them due to institutional weaknesses. Consequently, financial constraints continue to prevent a large segment of population from seeking justice, contradicting the constitutional principle of equality before the law.

Additionally, institutional inefficiencies such as case backlogs and delays in adjudication further widen this gap. The prolonged duration of legal proceedings discourages individuals from pursuing claims and often leads to denial of timely remedies (World Bank, 2017). This undermines public confidence in the justice system and questions the credibility of legal institutions.

The gap is particularly pronounced in relation to the marginalized and vulnerable groups. Although the Constitution and judicial decisions emphasize inclusiveness and non-discrimination, these groups persistently face socio-economic, cultural, and geographical barriers in accessing justice (International Commission of Jurists [ICJ], 2018). Factors such as lack of legal awareness, social stigma, and limited institutional support exacerbate their exclusion from the justice system.

Furthermore, the decentralization of justice mechanisms under the federal system, while conceptually progressive, has met practical challenges in implementation. Judicial committees and local bodies often lack the necessary legal expertise, resources, and clarity of jurisdiction to effectively deliver justice (United Nations Development Programme [UNDP], 2020). This creates inconsistencies in the application of laws and further widens the gap between legal ideals and actual practice.

In essence, the disparity in law and practice in Nepal's justice system is rooted in a combination of procedural, institutional, and socio-economic factors. Bridging this divide requires not only legal reforms but also effective implementation strategies, institutional strengthening, and increased public awareness. Without addressing these underlying issues, the constitutional promise of access to justice will remain largely aspirational rather than a lived reality.

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The grammar, sentence structure, and punctuation (including consistent Oxford commas) have been fully polished to maintain a formal academic tone. Following your instructions, the footnote markers within the text have been converted into strict APA 7th edition in-text parenthetical style, and the standalone bibliographic Reference list at the end has been formatted to meet strict APA 7th standards (including complete entries with italicization where required).

Conclusion Access to justice in Nepal is constitutionally guaranteed and reinforced by a comprehensive legal framework that incorporates fundamental rights, procedural safeguards, and institutional mechanisms. The Constitution of Nepal, 2015, along with various procedural laws and judicial interpretations, reflects a strong normative commitment to ensuring fairness, equality, and the rule of law. However, this study reveals that despite these formal guarantees, the realization of access to justice remains constrained by significant procedural and institutional challenges. The analysis demonstrates that while procedural safeguards such as the right to a fair trial, legal representation, and principles of natural justice are well established in law, their implementation in practice is inconsistent. Institutional challenges, including case backlogs, delays in adjudication, inadequate infrastructure, and limited human resources, continue to undermine the effectiveness of the justice system. Furthermore, the gap between law and practice is particularly evident in the experiences of marginalized and vulnerable groups, who face additional socio-economic and structural barriers in accessing justice.

Judicial interpretation in Nepal has played a progressive role in expanding access to justice, particularly through the development of public interest litigation and the promotion of substantive equality. However, judicial efforts alone are insufficient to address systemic deficiencies. A coordinated approach involving legal, institutional, and policy reforms is necessary to bridge the gap between constitutional ideals and practical realities.

Recommendations

Reform of Procedural Laws Procedural laws should be simplified to reduce complexity and make them more accessible to ordinary citizens. Emphasis should be placed on adopting flexible and user-friendly procedures that facilitate rather than hinder justice delivery.

Strengthening the Legal Aid System The implementation of the Legal Aid Act, 2018 should be enhanced through increased funding, institutional coordination, and public awareness programs. Expanding the reach of legal aid services is essential to ensure that economically disadvantaged individuals can effectively access justice.

Judicial Capacity Enhancement The government should invest in improving judicial infrastructure, increasing the number of judges, and providing specialized training to judicial personnel. The use of technology such as e-courts and digital case management systems can significantly reduce delays and improve efficiency.

Addressing Case Backlogs and Delays Effective case management strategies, including alternative dispute resolution (ADR) mechanisms, should be promoted to reduce the burden on courts. Timely disposal of cases must be prioritized to uphold the principle that justice delayed is justice denied.

Enhancing Access for Marginalized Groups Special measures should be adopted to ensure inclusive access to justice for women, Dalits, persons with disabilities, and other vulnerable groups. This includes providing victim-friendly procedures, language support, and accessible infrastructure within judicial institutions.

Strengthening Local Judicial Mechanisms Judicial committees at the local level should be strengthened through capacity building, clear jurisdictional guidelines, and adequate resource allocation (Dhungana, 2020). This will enhance decentralized justice delivery and improve accessibility at the grassroots level.

Promoting Legal Awareness and Literacy Public legal education programs should be expanded to increase awareness of legal rights and available remedies. Empowering citizens with legal knowledge is essential for ensuring meaningful access to justice.

In conclusion, achieving meaningful access to justice in Nepal requires more than constitutional guarantees; it demands effective implementation, institutional strengthening, and a commitment to inclusiveness. Bridging the gap between law and practice is essential for ensuring that justice is not only available in theory but also accessible in reality. Through comprehensive reforms and sustained efforts, Nepal can move closer to realizing a just and inclusive legal system.

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