



Foreword By
Hon'ble Justice Sri. Ashok G. Nijagannavar
Former Judge, Karnataka High Court
Member, Karnataka Law Commission

CONTOURS OF GENDER JUSTICE IN THE INDIAN LEGAL SYSTEM

Editor-In-Chief
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Prof. Jyotirmoy Banerjee

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Dr. Anee Bhattacharyya
Prof. Ashwani Singh
Dr. Ajoy Jose

Contours of Gender Justice in the Indian Legal System

*A Compilation of Articles
from the
National Conclave on Law, Gender and Society
organized by
Amity Law School
Amity University, Bengaluru*

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Contents

<i>Preface</i>	<i>i</i>
<i>Editorial Note</i>	<i>v</i>
<i>Acknowledgement</i>	<i>vii</i>
<i>Disclaimer</i>	<i>viii</i>
<i>Foreword</i>	<i>ix</i>
1. Males and Domestic Violence: The Forgotten Victims In India’s Legal System: A Human Rights Perspective	1
<i>Ankush Garg</i>	
2. Removing Barriers to Mental Health care for Transgender: Paving the Way towards more Inclusive Future	12
<i>Dr. Srishty Banerjee</i>	
3. From Constitutional Recognition to Legislative Enforcement: Strengthening Judicial and Institutional Protection of LGBTQIA+ Rights in India	24
<i>Karan Gupta & Om Chopra</i>	
4. The Vanishing of Section 377: Gender-Neutral Justice or Legislative Silence?	40
<i>Garima Upadhyay & Swetha Mariam Saji</i>	
5. Colonial Imprints of Morality in Construction of Indian Womanhood	54
<i>Navya Benny & Swarlata Pandey</i>	
6. Gender Bias as a Confounding Variable in Cancer Research	67
<i>Nikita Lotlikar & Sharon Melhi</i>	
7. Gender Neutral laws - From Recognition to Enforcements	80
<i>Hiya Agarwal & Yash Patel</i>	

8. Revisiting the Trend of Judicial Interpretations on Alimony and Maintenance under the Hindu Marriage Act, 1955	85
<i>K Chakra Pani</i>	
9. The Unfinished Struggle: Recognition and Enforcement of LGBTQIA+	103
<i>Yukti Kohli & Dr. Saurabh Chaturvedi</i>	
10. Analysis of Male Rape: A Need for Gender Neutral Rape Laws	116
<i>Susmita Smrutirekha</i>	
11. Challenging the Victim Stereotype Men in the Context of Chapter V of BNS, 2023	129
<i>A. Theerdha Vijai & Dexin Joyan</i>	
12. Intersectionality and Justice: Gender, Race, Class, and Caste in Legal Systems	139
<i>Vyshnav N.M.& Bhavitha Raj</i>	
13. Balancing Justice: Restoring Gender-Neutrality and Preventing Legal Misuse in Indian Laws	154
<i>Khanak Kumawat</i>	
14. Male Rape: A Neglected Crisis in Justice.....	173
<i>Sristi Arya & Akshat Bose</i>	
15. Mental Health Access for Marginalized Gender Identities: A Review	186
<i>Kishori Sandeep Chavan & Akanksha Raju Natak</i>	
16. A Critical Study of Systemic Judicial Delay and Its Gendered Impact on Legal Aid Accessibility and Equality before Law	203
<i>Dr. Tulika Singh</i>	
17. Bridging Legal Promises and Lived Realities: LGBTQIA+ Rights in India especially Transgender Persons Act 2019	214
<i>Aswani K Sunil & Dibin Varghese</i>	

18. The Disparaging Curtailment of the LGBTQ community's Right to Adoption in India.....	226
<i>Chanakya Mahadev</i>	
19. Persistent Socio-Legal Challenges in India: An Interplay of Constitution, Judiciary and Legislature	236
<i>Vikas Sharma & Apurva Gautam</i>	
20. Rights of LGBTQ+ in India and Lacuna around Same Sex Marriage: A Comprehensive Study	250
<i>Ritwiz Harshvardhan</i>	
21. Gender Neutrality in Maintenance Laws: A Shift in Judicial Approach Towards Matrimonial Relief in India.....	265
<i>Shambhawi Tiwari & Karuna Singh</i>	
22. Towards Gender-Neutral Domestic Violence Laws: A Comparative and Empirical Study of India, the UK and South Africa	277
<i>Rakshita Shah & Dr. Prakashkumar Thakor</i>	
23. Gender Bias in Medical Research and Clinical Trials	302
<i>Mahi Singh & Rimjhim Kumari</i>	
24. A Critical Study of the Law in relation to Female Foeticide and Infanticide in India	314
<i>Debangana Das</i>	
25. Ecofeminism and Environmental Jurisprudence: Reimagining Justice for Women and Nature	332
<i>Ashima Rai & Biswarup Mukherjee</i>	

16.

A Critical Study of Systemic Judicial Delay and Its Gendered Impact on Legal Aid Accessibility and Equality before Law

Dr. Tulika Singh¹

16.1. Abstract

Judicial delay remains one of the most entrenched obstacles to justice delivery, with systemic backlogs and procedural inefficiencies disproportionately affecting vulnerable populations. This study offers a critical analysis of systemic judicial delay and its gendered impact on legal aid accessibility and equality before law. While judicial delay undermines the principle of speedy justice for all, its consequences are particularly acute for women and gender minorities, especially in cases involving sexual offences, domestic violence, family disputes, and socio-economic rights. The extended timelines not only prolong trauma but also perpetuate economic dependency, reduce faith in legal institutions, and deter future engagement with the justice system. The research examines the constitutional mandate of equality under Articles 14 and 21, statutory frameworks under the Legal Services Authorities Act, 1987, and jurisprudential developments affirming the right to legal aid. It highlights how inadequate institutional capacity, underfunding of legal aid services, and lack of gender sensitivity within the legal aid apparatus exacerbate structural barriers. Drawing upon empirical studies, reports of the National Judicial Data Grid (NJDG), NALSA, and comparative insights from jurisdictions such as South Africa and Canada, the study maps how intersectional factors of caste, class, and rural-urban divides further intensify gendered disadvantage. The paper argues that systemic judicial delay, coupled with insufficient access to quality legal aid, constitutes a form of structural discrimination, violating the constitutional guarantee of equality before law. It recommends reforms including time-bound adjudication in gender-sensitive cases, institutional strengthening of legal aid services,

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