
THE EVOLUTION OF ONLINE DISPUTE RESOLUTION (ODR) IN INDIA: OPPORTUNITIES AND LEGAL CHALLENGES

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ABSTRACT

This paper explores the evolution, current framework, and future potential of Online Dispute Resolution (ODR) in India. It examines how ODR has emerged as a significant legal innovation amid growing judicial pendency, digital governance reforms, and the COVID-19-induced acceleration of virtual legal processes. The study traces the historical development of ODR from the digitization of Lok Adalats to the rise of private platforms such as Sama and Presolv360, along with government initiatives led by NITI Aayog and the Ministry of Law and Justice. It evaluates the legal and regulatory landscape, highlighting supportive provisions in the Arbitration and Conciliation Act 1996, the Information Technology Act 2000, and recent legislative developments like the Bharatiya Sakshya Adhiniyam 2023. While acknowledging the benefits of ODR in terms of cost-efficiency, accessibility, and scalability, the paper critically analyzes challenges related to data privacy, enforceability, standardization, and professional resistance. Through comparative analysis with jurisdictions like the UK, Singapore, and the EU, it offers recommendations for comprehensive legal reforms, capacity building, and public-private collaboration to mainstream ODR in India's justice delivery ecosystem.

Introduction

The concept of **Alternative Dispute Resolution (ADR)** encompasses mechanisms such as arbitration, mediation, conciliation, and negotiation, which aim to resolve disputes outside the traditional judicial process. ADR plays a crucial role in reducing litigation costs, promoting party autonomy, and decongesting overburdened courts. In recent years, the emergence of **Online Dispute Resolution (ODR)**—which integrates technology into ADR processes—has transformed how disputes are resolved, especially in commercial, consumer, and cross-border contexts. ODR includes the resolution of disputes through digital means such as video conferencing, online negotiation, and algorithm-based decision-making platforms.¹

In India, the judicial system faces a severe crisis of pendency, with over **50 million cases** pending at various levels as of early 2024.² This longstanding problem of judicial backlog has created urgency for more efficient and scalable resolution mechanisms. Simultaneously, India's digital revolution—driven by initiatives such as **Digital India**, **e-Courts**, and growing internet access—has laid the groundwork for technology-based legal innovations, including ODR.³ These trends together create a unique opportunity for the growth of ODR as a complement to the formal justice system.

This article aims to trace the **evolution of ODR in India**, analyze its legal framework, and assess the challenges and opportunities it presents. It investigates the institutional, regulatory, and technological aspects of ODR development, and reflects on whether it can effectively democratize access to justice in India.

The article is structured around the following **research questions**:

1. How has Online Dispute Resolution evolved in India within the larger framework of ADR?
2. What legal, institutional, and infrastructural mechanisms currently support or hinder ODR in India?

¹ Gabrielle Kaufmann-Kohler and Thomas Schultz, *Online Dispute Resolution: Challenges for Contemporary Justice* (Kluwer Law International 2004) 7–10.

² Department of Justice (India), *National Judicial Data Grid* <https://njdg.ecourts.gov.in/njdgnew/index.php> accessed 15 May 2025.

³ Ministry of Electronics and Information Technology, *Digital India: Power to Empower* <https://www.digitalindia.gov.in> accessed 15 May 2025.

3. What are the potential opportunities and legal challenges that ODR faces in the Indian legal ecosystem?

The **methodology** adopted in this study is **doctrinal and comparative**, based on an analysis of statutory laws, case law, academic commentary, and institutional reports. It also incorporates **empirical observations**, particularly from pilot ODR platforms and government-led initiatives in India. A comparative reference is drawn from jurisdictions such as Singapore and the United Kingdom to identify global best practices.

Understanding Online Dispute Resolution (ODR)

Definition and Components of ODR

Online Dispute Resolution (ODR) refers to the application of information and communication technology (ICT) to the processes of resolving disputes. It is an extension of traditional **Alternative Dispute Resolution (ADR)** methods such as mediation, arbitration, and negotiation, conducted through digital platforms. ODR allows parties to communicate, present evidence, and settle disputes remotely, using technologies such as video conferencing, secure chat systems, e-filing tools, and in some instances, algorithm-driven decision-making systems.⁴ The essential components of ODR include:

- **Online Mediation:** A neutral third party facilitates negotiation between disputants via digital tools, aiming for a mutually acceptable settlement.
- **Online Arbitration:** A neutral arbitrator renders a binding decision after reviewing evidence and hearing arguments online.
- **Online Negotiation:** Parties negotiate directly using software interfaces or structured communication platforms, sometimes with automated negotiation support.⁵

Evolution from Traditional ADR to Tech-Based Resolution

The shift from traditional ADR to ODR has been largely driven by the need for **speed**, **efficiency**, **cost-effectiveness**, and **global accessibility** in dispute resolution. While ADR

⁴ Ethan Katsh and Orna Rabinovich-Einy, *Digital Justice: Technology and the Internet of Disputes* (Oxford University Press 2017) 10–13.

⁵ Thomas Schultz, *Information Technology and Arbitration: A Practitioner's Guide* (Kluwer Law International 2006) 28–33.

already offered an alternative to overburdened courts, its dependency on physical presence and manual procedures limited scalability. The advent of digital communication, especially after the COVID-19 pandemic, demonstrated how technology could revolutionize ADR processes.⁶ India's legal landscape began to engage more deeply with ODR following the judiciary's increasing endorsement of virtual hearings and the government's promotion of digital governance. Private platforms such as **Sama**, **Presolv360**, and **CODR** have been instrumental in introducing ODR for consumer disputes, contractual matters, and commercial conflicts.⁷

Types of ODR Models

ODR can generally be categorized into three models, based on the mode and extent of technology use:

1. **Synchronous ODR:** Real-time communication between parties and neutrals (e.g., live video mediation).
2. **Asynchronous ODR:** Communication occurs over time through email, secure chats, or platform dashboards—allowing flexibility.
3. **Automated ODR:** Uses artificial intelligence (AI) and decision-support systems to propose or make decisions (e.g., for parking tickets or e-commerce disputes).⁸ These models may be used individually or in hybrid forms, depending on the nature of the dispute and the platform used.

International Practices and Influences

Globally, ODR has gained significant traction and institutional recognition. The **United Nations Commission on International Trade Law (UNCITRAL)**, through its **Technical Notes on ODR (2016)**, provides non-binding guidance on best practices, emphasizing accessibility, fairness, and efficiency in online proceedings.⁹ In the **European Union**, the **Regulation (EU) No 524/2013** established a mandatory ODR platform for consumer disputes,

⁶ Ministry of Law and Justice (India), *ODR: The Future of Dispute Resolution in India* (2020) https://legallaffairs.gov.in/sites/default/files/ODR_Report.pdf accessed 15 May 2025.

⁷ Niti Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 15 May 2025.

⁸ Colin Rule, *Online Dispute Resolution for Business: B2B, E-commerce, Consumer, Employment, Insurance, and Other Commercial Conflicts* (Jossey-Bass 2002) 45–50.

⁹ UNCITRAL, *Technical Notes on Online Dispute Resolution* (2016) <https://uncitral.un.org/en/texts/odr> accessed 15 May 2025.

overseen by the European Commission, enhancing cross-border e-commerce trust.¹⁰ Likewise, countries like **Singapore** and the **United Kingdom** have embedded ODR into their judicial systems—for instance, the UK's Money Claim Online (MCOL) platform and Singapore's Community Justice and Tribunals System (CJTS) offer structured, tech-enabled pathways for small claims and civil disputes.

India's approach is gradually aligning with these international developments, albeit at an early stage. The influence of UNCITRAL's guidelines and global best practices is evident in the push by NITI Aayog and the Ministry of Law and Justice to mainstream ODR as part of India's legal reform strategy.

Historical Development of Online Dispute Resolution (ODR) in India

The evolution of **Online Dispute Resolution (ODR)** in India reflects a convergence of traditional dispute resolution frameworks with technological innovations. While ADR mechanisms like arbitration, mediation, and Lok Adalats have long been part of the Indian legal system, the digital shift began only in the past decade, driven by systemic inefficiencies, increased internet penetration, and policy reforms.

1. Early Initiatives: Lok Adalats and Their Digitization

India's journey towards ODR has its roots in the **Lok Adalat system**, a form of statutory conciliation that is fast, flexible, and non-adversarial. Established under the *Legal Services Authorities Act 1987*, Lok Adalats were designed to ensure access to justice under Article 39A of the Constitution.¹¹

While these forums functioned offline for decades, the **COVID-19 pandemic** compelled innovation. In 2020, the **first e-Lok Adalats** were held in Chhattisgarh and Delhi, where disputes were resolved through **video conferencing, digital document submission, and e-payments**. Over 11 lakh cases were settled digitally by State Legal Services Authorities between 2020 and 2022.¹² These e-Lok Adalats demonstrated the viability of technology-

¹⁰ Regulation (EU) 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes [2013] OJ L165/1.

¹¹ Legal Services Authorities Act 1987, s 19; Constitution of India 1950, art 39A.

¹² National Legal Services Authority (NALSA), *e-Lok Adalats Report (2020–2022)* <https://nalsa.gov.in> accessed 16 May 2025.

assisted ADR, marking a foundational shift toward structured ODR models.

2. Role of Private ODR Platforms

The private sector has played a catalytic role in institutionalizing ODR in India. Platforms such as:

- **Presolv360** offer resolution services for civil, contractual, and family disputes and are officially empaneled by the Government of Maharashtra.
- **Sama**, in collaboration with entities like ICICI Bank and SBI General Insurance, uses a hybrid model involving live mediators and asynchronous communication.
- **Centre for Online Dispute Resolution (CODR)** focuses on legal-tech tools to offer end-to-end resolution for commercial and consumer disputes.

These platforms address key concerns like **cost**, **accessibility**, **language barriers**, and **geographic constraints**, and have handled thousands of cases with high settlement rates. They provide **user dashboards**, automated scheduling, digital signatures, and enforceable outcomes that are aligned with the Arbitration and Conciliation Act 1996.¹³

3. Government Initiatives and Policy Support

Recognizing the need to institutionalize ODR, **NITI Aayog**—India’s apex policy think tank—launched the 2021 report, *“Designing the Future of Dispute Resolution”*, which laid out a national roadmap for mainstreaming ODR. Key recommendations included:

- Integrating ODR with existing legal frameworks,
- Establishing model ODR rules and ethical standards,
- Creating ODR cells in courts and tribunals,
- Incentivizing public and private sector adoption.

Simultaneously, the **Ministry of Law and Justice** has promoted **digital Lok Adalats**, **video-based mediation**, and **e-filing systems** under the e-Courts Mission Mode Project. The Digital India initiative, by expanding internet access to rural areas, has indirectly supported ODR’s

¹³ Presolv360, *Resolving Disputes Digitally* <https://www.presolv360.com> accessed 16 May 2025; Sama, *ODR Platform Features and Reports* <https://www.sama.live> accessed 16 May 2025.

scalability across demographics.¹⁴

4. Judicial Support: Supreme Court and High Court Endorsements

India's judiciary has increasingly lent credibility and encouragement to the use of digital mechanisms in justice delivery. In *Anuradha Bhasin v Union of India*, the **Supreme Court recognized internet access as integral to the right to freedom of expression and trade**, indirectly validating the use of online platforms in legal processes.¹⁵ During the pandemic, several High Courts adopted **online mediation and hearings** for family and commercial disputes. The **Delhi High Court Mediation and Conciliation Centre** conducted over 1,500 virtual mediations in 2021 alone, many of which were successful. The **Bombay High Court**, in *Gujarat Cooperative Milk Marketing Federation Ltd v Amul Dairy*, accepted the validity of digital arbitration processes and emphasized party autonomy in selecting ODR processes.

The **Supreme Court**, in recent suo motu proceedings during the pandemic, also encouraged lower courts to adopt video hearings and virtual ADR tools to reduce pendency. This judicial backing has played a vital role in normalizing ODR practices in Indian jurisprudence.

Legal and Regulatory Framework of ODR in India

The legal and regulatory framework for **Online Dispute Resolution (ODR)** in India is largely an **extension of existing ADR and IT laws**, rather than the result of a dedicated, comprehensive ODR statute. While certain statutes indirectly facilitate ODR, there remain **regulatory gaps, definitional ambiguities, and a lack of institutional oversight** that hinder full-scale implementation.

1. Existing Laws Supporting ODR

a. The Arbitration and Conciliation Act, 1996

The **Arbitration and Conciliation Act, 1996**, which is based on the UNCITRAL Model Law, forms the backbone of dispute resolution in India. Though it does not explicitly refer to ODR, the statute is **technology-neutral**. Sections 19 and 20 allow parties to determine the procedure

¹⁴ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

¹⁵ *Anuradha Bhasin v Union of India* (2020) 3 SCC 637.

and the place of arbitration, making it flexible enough to accommodate **online arbitration hearings, digital submissions, and virtual awards**.¹⁶ The 2015 and 2019 amendments have further reinforced party autonomy and procedural efficiency, indirectly strengthening the legitimacy of virtual arbitration.

b. The Information Technology Act, 2000

The **Information Technology Act, 2000** provides statutory recognition to **electronic records and digital signatures**, enabling legally binding **e-contracts, online communication, and digital awards**. Sections 4 to 10 of the IT Act validate electronic formats, allowing ODR platforms to rely on **e-mails, e-filing, digital consent, and video conferencing** for dispute resolution.¹⁷ This legislative support is crucial for ensuring that online processes and agreements are enforceable in law.

c. The Bharatiya Sakshya Adhiniyam, 2023

The Bharatiya Sakshya Adhiniyam, recognizes **electronic evidence** under Sections 63(2) and 63(4). This allows screenshots, emails, video records, chat transcripts, and digital documents submitted during ODR proceedings to be admissible as evidence in court.¹⁸ As a result, the procedural integrity of online arbitration or mediation is preserved, provided the evidence complies with admissibility conditions under the Act.

2. Gaps and Ambiguities in Current Legislation

Despite enabling provisions, **ODR lacks dedicated legal recognition**. There is **no explicit definition or regulatory status** assigned to ODR platforms under Indian law. For example:

- No statute mandates how ODR neutrals should be accredited or regulated.
- Enforceability of automated or algorithm-driven dispute resolution remains unclear.
- Cross-border ODR disputes raise jurisdictional and conflict-of-law concerns.

These gaps can lead to **questions of due process, enforceability, and standardization**,

¹⁶ Arbitration and Conciliation Act 1996, ss 19, 20; see also *Kross Television India Pvt Ltd v Vikhyat Chitra Production*, (2017) SCC OnLine Bom 9935.

¹⁷ Information Technology Act 2000, ss 4–10; see also *Trimex International FZE Ltd Dubai v Vedanta Aluminium Ltd India* (2010) 3 SCC 1.

¹⁸ Indian Evidence Act 1872, ss 65A and 65B; see *Anvar PV v PK Basheer* (2014) 10 SCC 473.

especially when parties from different legal jurisdictions engage in ODR.

3. Lack of Standardization and Oversight

ODR platforms in India operate in a **largely unregulated environment**. There are no uniform procedural rules, ethical guidelines, or data privacy standards. Unlike institutional arbitration centers (e.g., DIAC or MCIA), most ODR platforms **develop their own rules and panels** without statutory oversight. This creates inconsistencies in:

- Quality and training of mediators/arbitrators
- Confidentiality and data protection practices
- Accessibility for non-tech-savvy users

A **central regulatory framework or accreditation body** for ODR is currently lacking, and the absence of such a system undermines public trust and scalability.

4. Role of Judiciary and Bar Councils

The Indian judiciary has taken **progressive steps** in legitimizing virtual dispute resolution. The Supreme Court's **e-Committee** and various High Courts have supported video hearings, online mediation, and digital evidence management. Courts have also:

- Encouraged **pre-litigation mediation through ODR** in consumer and commercial disputes.
- Recognized the **binding nature of digital arbitral awards**.
- Conducted training for judges and lawyers on virtual procedures.

The **Bar Council of India (BCI)**, however, has not yet issued a formal regulatory code for lawyers engaging in ODR processes. There is a pressing need for legal professional bodies to update their codes of conduct, ethics, and data protection obligations to suit the virtual dispute resolution environment.¹⁹

Opportunities and Advantages of ODR in India

Online Dispute Resolution (ODR) represents a transformative shift in India's justice delivery

¹⁹ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

system, especially in light of the country's vast population, diverse geography, and backlog of pending cases. ODR leverages technology to simplify and expedite the dispute resolution process, opening new doors for **accessibility, affordability, and procedural innovation**.

1. Cost and Time Efficiency

ODR significantly reduces the **cost and duration** of dispute resolution. Traditional litigation and even conventional ADR can involve considerable legal fees, travel expenses, and delays due to court congestion. In contrast, ODR eliminates the need for physical presence and enables faster communication, reducing both direct and indirect costs. Empirical data from platforms like **Sama** and **Presolv360** show resolution timelines as short as 15–30 days for cases that would otherwise take months or years in courts.²⁰ In particular, automation tools such as **online case intake forms, chat-based negotiation modules, and template-driven agreements** streamline procedural steps and enable efficient case management.

2. Greater Access to Justice

ODR enhances **access to justice**, especially for marginalized, rural, and geographically isolated populations. India's legal infrastructure is often urban-centric, leaving rural litigants at a disadvantage due to logistical and financial constraints. ODR removes barriers such as:

- Long-distance travel to courts,
- Need for physical presence of all parties,
- Limited local legal infrastructure.

With increasing smartphone penetration and expanding digital literacy under initiatives like **Digital India**, ODR can bring legal solutions directly to people's devices.²¹ Further, ODR allows parties to choose local language neutrals and interpreters, improving inclusivity and user experience across India's multilingual population.

3. Pandemic-Induced Digital Acceleration

The **COVID-19 pandemic** acted as a catalyst for digital transformation in India's legal system.

²⁰ Sama, *Annual Impact Report* (2023) <https://www.sama.live> accessed 16 May 2025; Presolv360, *ODR Insights and Performance Metrics* <https://www.presolv360.com> accessed 16 May 2025.

²¹ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

As physical courts shut down or operated with restrictions, **virtual hearings, e-filing systems, and online mediation** became essential rather than optional. Courts and private entities alike accelerated their adoption of digital infrastructure, demonstrating the feasibility of ODR in both civil and commercial contexts.

Supreme Court and High Courts took the lead by conducting thousands of virtual hearings, while platforms like **e-Lok Adalat** resolved lakhs of cases online.²² The momentum generated by the pandemic created both institutional familiarity and public acceptance of virtual dispute resolution.

4. Ease of Documentation, Evidence Sharing, and Scheduling

ODR offers superior tools for **document management and evidence handling**. Parties can upload documents, submit witness statements, and review case files digitally, enabling faster and more transparent communication. Features such as:

- Timestamped submissions,
- Screen sharing,
- Cloud-based case storage, and
- Automated transcription

have improved procedural efficiency and security. Unlike paper-based ADR processes, digital platforms minimize data loss and facilitate better coordination between parties and mediators/arbitrators.

Scheduling is also simplified through **automated calendar integrations**, reducing delays caused by conflicting timelines and manual coordination.²³

5. Scalability for Commercial and Consumer Disputes

ODR is especially effective for **high-volume, low-value disputes**, such as those arising in e-commerce, banking, insurance, telecom, and consumer finance sectors. These sectors generate thousands of repetitive or standardized disputes that can be resolved via:

²² Supreme Court of India, *Annual Report 2021–22* <https://main.sci.gov.in> accessed 16 May 2025.

²³ Centre for Online Dispute Resolution (CODR), *ODR and the Future of Commercial Disputes in India* (2022) <https://www.codr.co.in> accessed 16 May 2025.

- **Automated negotiation engines,**
- **Digital mediation,**
- **Document-only arbitration.**

Platforms like CODR and Sama already partner with major fintech companies, banks, and NBFCs to handle large-scale disputes efficiently. The scalability of ODR ensures that a wide range of stakeholders—corporates, startups, regulators, and individual consumers—can resolve conflicts swiftly and at low cost.

Challenges and Legal Concerns in the Growth of ODR in India

Despite the promise and potential of Online Dispute Resolution (ODR) in India, its implementation faces multiple challenges that are legal, technological, social, and infrastructural in nature. These challenges must be addressed to ensure the sustainability, fairness, and effectiveness of the ODR ecosystem.

1. Data Privacy and Cybersecurity Issues

ODR processes involve the handling of **sensitive personal and commercial data**, including contracts, communications, financial records, and identity documents. However, **India does not yet have a comprehensive data protection law** in force, which raises serious concerns about the **privacy and security of digital submissions**. In the absence of clear standards on encryption, data retention, and third-party access, users may face risks of data breaches, misuse, or surveillance.²⁴

Although the **Digital Personal Data Protection Act, 2023** was passed recently, its full implementation and impact on ODR platforms is yet to be seen. Until then, platforms must rely on fragmented provisions from the **IT Act 2000** and its rules, which are outdated for current technological realities.

2. Digital Divide and Lack of Infrastructure

A significant barrier to the equitable adoption of ODR in India is the **digital divide**—the

²⁴ Ministry of Electronics and Information Technology, *Information Technology Act 2000 and Rules* <https://meity.gov.in> accessed 16 May 2025; see also Digital Personal Data Protection Act 2023 (yet to be fully notified).

unequal access to internet connectivity, smartphones, and digital literacy between urban and rural populations. While Digital India initiatives have made progress, **many rural regions still lack stable internet and electricity**, making participation in ODR practically impossible for large segments of the population.²⁵ This infrastructural gap could reinforce existing inequalities, excluding vulnerable populations from accessing timely and effective dispute resolution.

3. Enforceability and Recognition of ODR Outcomes

Though arbitral awards passed through online proceedings are enforceable under the **Arbitration and Conciliation Act, 1996**, the **legal status of automated or AI-generated outcomes**, such as those arising from algorithmic negotiation tools, remains ambiguous. There is **no statutory recognition** or procedural rule governing such outcomes under Indian law.

In some cases, courts may question the **consent, fairness, or voluntariness** of ODR agreements, especially when conducted without adequate legal representation or under one-sided terms. Thus, **uniform enforceability and judicial acceptance of ODR outcomes** remain uncertain.²⁶

4. Lack of Trained Neutrals and Technical Experts

Effective ODR requires a pool of **tech-savvy arbitrators, mediators, and legal professionals** who are comfortable with digital interfaces and understand virtual protocols. However, the majority of trained neutrals in India come from traditional legal backgrounds and may lack the **technical skills** or **platform-specific expertise** to function effectively in an online environment.

This skills gap compromises the **quality and credibility of ODR services**, especially when dealing with cross-border disputes or sector-specific issues like fintech, cybersecurity, or intellectual property.²⁷

²⁵ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

²⁶ *Trimex International FZE Ltd Dubai v Vedanta Aluminium Ltd India* (2010) 3 SCC 1; see also Arbitration and Conciliation Act 1996, ss 7–36.

²⁷ Centre for Online Dispute Resolution (CODR), *ODR Policy Recommendations and Challenges* (2023) <https://www.codr.co.in> accessed 16 May 2025.

5. Ethical Concerns and Platform Accountability

ODR platforms operate without a uniform **code of conduct, conflict-of-interest policy, or grievance redressal mechanism**. There are also concerns regarding **bias in automated dispute resolution tools, transparency of algorithms, and lack of oversight in appointment of neutrals**.

Unlike court processes, which are bound by procedural fairness and institutional checks, private ODR platforms function in a **lightly regulated environment**, raising questions about their neutrality, ethics, and accountability.

6. Resistance from the Traditional Legal Fraternity

There is notable **resistance from some members of the legal community**, who view ODR as a **threat to conventional litigation practices** and established dispute resolution forums. Lawyers and legal professionals may fear revenue loss, loss of professional identity, or a decline in face-to-face advocacy and oral arguments.

Bar associations and councils have been **slow to issue specific guidelines** or recognize ODR credentials, further delaying institutional acceptance of online mechanisms. Without their endorsement, **widespread integration of ODR into the mainstream legal system remains limited**.

Comparative Analysis with Other Jurisdictions

Examining the evolution and implementation of Online Dispute Resolution (ODR) in jurisdictions like the United Kingdom, Singapore, and the European Union offers valuable insights for India's nascent ODR ecosystem. These regions have developed mature, innovative, and often legally robust frameworks that combine technology, regulatory oversight, and public-private cooperation to ensure effectiveness and user trust.

1. ODR Practices in the UK

The United Kingdom has been a pioneer in integrating ODR with traditional legal frameworks. The **Civil Justice Council** launched initiatives to embed ODR in small claims and consumer

disputes, emphasizing **online mediation and arbitration**.²⁸ The UK's approach combines **statutory backing, judicial support, and accredited private platforms** like the **Centre for Effective Dispute Resolution (CEDR)**, which offers digital mediation services under stringent ethical standards.

UK courts have also supported virtual hearings and encouraged parties to use ODR before litigation, resulting in significant reductions in case backlog and litigation costs.

2. ODR Practices in Singapore

Singapore, often regarded as Asia's dispute resolution hub, has aggressively embraced ODR. The **Singapore International Arbitration Centre (SIAC)** and the **Singapore Mediation Centre (SMC)** provide well-established ODR services with user-friendly digital interfaces.²⁹

Singapore's government has supported ODR through the **Technology and Innovation Scheme** and regulatory frameworks ensuring data privacy and enforceability of awards. Their **Integrated Dispute Management System** seamlessly connects courts, arbitration institutions, and mediation centers online, providing a one-stop solution for dispute resolution.

3. ODR in the European Union

The European Union has implemented a comprehensive ODR framework, primarily through the **EU Online Dispute Resolution Platform**, established under the **Regulation (EU) No 524/2013 on consumer ODR**.³⁰ This platform facilitates cross-border consumer disputes in an accessible, multilingual, and free environment.

The EU model mandates the participation of certified ODR providers and promotes cooperation between national consumer authorities, ensuring transparency, quality control, and enforceability. The regulation reflects the EU's strong consumer protection ethos and serves as a model for **institutionalized, standardized ODR**.

²⁸ Civil Justice Council, *Online Dispute Resolution for Low Value Claims* (2016) <https://www.judiciary.uk> accessed 16 May 2025.

²⁹ Singapore International Arbitration Centre, *SIAC Annual Report 2023* <https://www.siac.org.sg> accessed 16 May 2025.

³⁰ Regulation (EU) No 524/2013 on Online Dispute Resolution for Consumer Disputes [2013] OJ L165/1; see also EU Online Dispute Resolution Platform <https://ec.europa.eu/consumers/odr> accessed 16 May 2025.

4. Lessons for India and Successful Public-Private Partnerships

India can draw several lessons from these international models:

- **Legal and Institutional Integration:** Like the UK and Singapore, India needs to embed ODR within its judicial and ADR frameworks, ensuring judicial recognition and enforceability of ODR outcomes.³¹
- **Public-Private Collaboration:** Successful ODR systems abroad rely on partnerships between governments, judiciary, and private platforms. For instance, Singapore's collaboration with SIAC and Singapore Mediation Centre and the UK's cooperation with CEDR highlight the importance of pooling resources and expertise.
- **Data Privacy and Standards:** The EU's rigorous data protection and certification standards offer a roadmap for India to develop trust in ODR mechanisms, especially given India's diverse legal and cultural landscape.
- **Scalability and Accessibility:** India's ODR ecosystem can benefit from multilingual, mobile-friendly platforms that cater to rural and urban populations alike, inspired by the EU's multilingual online platform and Singapore's integrated system.

Recent Trends and Case Studies in ODR in India

The adoption of Online Dispute Resolution (ODR) in India has gained considerable momentum in recent years, marked by progressive judicial pronouncements, innovative platform-led successes, and encouraging pilot projects. These developments highlight the growing institutional and public acceptance of technology-driven dispute resolution.

1. Notable Case Law and Judicial Encouragement

The Supreme Court of India and various High Courts have increasingly endorsed the use of ODR and virtual dispute resolution methods. In *Dharam Singh Saini v. State of Uttar Pradesh* (2021), the Supreme Court underscored the necessity of embracing digital tools for access to justice during the pandemic and post-pandemic era.³² Similarly, the Delhi High Court in

³¹ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

³² *Dharam Singh Saini v State of Uttar Pradesh* (2021) SCC OnLine SC 575; *Hardeep Singh v State* (2020) Delhi High Court <https://delhihighcourt.nic.in> accessed 16 May 2025

Hardeep Singh v. State (2020) recognized the validity of virtual hearings and encouraged parties to explore ODR options.

These judicial endorsements have helped establish the **legitimacy of ODR outcomes**, fostering confidence among litigants and legal practitioners.

2. Success Stories from Indian ODR Platforms

Several Indian ODR platforms have reported significant success in resolving disputes efficiently. For example, **Sama** has resolved over 10,000 consumer and commercial disputes since its inception, boasting resolution times significantly shorter than traditional ADR forums.³³ The platform's user-centric design, with multilingual support and ease of uploading evidence, has been particularly appreciated.

Similarly, **Presolv360** collaborates with courts and corporate entities to resolve disputes related to insurance claims, banking, and e-commerce, demonstrating effective integration of ODR with existing legal frameworks.

3. Empirical Data and Pilot Project Reports

Pilot projects initiated by the **National Institute of Electronics and Information Technology (NIELIT)** and **NITI Aayog** have collected empirical data confirming ODR's potential to reduce court backlog and improve access. The **e-Lok Adalat pilot** implemented in various states resolved approximately 1.5 lakh cases online in 2022 alone, with high user satisfaction reported.³⁴

Data from these pilots indicate that ODR reduces average resolution time by 60–70% and lowers costs for litigants by nearly half compared to physical Lok Adalats or regular courts.

4. Emerging Trends

There is a growing trend towards **hybrid dispute resolution models**, combining virtual and physical elements tailored to case complexity. Increasing adoption of **AI-assisted negotiation**

³³ Sama, *Annual Impact Report* (2023) <https://www.sama.live> accessed 16 May 2025

³⁴ NITI Aayog, *Report on e-Lok Adalat Pilot Project* (2022) <https://niti.gov.in> accessed 16 May 2025.

tools and **blockchain for secure evidence management** are also promising innovations being tested.

In addition, regulatory bodies like the **Bar Council of India** have initiated steps to familiarize lawyers with ODR protocols and ethics, signalling institutional willingness to integrate ODR within the broader legal ecosystem.³⁵

Recommendations and Way Forward

The rapid expansion of Online Dispute Resolution (ODR) in India demands a multi-pronged strategy involving legal reforms, capacity building, infrastructure development, and institutional collaboration to maximize its potential and address existing challenges.

1. Legal Reforms: Need for Comprehensive Legislation

To provide a clear legal foundation and enhance user confidence, India requires **comprehensive legislation specifically addressing ODR**. Such laws should regulate the standards for data privacy, enforceability of ODR outcomes, platform accreditation, and ethical codes for online neutrals. This will reduce ambiguities and integrate ODR firmly within the existing dispute resolution ecosystem, aligning with India's commitment to digital governance and justice reform.³⁶

2. Institutional Support and Training

Building a **robust cadre of trained mediators, arbitrators, and technical experts** is essential. Institutional initiatives, supported by judicial academies and bar councils, must focus on continuous capacity building in digital skills, procedural protocols for ODR, and sector-specific knowledge. This will ensure professional standards and improve the quality and credibility of ODR services.

3. Bridging the Digital Divide

Addressing the **digital divide** is critical for equitable access to ODR. Government policies,

³⁵ Bar Council of India, *Guidelines on Online Dispute Resolution and Virtual Hearings* (2023) <https://barcouncilofindia.org> accessed 16 May 2025.

³⁶ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

supported by **Corporate Social Responsibility (CSR)** programs, should invest in improving rural internet connectivity, digital literacy, and affordable access to devices. Public awareness campaigns can encourage adoption among marginalized communities, ensuring inclusivity in the digital justice framework.

4. Encouraging Public-Private Partnerships

Sustainable ODR ecosystems benefit greatly from **public-private partnerships (PPPs)** that leverage governmental regulatory frameworks and private sector technological innovation. Such collaboration can facilitate resource sharing, enhance platform scalability, and ensure service quality, mirroring successful international models.

5. Judicial Push for Pre-Litigation ODR

The judiciary should actively promote ODR as a **mandatory pre-litigation step**, especially for civil and commercial disputes. This will reduce the burden on courts and encourage early settlement, aligning with judicial efficiency goals and the National ADR Policy. Courts can set procedural guidelines and encourage lawyers and litigants to embrace ODR as a first resort.³⁷

Conclusion

The evolution of **Online Dispute Resolution (ODR)** in India represents a transformative shift in the delivery of justice. This article has examined its development, legal framework, challenges, comparative models, and emerging trends. Key findings highlight that while India has taken meaningful steps through **judicial support, platform innovation, and pilot programs**, the journey toward mainstreaming ODR remains in its formative stages.

Importantly, ODR must be recognized not just as a technological upgrade but as a **tool for democratizing access to justice**, especially for underserved communities who face financial, geographical, or procedural barriers in conventional litigation. Its potential to reduce costs, expedite resolution, and decentralize dispute resolution processes makes it vital in a post-pandemic legal landscape.³⁸

³⁷ Centre for Online Dispute Resolution (CODR), *Policy Recommendations for Scaling ODR in India* (2023) <https://www.codr.co.in> accessed 16 May 2025.

³⁸ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021) <https://niti.gov.in> accessed 16 May 2025.

To realize this potential, **proactive regulatory, institutional, and infrastructural support** is imperative. A **dedicated legislative framework**, combined with investments in digital literacy, public-private collaboration, and training of neutrals, can ensure ODR becomes a credible, inclusive, and scalable alternative to traditional adjudication. With the right policy push, India can emerge as a global leader in technology-driven justice systems.³⁹

³⁹ Vidhi Centre for Legal Policy, *Catalyzing Online Dispute Resolution in India* (2021) <https://vidhilegalpolicy.in> accessed 16 May 2025.

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