



YourLawArticle

Open Access Law Journal, ISSN (O): 3049-0057

Editor-in-Chief – Prof. (Dr.) Amit Kashyap; Publisher – Reet Parihar

From Courtrooms To Clicks: Online Dispute Resolution And The Future Of Accessible Justice In India

Authored by:

Aarushi Aggarwal, LLM, School of Law, IILM University, Greater Noida, Uttar Pradesh

Published on: 24th February 2026

Abstract

The justice delivery system in India has been facing challenges such as judicial delays, increasing costs of litigation, and lack of accessibility to justice, especially in rural and disadvantaged sections of society. Online Dispute Resolution (ODR) has been identified as a technology-based platform that has the potential to revolutionise dispute resolution processes by making them faster, more affordable, and accessible. This paper will discuss the development, structure, and potential of ODR in India, specifically its application in improving access to justice. The paper will also discuss how the need for access to justice in India has led to the development of technology-based platforms for dispute resolution, shifting focus from grassroots justice mechanisms such as Lok Adalat's and legal aid services to technology-based platforms. The paper will analyse the benefits of ODR, including efficiency, convenience, flexibility, and unloading courts, while also discussing the challenges of implementing ODR, including digital literacy, infrastructure, enforceability, and data security. The paper will conclude by suggesting improvements to the ODR system in India and will also discuss the potential for developing a globally interoperable digital dispute resolution system.

Keywords - Access to Justice, Digital Justice Delivery, Alternative Dispute Resolution (ADR), Legal Technology in India, E-Courts and Virtual Hearings, Grassroots Justice Mechanisms

INTRODUCTION

Access to justice is a basic element of the rule of law. In India, the justice system is hampered by inherent limitations like the backlog of cases, the cost of litigation, procedural complexities, and accessibility. Conventional litigation is time- and cost-consuming, and this makes it inaccessible to common citizens.

To overcome the limitations of conventional litigation, alternative dispute resolution (ADR) methods like mediation, arbitration, and conciliation have been encouraged. The use of technology in these methods has given birth to Online Dispute Resolution (ODR), which allows disputes to be resolved online without the need to physically attend the venue.

ODR has gained popularity with the growing availability of the internet and the need for online justice. With the ability to facilitate communication, the submission of evidence, and the settlement process online, ODR has the potential to revolutionise the justice delivery system.

GRASSROOTS JUSTICE MECHANISMS AND NEED FOR DIGITAL TRANSFORMATION

India has always relied on community-based, participatory methods of dispute resolution—approaches that keep justice accessible, affordable, and in sync with the culture. These bottom-up methods emphasise reconciliation, harmony, and rapid resolution over prolonged courtroom litigation.

One of the key methods of this kind is the Lok Adalat system, which functions under the National Legal Services Authority (NALSA). Lok Adalats emphasise amicable solutions through mediation and compromise, allowing people to resolve disputes quickly without prolonged litigation. The informal, cost-effective, and binding nature of Lok Adalats makes them particularly effective in motor accident claims, family disputes, bank recovery cases, and public utility disputes.¹

In the past, Nyaya Panchayats and village councils functioned as local courts, dealing with petty civil and criminal cases in rural areas. They relied on social norms, local traditions, and collective decision-making, making justice culturally resonant and easily accessible. Although their formal role has been eclipsed, they remain a crucial example of decentralised justice.

¹ National Legal Services Authority, *Lok Adalat and National Lok Adalat Reports* (Gov't of India).

Legal aid services, administered by Legal Services Authorities under the Legal Services Authorities Act, 1987, aim to ensure that justice is not denied to the less affluent. Free legal aid, camps, and pre-litigation counselling help to resolve disputes early and alleviate the burden on courts.²

However, these grassroots methods face significant challenges. Access to these services may be difficult for people living in far-off or inaccessible areas or those with mobility impairments. There is also a lack of awareness about available remedies, especially among marginalised sections. Delays in administration, poor record-keeping, and a lack of standard procedure can also hamper efficiency and public trust.

Technology provides a game-changing solution to strengthen these methods: Online Dispute Resolution (ODR). Online platforms can facilitate remote participation, allowing people to mediate or conciliate without travelling long distances. Mobile dispute resolution platforms can also increase accessibility in rural areas where smartphone penetration is increasing. Electronic records, automated scheduling, and online documentation can enhance transparency, speed, and accountability.³

Technology can extend inclusivity through the provision of interfaces in various languages, audio-visual assistance, and easy procedures for those with low literacy levels. Through the combination of the traditional grassroots justice systems and technology, India can establish a hybrid dispute resolution mechanism that maintains grassroots legitimacy while enhancing accessibility and efficiency.

In this regard, the use of technology in grassroots justice mechanisms can bridge the gap between the formal justice system and grassroots justice, ensuring that justice is not only accessible but also within reach of all.

EVOLUTION AND CONCEPT OF ONLINE DISPUTE RESOLUTION

Online Dispute Resolution (ODR) emerged in the late 20th century as a solution to the conflicts that arose from online transactions. With the rapid growth of e-commerce and online trade across borders, the traditional methods of dispute resolution, which were slow, expensive, and

² Legal Services Authorities Act, No. 39 of 1987, Act of Parliament (India).

³ Department of Justice, Ministry of Law & Justice, *Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme* (Gov't of India).

location-dependent, became unsuitable for resolving disputes in online marketplaces. Initially, ODR was used to resolve consumer complaints and payment-related disputes in online marketplaces, allowing users to resolve their disputes quickly without involving courts.⁴

ODR has expanded beyond the realm of online shopping disputes. Currently, ODR resolves consumer complaints, small claims, financial disputes, insurance disputes, and even civil and contractual disputes. Its ability to resolve large numbers of low-value disputes makes it an ideal platform for online economies where millions of transactions take place daily. Today, ODR is recognised not only as an online business solution but also as a versatile approach to dispute resolution that is appropriate for today's legal frameworks.⁵

ADR is a wide umbrella that encompasses negotiation, mediation, and arbitration conducted outside the courts. ODR is the technology-driven next generation of these methods, utilising online tools to conduct disputes on secure online platforms. Negotiations can be done through online messaging, mediation through video conferencing or virtual rooms, and even arbitration conducted entirely online with electronic submission of evidence and online awards. Technology allows both synchronous and asynchronous communication, enabling parties to respond at their convenience.

The advantages of ODR extend beyond convenience. Online platforms provide for automated case management, secure storage of documents, real-time tracking of progress, and communication channels. These enhance efficiency, minimise procedural delays, and reduce costs associated with physical hearings and paperwork.

In India, the development of ODR is part of the government's efforts to adopt digital governance and simplify business. Efforts to develop digital infrastructure, encourage electronic transactions, and upgrade the judiciary have created a favourable environment for technology-driven dispute resolution. The judiciary's transition to e-filing and virtual hearings, together with the emergence of private ODR service providers, indicate a shift in the adoption of technology.

Courts, regulatory bodies, and even external platforms are now relying on technology to accelerate the process of dispute resolution, particularly in banking, e-commerce, and mobile

⁴ United Nations Commission on International Trade Law, *Technical Notes on Online Dispute Resolution* (2016).

⁵ Ethan Katsh & Orna Rabinovich-Einy, *Digital Justice: Technology and the Internet of Disputes* (Oxford Univ. Press 2017).

payment transactions. This indicates that there is an increasing awareness of the need to upgrade the traditional approach to the delivery of justice in the digital age.

In simple terms, ODR is the intersection of law and technology. It is the application of Alternative Dispute Resolution principles to the online environment, providing a quick, flexible, and more accessible means of resolving disputes in the highly connected world that we live in today.

FORMS, PROCESS, AND BENEFITS OF ODR

Online Dispute Resolution (ODR) is the application of online technology to facilitate the resolution of disputes without the need for the physical presence of the disputing parties. ODR applies technology to traditional Alternative Dispute Resolution (ADR) processes to make justice delivery faster and more accessible.

TYPES OF ODR

There are various procedural models of ODR depending on the type of dispute and the level of cooperation between the disputing parties.

1. **Online negotiation** is a direct communication process between the disputing parties using encrypted online platforms. The disputing parties engage in exchanges of proposals, clarification of issues, and reaching a mutually acceptable agreement without the assistance of a third-party neutral.
2. **Online mediation** involves the use of a third-party neutral mediator who helps the disputing parties reach a resolution of their dispute using online platforms, video conferencing, or online communication tools. The mediator helps the disputing parties communicate, find common ground, and reach a consensus while keeping the process confidential.
3. **Online arbitration** is a more formalised process involving an arbitrator who listens to the submissions of the disputing parties, examines electronic evidence, and makes a binding decision. The process can take place entirely online, including hearings, submissions, and the rendering of the award.

4. **Hybrid processes** involve a combination of negotiation, mediation, and arbitration. For instance, the parties may resort to negotiation, followed by mediation if there is no agreement, and finally arbitration if the negotiation process fails.

Process of ODR: The process of ODR starts with the electronic filing of claims, where the complainant files the details of the dispute online. The respondent is notified and responds online.

Communication takes place using secure messaging systems, video conferencing, or virtual hearing rooms. The parties also present electronic evidence in the form of emails, contracts, electronic payment records, or screenshots, which are stored securely for consideration.

The neutral facilitator or adjudicator reviews the submissions, holds virtual hearings if necessary, and facilitates the settlement process. If a settlement is reached, it is recorded in the form of an online settlement agreement, which is authenticated using digital signatures, thus making it enforceable.

BENEFITS OF ODR:

1. **Reduced Costs of Litigation-** In traditional litigation, costs are incurred in terms of court charges, attorney fees, travel, and other administrative costs. ODR has greatly reduced these costs by avoiding physical hearings and reducing procedural formalities. This allows litigants to litigate from the comfort of their homes or offices, thus saving both time and money.
2. **Fast Dispute Resolution-** In traditional courts, cases take months or even years to be resolved due to procedural delays and court backlogs. ODR has greatly improved this by using digital filing systems, scheduled online hearings, and simplified procedures that allow disputes to be resolved in days or weeks.
3. **Convenience and Flexibility-** ODR enables litigants to litigate at their convenience. Asynchronous communication systems enable litigants to respond without having to be present at the same time. This is particularly useful when litigants are in different time zones or have busy schedules.

4. **Reducing Court Backlogs-** ODR has the benefit of reducing court backlogs by allowing small and commercial disputes to be resolved outside the courts. This enables courts to handle complex disputes that require formal adjudication, thus improving the efficiency of the justice system.
5. **Accessibility to Remote Areas-** Persons in remote areas often face difficulties in accessing courts due to distance and infrastructure constraints. ODR has bridged this gap by allowing litigants to access the system using their smartphones or internet-enabled devices. This has greatly improved access to justice.
6. **Efficient Resolution of Small-Value Disputes-** Small-value disputes are often not pursued because of the cost of litigation, which is higher than the value of the dispute. ODR has provided a cost-effective solution to this problem by making it feasible to resolve consumer complaints, digital payment disputes, and e-commerce grievances.

In conclusion, ODR is a technology-based innovation in dispute resolution that has improved efficiency, affordability, and accessibility. By using technology to support traditional legal procedures, it has provided a viable solution to the challenges of justice delivery.

CHALLENGES IN IMPLEMENTATION

Despite the immense potential of Online Dispute Resolution to enhance access to justice, its successful implementation is hindered by a number of structural, technological, and legal difficulties.

1. **Digital Divide: Connectivity and Digital Literacy-** One of the most important factors that may hinder the implementation of ODR is the lack of equal access to good internet connectivity and digital technology. Many rural and semi-urban areas continue to face problems of unstable internet connectivity, lack of broadband connectivity, and lack of electricity. Even if internet connectivity is available, the lack of digital literacy to operate online platforms, upload documents, engage in video hearings, and understand online procedures may act as a significant barrier. Older litigants, people belonging to the economically weaker section, and those who lack formal education may find technology intimidating, thus hampering inclusivity, which is one of the most important promises of ODR.

2. **Enforceability of Online Settlements and Awards-** For ODR to gain popularity, online settlements and awards must possess clear legal enforceability. Although arbitration awards are enforceable under existing legal systems and mediated settlements may be reduced to a binding contract, there is a lack of clarity on the enforceability of online settlements and awards arrived at through online platforms. If litigants are not sure whether the online settlement or award would be recognised by courts and easily enforceable, they may be reluctant to opt for ODR.
3. **Data Protection, Privacy, and Cybersecurity Risks-** ODR platforms involve the processing of highly sensitive personal, financial, and business information, including contracts, identity information, financial information, and confidential communications. This raises concerns about data breaches, unauthorised access, and misuse of personal information. Lack of adequate cybersecurity measures may jeopardise confidentiality and may thus act as a deterrent to litigants.
4. **Unawareness and Distrust in Institutions-** Many people and small businesses are not aware of the benefits of online dispute resolution (ODR). The traditional dispute resolution process is deeply embedded in the legal mindset, and court appearances are considered the badge of honour and justice. Lack of awareness, distrust of online processes, concerns about objectivity, and fear of online manipulation may hinder the progress of ODR.
5. **Resistance to Change in the Legal World-** The transition from paper and court-based processes to online platforms requires a change in lawyers, judges, and dispute resolution practitioners. Some people may resist the change due to a lack of familiarity with technology, a fear that technology may disrupt the legal system, or a loss of control over the process. Capacity building, training, and technical assistance are essential to ensure a seamless integration into the existing justice infrastructure.

In conclusion, although ODR indicates the direction towards faster and more accessible justice, its success depends on filling the infrastructure gap, improving enforceability, protecting data, and gaining public trust. Overcoming these obstacles is critical to develop an inclusive and reliable digital dispute resolution environment.

LEGAL FRAMEWORK AND POLICY DEVELOPMENTS IN INDIA

India is quietly but surely building the foundation for Online Dispute Resolution (ODR) in the legal and institutional framework of the country. Although there is no single law exclusively for ODR, a combination of existing laws, judicial efforts, and policy concepts provides a framework for technology-based dispute resolution.

- 1. Draft ODR Policy (2020) and Institutional Initiatives-** The Draft ODR Policy Plan, developed with support from NITI Aayog, emphasises the use of digital platforms to increase access to justice, particularly for low-value disputes, e-commerce, and financial disputes. The policy requires standardisation of processes, certification of ODR service providers, integration with court systems, and development of user-friendly online interfaces. The policy also emphasises capacity building, high data security standards, and public awareness to promote trust in digital dispute resolution.⁶
- 2. Recognition of Electronic Records and Digital Signatures-** The Information Technology Act, 2000, provides the legal foundation for online transactions by recognising electronic records and digital signatures. This recognition facilitates online filing of claims, electronic filing of evidence, and authentication of settlement agreements. The Act's recognition of digital documents and communications ensures that online dispute resolution takes place in a legally recognised environment.⁷
- 3. Arbitration Law and Online Proceedings Flexibility-** The Arbitration and Conciliation Act, 1996 (amended in 2015 and later), favours flexibility and party autonomy in arbitration. The law does not mandate physical presence for arbitration, which allows for online dispute resolution through electronic communication, virtual arbitration, and online document submission. This flexibility in arbitration makes it particularly suitable for online dispute resolution, especially in commercial and international disputes.⁸

⁶ NITI Aayog, *ODR: Shaping the Future of Online Dispute Resolution in India* (2021).

⁷ Information Technology Act, No. 21 of 2000, Act of Parliament (India).

⁸ Arbitration and Conciliation Act, No. 26 of 1996, Act of Parliament (India).

4. **Judicial Support for Digital Justice and Mediation-** The Indian judiciary has been actively encouraging mediation, ADR, and technology to reduce the backlog of cases and increase efficiency. The judiciary's adoption of virtual arbitration, which became a reality during the COVID-19 pandemic, proved the success of technology-assisted adjudication. The judiciary has also encouraged settlement-oriented mechanisms to expedite dispute resolution and alleviate the burden of litigation.

In the Supreme Court decisions of Salem Advocate Bar Association vs. Union of India and Afcons Infrastructure Ltd. vs. Cherian Varkey Construction Co., the takeaway is clear: mediation and other forms of Alternative Dispute Resolution (ADR) are strong tools that can speed up processes, lighten the load on courts, and facilitate settlements. These judicial decisions publicly support the use of technology-driven ADR, and this laying of groundwork naturally leads to Online Dispute Resolution (ODR).

5. **The e-Courts Mission and Digital Justice Infrastructure-** The Indian judiciary, in collaboration with the government, has implemented the e-Courts Mission Mode Project. It has transformed court systems with functionalities such as online filing, remote hearings, digital case management, and convenient online access to orders and judgments. This digital infrastructure is critical for integrating ODR into the mainstream of formal justice systems.⁹

The evolution of ODR in India is not sudden but rather evolutionary. With the recognition of electronic records in law, the flexibility of arbitration rules, and the promotion of policies that support digital justice—in addition to judicial support for mediation and technology-assisted justice—the country is creating a positive foundation for ODR.

INDIAN INITIATIVES AND INSTITUTIONAL DEVELOPMENT

India is emerging as a progressive and technology-friendly dispute resolution adopter. To increase access to justice and reduce judicial delays, both government and private initiatives have contributed to the development of Online Dispute Resolution (ODR) in the country.

1. **E-Lok Adalats and Digital Settlement Drives-** The COVID-19 pandemic forced the closure of physical court activities, leading to a need for online platforms to resolve disputes. In this scenario, courts and legal service authorities introduced e-Lok Adalats, which

⁹ eCourts Mission Mode Project, *Phase II & Phase III Policy Reports* (Gov't of India).

enabled the resolution of disputes through video conferencing and online platforms. The online settlement platforms allowed parties to resolve disputes remotely while maintaining the conciliatory approach of Lok Adalats.

The state legal service authorities cleared thousands of cases in a single day through e-Lok Adalats, which dealt with motor accident claims, bank recovery cases, matrimonial disputes, and compoundable criminal cases. The initiative demonstrated that technology can significantly reduce the time required for dispute resolution, lower travel expenses, and streamline administrative processes. The success of e-Lok Adalats suggests that technology can efficiently resolve high-volume, low-complexity disputes.¹⁰

- 2. The Role of Private ODR Platforms-** Parallel to these public initiatives, private ODR platform providers have played a crucial role in the institutionalisation of digital dispute resolution. Sama, Presolv360, and CADRE ODR are some of the platforms that have created a digital framework for negotiation, mediation, and arbitration.

These platforms are widely employed by banks, non-banking financial companies (NBFCs), fintech companies, and e-commerce companies to resolve a high number of disputes, including loan defaults, digital payment disputes, consumer complaints, and small-scale contractual disputes. By automating case filing, facilitating secure communication, and providing online settlement agreements, these platforms have reduced the time and cost of dispute resolution while increasing customer satisfaction.

Private ODR platforms also contribute to standardising procedures, maintaining confidentiality through secure digital platforms, and scaling up dispute resolution. The increasing use of private ODR platforms indicates that the institutional establishment is increasingly trusting technology-based justice delivery systems.

- 3. Policy Support and Institutional Vision-** The policy framework, which has been developed with the support of NITI Aayog, emphasises the potential for transformation of ODR in the justice delivery system of India. The policy emphasises the need for integration

¹⁰ Supreme Court of India, *Reports on Case Pendency and ADR Promotion* (Sup. Ct. India).

of ODR with the judicial system, capacity building among legal practitioners, and developing secure and user-friendly platforms.

ODR is about more than simply finding a solution to unclog courts; it provides opportunities for people and small businesses who may be hesitant to pursue a lawsuit because it is expensive and complex. ODR allows courts to focus on the harder cases that set important precedents by resolving many small, everyday disputes quickly.

4. **Expanding Access to Justice Through Technology-** The combination of e-Lok Adalats, private ODR platforms, and progressive policies indicates that India is on its way to a technologically enabled justice system. This is a positive indication of how technology can be used in conjunction with existing systems to increase efficiency and make justice more accessible to a broad range of people.

As technology increases and awareness grows, courts and institutions are likely to implement ODR, and this could make India a leader in the world of innovative dispute resolution.

JUDICIAL RECOGNITION AND KEY CASE LAW

The Indian judiciary has been encouraging tech-enabled processes and alternative dispute resolution methods to increase efficiency, reduce pendency, and increase access to justice.

1. **State of Maharashtra v. Dr Praful B. Desai (2003) 4 SCC 601**

Issue: Does the recording of evidence through video conferencing satisfy the requirement of recording in the presence of the accused under the criminal procedure law?

Held: The Supreme Court held that evidence recorded through video conferencing is valid and satisfies procedural requirements. It emphasised that the adoption of technological advancements is necessary for the dispensation of justice and that “presence” does not necessarily imply physical presence in the courtroom.

Importance:

- a) Validated video conferencing in court cases.
- b) Paved the way for virtual court hearings and online evidence recording.

- c) Encouraged technology-enabled dispute resolution and online dispute resolution (ODR) systems.

2. **Meters and Instruments Pvt. Ltd. v. Kanchan Mehta (2018) 1 SCC 560¹¹**

Issue: Are cheque dishonour cases under Section 138 of the Negotiable Instruments Act suitable for simplified and settlement-centric procedures?

Held: The Court emphasised that offences under Section 138 are mainly compensatory and encouraged compounding and settlement at the earliest opportunity. It advised courts to resort to summary procedures and encourage settlement for immediate resolution.

Importance:

- a) Encouraged settlement-centric resolution in high-volume financial disputes.
- b) Supported technology and simplified procedures in cheque dishonour cases.
- c) Reiterated the need for efficiency and dispute resolution outside traditional trial procedures.

3. **Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (2010) 8 SCC 24**

Issue: Interpretation and application of Section 89 of the Code of Civil Procedure in referring disputes to ADR processes.

Held: The Supreme Court of India clarified the kind of cases suitable for ADR and encouraged courts to actively facilitate mediation, arbitration, conciliation, and settlement as appropriate. The decision emphasised that ADR can reduce delays and facilitate amicable dispute resolution.

Importance:

- a) Helped to facilitate the referral of cases to ADR.
- b) Enhanced mediation as a preferred alternative dispute resolution process.
- c) Implicitly endorses online dispute resolution (ODR) as an application of technology to ADR.

¹¹ World Bank, *Justice and Development Reports on Digital Dispute Resolution* (World Bank).

4. **Salem Advocate Bar Association v. Union of India (2005) 6 SCC 344**¹²

Issue: Legality and implementation of procedural changes through CPC amendments, including ADR processes.

Held: The Court declared the constitutional validity of Section 89 CPC and approved ADR processes as a means to reduce congestion in courts. The Court ordered courts to facilitate settlement procedures such as mediation and conciliation to increase judicial efficiency.

Importance:

- a) Formalised ADR in the civil justice system.
- b) Encouraged courts to follow settlement-focused procedures.
- c) Enhanced the policy foundation for future adoption of ODR.

IMPACT AND RECENT TRENDS

The Indian judiciary is buzzing with a massive pendency from trial courts to the High Courts and the Supreme Court. Protracted litigation not only delays relief but also incurs costs—both tangible and intangible to the litigants. In this scenario, Alternative Dispute Resolution (ADR) has emerged as an essential auxiliary to the judicial system. Mediation, conciliation, arbitration, and Lok Adalats provide faster, less adversarial, and cheaper alternatives to resolve disputes, particularly those relating to money claims, family disputes, and small civil matters.

One of the most notable institutional initiatives in this area is the National Lok Adalat scheme administered by the National Legal Services Authority (NALSA). National Lok Adalats are organised periodically across the country to facilitate amicable resolution of pending and pre-litigation disputes. They deal with a wide range of disputes—motor accident compensation claims, bank recovery suits, matrimonial disputes, labour matters, and compoundable criminal offences. Annually, these Lok Adalats dispose of millions of cases through settlements, reducing court pendency and providing immediate relief to the litigants.

In recent years, settlement drives and Lok Adalat campaigns targeting specific types of disputes have managed to resolve hundreds of thousands of cases in one go, often involving significant

¹²Salem Advocate Bar Ass'n v. Union of India, (2005) 6 S.C.C. 344 (India).

compensation in motor accident and insurance cases. Such initiatives quicken the pace of dispute resolution and facilitate consensual settlements, reducing the judicial burden of adversarial cases.

Apart from conventional ADR, technology-assisted dispute resolution is gaining acceptance as a means to improve efficiency and accessibility. Remote hearing, e-filing, and Online Dispute Resolution (ODR) systems enable individuals to resolve their disputes without entering a courtroom. This is particularly beneficial for individuals in far-off locations, small businesses handling a huge number of claims, and consumers in online markets.

Technology-assisted dispute resolution reduces procedural time, reduces travel and documentation expenses, and facilitates flexible timing. By shifting non-contentious and small-value disputes away from the mainstream judicial stream, technology tools enable courts to concentrate on more complex and precedent-setting disputes. They also increase transparency, facilitate real-time monitoring of cases, and improve formalised communication between parties.

The increasing use of technology in dispute resolution is part of a larger trend to modernise justice delivery. As technology infrastructure develops and awareness increases, technology-assisted ADR and ODR have the potential to reduce the judicial burden while ensuring that justice is accessible and delivered promptly to a wider section of society.

FUTURE OF ODR AND NEED FOR GLOBAL FRAMEWORK

The manner in which we dispense justice is becoming more and more linked to digital transformation, and Online Dispute Resolution (ODR) is poised to take a prominent place in this. As more and more shopping, communication, and living take place online, the disputes that arise out of these activities require rapid, global, and technology-savvy solutions to resolve them. ODR provides a paradigm that is suited to a digital world by combining the fundamentals of law with efficient technology.

➤ **Enhancing digital infrastructure-** The future of ODR depends on robust digital infrastructure. High-speed internet, secure cloud storage, and user-friendly platforms are essential for seamless engagement. Developing digital infrastructure enables real-time hearings, secure document exchange, and accessible dispute resolution services for both urban and rural areas. If robust digital infrastructure is not developed, the potential of digital justice cannot be fully realised.

- **Enhancing digital knowledge and inclusion**- To make ODR effective, people need to have basic digital literacy. This includes the ability to access online platforms, upload files, participate in online hearings, and follow digital processes. Governments and institutions need to provide digital literacy training to ensure that vulnerable groups, such as those in rural areas and older people, are not left behind. Improved design, language support, and simpler processes can also improve accessibility.
- **Regulatory Clarity and Standardisation**- With the increasing use of ODR, there is a need for regulatory clarity to ensure that ODR is fair, accountable, and enforceable. Standardised processes, accreditation of ODR service providers, ethical standards, and data protection policies are required to ensure public confidence. There is a need for regulatory clarity on digital consent, electronic signatures, and the enforcement of online dispute resolution agreements to ensure the enforceability of ODR agreements and outcomes.
- **Cross-Border Dispute Resolution**- Online business and services often involve parties from different countries, making dispute resolution processes complicated and costly. ODR provides an effective solution by allowing cross-border dispute resolution through online platforms. However, variations in legal systems, enforcement procedures, and jurisdictional rules create challenges. International standards and frameworks are critical in ensuring that ODR agreements are recognised and enforceable across borders.
- **Towards a Global ODR Framework**- With online transactions going across borders like never before, there is definitely a need for a global framework for online dispute resolution (ODR). Organisations such as UNCITRAL already recommend harmonised and interoperable methods for online dispute resolution. A global framework will provide standardised processes, allow multiple platforms to interact with each other, and ensure that cross-border disputes remain transparent and unbiased. This will benefit consumers, businesses, and the legal system by providing a predictable and efficient means of resolving disputes, irrespective of their geographical location.¹³

¹³ United Nations Commission on International Trade Law, *Technical Notes on Online Dispute Resolution* (2016).

➤ **India's Role in Digital Justice-** India has the potential to be a leader in digital justice because of its developing digital infrastructure, huge user base, and a focus on enhancing access to justice. By integrating ODR into legal services, consumer complaints, banking disputes, and e-commerce, India has the potential to develop a scalable and inclusive model for dispute resolution. Initiatives in digital governance and judicial reforms provide a sound foundation for mainstreaming ODR. With the right policy focus, technology investment, and public awareness, India has the potential to be a leader in the implementation of ODR worldwide, demonstrating how technology can improve the efficiency, accessibility, and fairness of justice.¹⁴

The future of dispute resolution is likely to be characterised by accessibility, technology, and global compatibility. Developing robust digital infrastructure, enhancing digital literacy, implementing regulatory protection, and promoting global collaboration will be crucial to realising the full potential of ODR. With careful implementation and innovation, ODR has the potential to transform the justice system into one that is efficient, inclusive, and globally networked.

CONCLUSION

Online Dispute Resolution (ODR) is a true paradigm shift in the way justice is delivered in the present day. As more and more people use online chats, online transactions, and online communication, the way disputes are resolved needs to change—faster, cheaper, and more accessible. By combining technology with the best of Alternative Dispute Resolution, ODR provides a solution for resolving disputes that bypasses the delays and costs of traditional courts.

The transition from physical courtrooms to online platforms is a significant institutional change. ODR introduces online filing, online hearings, and online submission of evidence, enabling disputes to be resolved without the travel, formalities, and lengthy litigation cycles that characterise traditional courts. This is particularly important in a country such as India, where court congestion impedes the delivery of timely relief to persons seeking justice. By diverting routine, low-value, high-volume cases away from traditional courts, ODR enables the judiciary to concentrate on more complex and precedent-setting cases.

¹⁴ World Bank, *Justice and Development Reports on Digital Dispute Resolution* (World Bank).

However, the implementation of ODR is not without challenges. Structural issues such as the digital divide, poor internet connectivity, and a lack of digital literacy skills may see some sections of society, particularly rural and poorer communities, left behind. Concerns about data security, cybersecurity, and the enforceability of online settlements must be addressed through robust regulatory frameworks and technology. Public knowledge and confidence in institutions are also critical to the adoption of digital dispute resolution.

However, the incorporation of ODR into the justice system in India offers tremendous potential. When combined with neighbourhood dispute resolution centres, legal aid services, and community justice initiatives, ODR has the potential to significantly expand access to justice. It will empower those who may otherwise forgo legal recourse due to expense, distance, or complexity.

In the end, the future of justice in India will depend on finding the right balance between innovation and technology, and inclusivity, certainty, and public trust.

YourLawArticle

ISSN (0)
3049-0057

WRITE WHAT YOU ASSERT