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ONLINE DISPUTE RESOLUTION (ODR) AND ACCESS TO JUSTICE IN INDIA

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I. ABSTRACT

Another revolutionary tool that can reinvent the access to justice contours in India is Online Dispute Resolution (ODR). ODR is a technologically viable and scalable alternative to judicial pendency, which in a country where traditional courts continue to be plagued by procedural backlog, geographical access, and litigation prohibitiveness, is out of proportion with over five crore cases case pendency. The fast growth of digital infrastructure, which occurs due to such efforts as Digital India, the spread of fintech services, and the development of e-commerce, has caused an increase in the number of conflicts that have to be effectively resolved in a short period of time. It is against this background that ODR can democratise the process of justice especially in matters of small value claims, consumer disputes, MSME conflicts, and cross border transactions. Nevertheless, ODR in India is at its inception. The lack of a specific statutory framework, unequal digital literacy, privacy and data protection concerns, a lack of standardisation of the processes and the digital gap still hamper its acceptance. The importance of ODR has been recognized in judicial pronouncements, reports on government policies, and institutional pilots, but more formal methods of integrating it with formal justice systems are suggested to be necessary. New legal contexts are forming with the introduction of the Digital Personal Data Protection Act, 2023, and the continued institutional transformation, which require the attention of scholars. This research paper is a critical review of how ODR is associated with access to justice in India. It discusses the development, models, institutional growth, regulatory issues and world practices. Moreover, it reviews the implication of AI-based dispute resolution and whether ODR can address traditional adjudication in any meaningful way, or replace or change it. The paper ends with solid suggestions to be addressed to make ODR a valid, safe, and inclusive justice dispensing tool. These findings

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indicate that although ODR cannot substitute courts, it can very well supplement the justice system should they be backed by sound legal and technological systems.

II. KEYWORDS

Online Dispute Resolution (ODR); Access to Justice; Digital Courts; Alternative Dispute Resolution; Technology and Law.

III. INTRODUCTION

The provision of access to justice has been a promise under the Constitution of India which includes Articles 14 and 21. However, the Indian justice delivery system is still fighting under the burden of huge pendency, structural constraints, and complexity. The growth of the digital economy and the concentration of minor value, large-volume conflicts require new types of justice delivery. ODR has become one of the potent tools that can decentralise and democratise the process of resolving disputes using digital platforms, asynchronous communication, and algorithmic tools.

Conventional courts (physical adjudication) are not abreast with the demands of the times, and there is therefore a transition to Alternative Dispute Resolution (ADR). In this context, Online Dispute Resolution (ODR) as a phenomenon that is characterized as the application of digital platforms to mediate, arbitrate, and negotiate has become prominent, particularly after COVID-19. ODR is the ADR with the advent of the digital generation.² ODR is made possible with the use of technologies such as artificial intelligence (AI), blockchain, and video conferencing, so that the negotiation, mediation, and arbitration process can be completed fully online.

It goes beyond the conventional dispute resolution by enabling legal empowerment by providing preemptive mechanisms such as AI-based compliance systems and providing dispute avoidance by means of smart contracts. Other platforms such as eBay (resolving 60 million cases of buyer-seller conflicts per year via automated negotiation) and the

² Vidhi Centre for Legal Policy, ODR: The Future of Dispute Resolution in India (2020) 12.

Uniform Domain-Name Dispute Resolution Policy (UDRP) offered by ICANN have proven worldwide the efficiency and scalability of ODR in solving large-volume cases. In India, the adoption of it has been founded on legislative milestones like the Information Technology Act (2000), and the Consumer Protection Act (2019).

The research question that this paper seeks to answer is the difference that exists between the potentiality of ODR and its current application in the India legal system. Although the government and judiciary in India have recognized the need to use technology in reforming the legal sector, institutional and regulatory frameworks are still poor. The key question that can be answered is: can ODR play any meaningful role in increasing access to justice in India and what legal, technological, and procedural obstacles need to be overcome to accomplish this goal.

A. RESEARCH OBJECTIVES

- To study the concept, evolution and models of ODR in India.
- To examine how ODR and access to justice are related.
- To determine the efficiency of the current legal and institutional environments of ODR.
- To determine the technological, socio-legal and regulatory issues that are impeding ODR adoption.
- To provide suggestions on how ODR can be enhanced as a mainstream system of dispute resolution.

B. RESEARCH QUESTIONS

- What are key legal, technological, and institutional issues that impact on the adoption of ODR?
- What is the comparison of the ODR framework in India and the popular world ODR models?

C. RESEARCH HYPOTHESES

- ODR increases access to justice by making it cheaper, faster and more simplified.
- Lack of a well-developed statutory framework is one of the greatest impediments to the successful implementation of ODR in India.
- The lack of digital literacy and infrastructural disparities are serious reasons that curtail the fair use of ODR.

D. RESEARCH METHODOLOGY

The methodology of the research will be a qualitative doctrinal study filled with the components of empirical observation to comprehend the interface between Online Dispute Resolution (ODR) and access to justice in India. The doctrinal part will entail a detailed analysis of the main legal sources, such as the statutes such as the Information Technology Act, 2000, the Arbitration and Conciliation Act, 1996 (as amended), and the current policy tools such as the ODR policy recommendations by the NITI Aayog and other governmental guidelines.

Supreme Court and other High Courts judicial case law has been critically examined to show the development of ODR jurisprudence and judicial attitude to technology-facilitated dispute resolution methods. The study also is based on secondary resources, which include books, peer-reviewed journal articles, government reports, bar council journals, international standards (UNCITRAL Technical Notes on ODR), and comparative legal literature. This literature is made to draw theoretical conclusions and compare the progress of India to any other part of the world. Besides the analysis of the doctrines, an observational method is added through the analysis of operational models of the leading ODR platforms operating in India such as SAMA, Presolve360, CADRES, and AGAMI-supported pilots.

Data and case studies available publicly, and outcomes reported through the platform have been consulted to gain an insight into user experience, efficiency, and the systematic

issues. The interpretation of doctrinal and empirical results is performed through a socio-legal lens in order to make sure that such aspects as digital literacy, linguistic accessibility, gendered barriers, and infrastructural constraints are taken into consideration.

E. LITERATURE REVIEW

The available literature on ODR and access to justice is indicative of a fast growing though uneven academic discipline. The initial research has mostly concentrated on the theoretical background of ODR with references to technological dispute resolution theories of scholars like Ethan Katsh and Orna Rabinovich-Einy, who state that online platforms have the potential to transform the process of dispute resolutions by uniting efficiency, transparency, and user-friendliness.

The Indian scenario has witnessed a tremendous growth in literature over the past one decade. There is a discussion of the feasibility of ODR as outlined by India with a huge case backlog, Internet penetration, and ineffectiveness of its institutions. Some articles indicate that the judicial system in India with nearly five crore backlog cases needs mechanisms that are technologically advanced to reduce the workload in the courts. Basic policy principles are presented in the government publications and ODR report by NITI Aayog with the necessity to have trust, security, inclusivity, and standardisation in ODR ecosystems.

Systemic issues such as digital divides, uneven access to the internet, absence of consistent procedural guidelines, and issues of enforceability and privacy of data have also been brought to the fore in academic writings. Certain researchers assert that despite the fact that ODR can enhance efficiency, it also has the propensity to cause replication of pre-existing inequalities unless there are strong safeguards.

In his masterpiece book titled *Mediation: Practice and Law - The Path to Successful Dispute Resolution*, Sriram Panchu gives a very profound understanding of the theoretical basis and practical use of mediation. Panchu especially points out the

transformative nature of the mediators to maintain relationships through embracing collaborative and interest-based negotiation.³

In their authoritative text *The Law and Practice of Arbitration and Conciliation*, O.P. Malhotra and Indu Malhotra explore doctrinal and procedural aspects of ADR in India. The authors critically examine judicial precedents which influenced the jurisprudence of arbitration and reflect on the changing judicial approach to it as interventionist or pro-arbitration, contributing to the party autonomy and the finality of the award. Their contribution to the study is still an important source of information about the intersection of ADR and Indian law.⁴

Julian D. M. Lew, Loukas A. Mistelis and Stefan Kroll presents very useful comparative information that can be applied into the Indian ADR context. In spite of being worldwide in its approach, the book provides a comprehensive discussion on procedural models, institutional rules, and enforcement system across jurisdictions. Their discussion adds value to the realization of how India can make itself consistent with the international best practices to promote its position as a preferred hub in arbitration.⁵

Comparative law shows that India is still in transition as compared to the jurisdictions such as the UK, EU and Singapore where institutionalised ODR models such as the Online Civil Money Claims system in the UK and the Community Dispute Resolution Tribunals in Singapore have proven to be measurably successful. Such studies all around the globe are useful in discovering the best practices associated with platform design, standardised ethics as well as integration with formal courts.

Artificial intelligence-based ODR, automated negotiation systems, data governance, and data standards in the literature also gain more and more ground. There is, however, a

³ Sriram Panchu, *Mediation: Practice and Law – The Path to Successful Dispute Resolution* (LexisNexis Butterworths 2011).

⁴ O.P. Malhotra & Indu Malhotra, *The Law and Practice of Arbitration and Conciliation* (2nd ed., LexisNexis Butterworths 2006).

⁵ Julian D.M. Lew, Loukas A. Mistelis & Stefan Kröll, *Comparative International Commercial Arbitration* (Kluwer Law International 2003)

common belief among scholars that India needs to implement a unified regulatory system and integrate constitutional principles in technological systems so that ODR does not in fact increase access to justice but is instead another means of digitalising procedural complexity.

IV. EVOLUTION OF ODR AND ACCESS TO JUSTICE JURISPRUDENCE IN INDIA

The history of Online Dispute Resolution (ODR) development in India should be perceived against the background of the long-standing issue that the country grapples with the intricacies of the traditional adjudication. The normative foundation of discussion of innovative, technology-oriented justice delivery models is the constitutional mandate of access to justice, viewed broadly by the Supreme Court. Early jurisprudence, e.g. *Hussainara Khatoon v. home secretary, State of Bihar*,⁶ stressed that the access to timely justice is a fundamental element of Article 21. When pendency increased to levels never seen before, the judiciary and policymakers started considering the necessity of technology that plays a crucial role in addressing systemic gaps.

ODR conceptual basis in India started to form with the establishment of information and communication technology in court procedures. ODR as a specific mechanism was a relatively unexplored area, but the e-Courts Mission Mode Project was launched in 2005 and its mission statement was to digitalise the court operations. The emergence of commercial digital platforms, escalating e-commerce, and the growing dependence on electronic contracts established an immediate desire to have a dispute resolution mechanism that can address the large number of low-value disputes.⁷

The COVID-19 pandemic turned out to be a change of course. Online hearings, e-filings and virtual courts proved that technology could maintain the judicial operations even in cases when emergency conditions took place. It enabled the ODR acceptance by legal

⁶ 1979 SCR (3) 532

⁷ E-Courts Mission Mode Project, <https://ecommitteesci.gov.in/project/brief-overview-of-e-courts-project/>, (accessed on 27 November 2025).

practitioners, institutions and disputing parties. Policy thinks tanks, including NITI Aayog, started influencing the creation of national ODR ecosystem and, as a collaborative approach, they suggested a structure that included private ODR providers, government organizations, and industry stakeholders.

Therefore, the development of ODR in India is the manifestation of the broader change in the justice delivery model, which is to decrease the procedural load and enhance the availability. The move towards physical courts being replaced by hybrid and digital is also a pointer of the fact that the traditional mode of operation does not have the capacity to cope with the needs of a fast-growing digital society.

V. ODR GOVERNANCE BY LEGAL AND INSTITUTIONAL FRAMEWORK

The impact of mainstream cultural and social norms in any process cannot be resolved with a simple blanket of universalizing draw over ODR platforms. Human factors are in all places. The online platform and technological process is not invented by AI, and it is a human creation. The ethical considerations include the neutrality of the third party, implicit/unconscious bias, and racial profiling are all ethical issues, which also bring their ugly heads to ODR, which have consequences regarding access to justice. The drawbacks of the conventional litigation extended the duration, astronomical expenses and adversarial hard and fast encouraged the global acceptability of Alternative Dispute Resolution (ADR) in the 20th century.

The Arbitration Act, 1940, however, brought about the use of arbitration as an official system in the country, though it did not help in resolving disputes in India, due to its inherent inefficiencies, such as long process and judicial interference. The Arbitration and Conciliation Act, 1996 which is based on the UNCITRAL Model Law brought a paradigm shift in institutionalizing arbitration and mediation.⁸ This Act focused on party

⁸ Legal 500. "Resolving Disputes Virtually: An Analysis of Position in India." Accessed [Date]. <https://www.legal500.com/developments/thought-leadership/resolving-disputes-virtually-an-analysis-of-position-inindia/>. (accessed on 27 November 2025).

autonomy, low intervention of courts, and binding of awards which matched Indian ADR framework with the international standards.

As in landmark cases such as *Guru Nanak Foundation v. Rattan Singh* (1981)⁹ spotlighted the structural defects and the Supreme Court decried that arbitration had become a second appeals courts system because it was too cumbersome. This criticism highlighted the necessity of changes that would help to reversibrate the initial intent of ADR, which is providing quick and cheap justice. With time, ADR was extended to mediation, conciliation and Lok Adalats and this provided the basis of the development of ODR as it created a culture of out-of-court settlements.¹⁰

Even though India is yet to have a specific statute governing ODR solely, the legal framework in place is a strong contributor to the establishment of this practice. Electronic records, digital signatures, and online communication, which are vital in ODR proceedings, are legitimized by the Information Technology Act, 2000. One of the acts that indirectly facilitate online arbitration is the Arbitration and Conciliation Act, 1996, as at the amendments of 2015 and 2019, electronic communication is recognised in relation to arbitration agreements and notices.

The Mediation Act, 2023 is a step forward as it officially recognizes the online mediation and the parties can now carry out proceedings electronically. The Act focuses on confidentiality and party autonomy and enforceability of mediated settlements, which are essential in online mechanisms too. Judicial pronouncements have been acquired to get institutional recognition. In *M/S Patil Automation Pvt. Ltd. v. Rakheja Engineers*¹¹, the Supreme Court has given emphasis on pre-litigation mediation such as online mode

⁹ *Guru Nanak Foundation v. Rattan Singh & Sons*, (1981) 4 SCC 634

¹⁰ Schmitz, Amy J. "Expanding Access to Remedies through E-Court Initiatives." *Washington University Journal of Law & Policy* 67 (2022): 65-128.

https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=2166&context=law_journal_law_policy. (accessed on 27 November 2025).

¹¹ (2022) 10 SCC 1

especially in commercial disputes. The observations made by the Court were evidence of its desire to include ODR in the normal dispute resolution methods.

Both governmental and non-governmental efforts are also boosting ODR institutionally. E-Lok Adalats have been tested by the National Legal Services Authority (NALSA) and customized contractual, consumer, and financial dispute services are available on privately operated ODR platforms. Together, these structures establish a semi-formal regulatory framework, but there are still loopholes in the process of standardising procedures, providing accountability, and harmonisation of laws amongst jurisdictions.¹²

VI. ODR PLATFORMS TECHNOLOGICAL ARCHITECTURE AND OPERATIONAL MODELS

ODR is considered to work at the cross-section of technology and dispute resolution and therefore its technological support is at the center of its functionality. A majority of ODR solutions follow a modular design comprised of secure communication algorithms, case management tools, and storage of digital evidence, as well as automated timescales. These platforms usually incorporate video-conferencing solutions to hearings, chat-based negotiation interfaces, and digital signature solutions to settlements.

There are three main models of ODR systems in operation in India, namely, negotiation, mediation, and arbitration. With automated negotiation tools, parties can place offers and counter-offers anonymously, and the system recommends the best settlements that can be made, according to the parameters that it has been set up to. In online mediation, human mediators make dialogue between each other possible via virtual meetings or even through an asynchronous conversation via text messages. Online arbitration mimics the traditional arbitration with the difference that it provides flexibility in the procedure and electronic document administration.

¹² DESIGNING THE FUTURE OF DISPUTE RESOLUTION - THE ODR POLICY PLAN FOR INDIA, <https://www.niti.gov.in/sites/default/files/2023-03/Designing-The-Future-of-Dispute-Resolution-The-ODR-Policy-Plan-for-India.pdf> accessed on 27 November 2025)

The use of Artificial Intelligence (AI) in ODR processes is becoming a reality. The AI tools will help in case triage, problem detection, the creation of negotiation possibilities, and settlement probability models. Such systems increase the efficiency but raise the issue of explainability, algorithmic fairness, and possible biases. Another essential element is cybersecurity and data protection. These are now the standards such as encryption, multi-factor authentication, secure servers, and adherence to the Digital Personal Data Protection Act, 2023.

To make the records confidential, to guarantee integrity and to guarantee accessibility, the ODR providers should ensure trust among the users. ODR also relies on the greater national digital infrastructure in its technological ecosystem. India has high potential as the smartphone penetration, internet connectivity, and digital payment systems have greatly improved, which makes the country well-prepared to adopt ODR. However, unequal access to digital literacy and connectivity problems continues, which is impacting equal opportunities.

VII. IMPORTANT OBSTACLES: PROCEDURAL, TECHNOLOGICAL, AND SOCIO-LEGAL OBSTACLES

ODR despite its promise has a number of structural challenges which hamper its extensive implementation in India. In procedural terms, there are no standardized criteria on how ODR processes are carried out and so there has been a discrepancy in quality. There are still concerns on whether online proceedings are legal or not, whether or not settlements are enforceable, and jurisdictional issues in cross-border litigation.

Cybersecurity risk is a significant issue, technologically. ORD platforms are in jeopardy because of data breaches, unauthorized access, and algorithm manipulation. Most systems do not have powerful audit trails, machine-learning transparency, and redressal procedures in case of technological failures. ODR is further complicated by the socio-legal barriers. Indian households do not have consistent access to digital technology, with over 40% living without it, with a higher proportion of rural people, women, the elderly, and

those in the economically disadvantaged bracket. The lack of digital literacy decreases the level of user confidence and can establish power dynamics between technologically savvy and disadvantaged parties.

The other major obstacle is trust. Still, a lot of litigants tend to perceive justice in the official courtroom and might be unwilling to trust digital tools. Lawyers are afraid that ODR can diminish their position and reform the legal practices. Also, a lack of mediator and arbitrator training in the digital processes hinders effective ODR professionals' development. Such problems are exacerbated by regulatory lapses. In the absence of any statutory framework explicitly covering ODR, the problem of platform liability, data retention, cross-platform interoperability, and quality assurance have not been addressed. These obstacles point to the necessity of the overall policy reform and capacity-building.

VIII. THE GLOBAL ODR ECOSYSTEMS COMPARATIVE INSIGHTS

ODR models in the world can teach India a lot. The ODR Regulation of the European Union created a continent-wide consumer dispute platform, which offers a systematic and open system in cross-border e-commerce disputes. The site focuses on access, multilingual assistance, and high levels of data protection- what India can emulate. Singapore has become a leader in regarding ODR due to its systems of integrated courts and mediation. The Singapore International Mediation Centre and Community Justice and Tribunals System allow the facility to be online making the filing, case tracking and resolution processes smooth. The regulatory space promotes innovation and ensures a high level of control.

Scalable digital dispute resolution is proven to be efficient in the United States with the help of the models of ODR utilized by the companies of the private sector (especially by e-commerce giants). Online auction sites such as eBay have settled millions of conflict cases within a year through the automated negotiation systems. These systems demonstrate how technology can be used to handle large volumes of disputes with a small number of people. The United Kingdom has also embraced the digital justice

initiatives including the online small claim's courts and traffic courts. The UK model focuses on design and usability with the focus on making the system user-friendly to ensure that even people with the smallest digital skills can use the system.

These comparative lessons can inform the emerging ODR system of India in embracing the best practices of regulatory clarity, user-friendly interfaces, multilingual support and integrated justice systems. As observed in the global arena, ODR success requires that the institution has trust, has secured data, and has robust mechanisms of governance.

IX. THE FUTURE OF ODR IN INDIA: AI IMPLEMENTATION, DATA SECURITY, AND SYSTEMIC CHANGE

ODR in India is greatly linked to the development of artificial intelligence, data management, and judicial reform, which point to the future of this field. AI-solution-powered tools have the potential to transform the process of dispute resolution by offering support in cases classification, sentiment analysis, document analysis, and predictive analytics. Such tools may help to simplify operations, minimize human errors, and address them quicker. Nonetheless, the entry of AI should be done with careful consideration. Procedural fairness can be endangered by the risk of algorithmic bias, inability to explain, and obscure processes involved in decision-making. To ensure that users trust the data, it will be necessary to enforce regulatory control, auditing of all algorithms, and the requirement to disclose information.

The adoption of the Digital Personal Data Protection Act, 2023 is a powerful statutory approach in the protection of personal data. ODR platforms will be forced to be careful in their data handling by providing secure data practices, consent-based processing as well as transparent privacy policies. The Act provides a chance to gain user trust in the digital justice systems.¹³ It will also involve institutional cooperation towards systemic transformation. There is a need to have courts embrace hybrid approaches that

¹³ Decoding the Digital Personal Data Protection Act, 2023, https://www.ey.com/en_in/insights/cybersecurity/decoding-the-digital-personal-data-protection-act-2023, accessed on 23 November 2025.

incorporate ODR in procedural law. Future professionals should be provided with digital and interdisciplinary skills in legal education. The policymakers need to develop the accreditation criteria of the ODR providers and come up with adoption incentives.

With proper governance, technological innovation and an inclusive way of doing things, ODR can increase access to justice, decrease the workload on the courts and establish a more flexible system of dispute resolution. The hybrid nature of justice delivery in India is going to be the new reality, as the Indian system is bound to implement the best practices of the traditional adjudication system and the efficiency of digital resolution systems

X. RECOMMENDATIONS AND SUGGESTIONS

A. FORMULATION OF A COMPREHENSIVE ODR LEGISLATION

India is in dire need of having a uniform and comprehensive ODR legislation that is not just a collection of inconsistent reforms in the IT Act and Arbitration Act. This type of legislation must clarify the legalization of an online hearing, find a set of rules of consent to a digital hearing, and capture standards of digital evidence, platform responsibility, and the enforceability of an online settlement agreement. A special statute would give structural clarity to stakeholders, minimize judicial obscurities and encourage uniform national adoption.

Development of a National ODR Grid that is Interoperable: A centralised National ODR Grid is to be developed as the digital bone of the Indian dispute resolution system. Just like the National Judicial Data Grid (NJDG), this site ought to integrate courts, tribunal, Lok Adalats, Legal Services Authorities, private ODR platforms and government departments. The Grid must have standardised APIs, similar procedural templates, multilingual, and smooth interchange of case data. Interoperability would enhance

duplication, enhance transparency and guarantee consistency of the quality of services offered by institutions.¹⁴

B. DIGITAL CAPACITY DEVELOPMENT AMONG STAKEHOLDERS

To make proper use of ODR, the use of technology should be demanded among litigants, lawyers, judges, mediators, and court personnel. The government is to introduce systematic digital literacy campaigns, include the training in ODR in judicial academies, and work out skill-building courses to lawyers and law students. Particular attention should be paid to the creation of easy-to-access training material in languages of the region in order to be inclusive. Legal Services Authorities ought to set up digital facilitation centres within the courts and community centres where people lack access to devices or high-speed internet.

C. TARGETED SUBSIDIES AND GOVERNMENT-SUBSIDISED ODR TO VULNERABLE GROUPS

To provide equal opportunities, the government should develop schemes through subsidies of ODR among economically vulnerable groups, rural populations, older people and women who have a higher capacity to access technology. ODR services can fit into the system of the Legal Services Authorities Act, which would mean that, free or low-cost digital mediation and negotiation services will be available to the eligible individuals.

Through such subsidisation, the digital divide will not become a justice divide. Creation of an Independent ODR Regulatory Authority: There should be a specialised regulatory authority to ensure that accreditation, monitoring, and regular review of ODR platforms are undertaken. This authority must specify minimum levels of transparency, cybersecurity, dispute solving capability, mediator ethics, procedural fairness and access. It should be enforced by regular audits to make sure that everything is going as planned.

¹⁴ The National Judicial Data Grid (NJDG) <https://doj.gov.in/the-national-judicial-data-grid-njdg/>
Accessed on 27 November 2025

This will be essential in developing institutional trust particularly in an ecosystem where private platforms are significant.

Nevertheless, literature also cautions against excessive dependence on technological solutions unless they are properly regulated. It is feared that there is algorithmic bias, data privacy, procedural fairness, and a possible threat of marginalising digitally disadvantaged groups. The available literature points to the necessity of specific laws and notes that technology should not and cannot be used in lieu of human skills in dispute resolution. According to this review, it can be noted that there is an agreement that ODR can enhance access to justice, although it must be empowered with sound policies and inclusion provisions.

XI. CONCLUSION

Online Dispute Resolution is a breakthrough in the Indian system of delivering justice. With pendency in judiciary coupled with the rise in digital economy, traditional litigation may no longer be sufficient to deliver timely and accessible justice to every section of the society. ODR provides a viable and scalable alternative since it saves money, shortens the process, and allows solving conflicts remotely. The study shows that India has great policy momentum and technology readiness yet there are a number of gaps that prevent full potential of ODR.

These are a lack of a specific legal framework, structural issues, digital illiteracy, privacy, and an inhomogeneous institutional integration. Comparative experiences of international models indicate that effective ODR ecosystems are based on effective governance frameworks, usability, and effective norms on data protection. The future of ODR in India is the creation of hybrid justice systems in which courts and digital platforms will cooperate. Under the appropriate legislation of the Digital Personal Data Protection Act, systematic applications of AI, national accreditation standards, and comprehensive capacity-building.

The study shows that India has significant policy momentum and technological readiness to implement ODR, but several gaps still hinder its full potential. These gaps include the absence of a specific legal framework, issues of digital illiteracy, privacy concerns, and the lack of a unified regulatory system. As such, while India has made considerable strides, there are still systemic issues that need to be addressed to fully integrate ODR into the mainstream justice system.

International models of ODR offer valuable lessons, especially in terms of governance frameworks, usability, and data protection. The success of ODR in other countries like the UK, Singapore, and the EU demonstrates how effective governance, user-friendly platforms, and high data protection standards can ensure a robust ODR ecosystem. These global best practices can guide India in shaping its own ODR system, ensuring that it meets international standards while being tailored to its unique needs and challenges.

Looking forward, the future of ODR in India lies in the development of hybrid justice systems that combine the strengths of traditional courts with the flexibility and efficiency of digital platforms. The implementation of AI-powered tools, robust data security measures, and a comprehensive legislative framework like the Digital Personal Data Protection Act, 2023, will help address current challenges. Furthermore, capacity-building initiatives, including digital literacy programs for legal professionals and the general public, are essential to ensure equitable access to these platforms.

Ultimately, ODR has the potential to significantly improve access to justice in India, but its success depends on overcoming legal, technological, and socio-economic barriers. As India moves forward, it will be crucial to develop a balanced approach that ensures ODR enhances justice delivery without exacerbating existing inequalities. If implemented effectively, ODR can supplement the judicial system, alleviate the burden on courts, and offer a faster, more efficient, and inclusive means of resolving disputes.

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