

Access to Justice in the Digital Era: A Comparative Study of ODR Implementation in India vis-à-vis International Best Practices

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Abstract:

Online Dispute Resolution (ODR) is an innovative method of bringing justice in the era of the Internet that has presented extraordinary prospects to bring justice to all. The article is a research work in which the ODR structure in India is discussed comparatively with the world practices and using the international standards of ODR structure. It is found through our findings, that the ODR system in India has major shortcomings as compared to the European Union, the United States of America, and Singapore, which are slightly advanced in their systems. These divides occur in the three vital fields, namely the technology infrastructure, legal systems, and institutional structures. Even though India already achieved some worthy progress with projects such as ODR Policy Plan by NITI AAYOG and e-Courts project by the Supreme Court, there are still plenty of rough edges to smooth out. The nation is yet to overcome the digital divide, providing fair online hearings, and exerts tariff systems. These results indicate that to make ODR the game changer in the delivery of justice to which it is capable of becoming, India needs to act urgently on three levels: by passing of enabling legislations, improving the technological infrastructure, and the strengthening of institutions. These far-reaching reforms are the only way ODR can achieve actual transformations when it comes to the access and experience of justice by the Indians.

Keywords: Online Dispute Resolution (ODR), Access to justice, Comparative analysis, ODR Policy Plan, Digital divide.

I. Introduction

The right to justice is one of the foundations of a democratic community and it is more than the physical point of accessibility to the court but more so to the basic entitlement to the appropriate redressing of wrongs. In *Anita Kushwaha v. Pushap Sudan*, access to justice has been categorically accepted as a part of the fundamental right to life and personal liberty in India under Article 21 of the Constitution.¹ In the modern Indian context, however, the problem of access to justice has become of utmost concern as the traditional dispute settlement systems have undergone a never-before-encountered backlog of cases on the one hand and geographical and economic factors on the other.

The Online Dispute Resolution (ODR) can be discussed as an example of the paradigmatic change in the mechanisms of dispute resolving and the democratization of the justice provided through technology.

¹ Anita Kushwaha v. Pushap Sudan, (2016) 8 SCC 509.

ODR includes a wide range of technological applications and platforms used in the process of dispute resolution in the online context, including humble communication platforms to advanced artificial intelligence-based resolution systems.² The COVID-19 pandemic has only stepped up the uptake of digital dispute resolution mechanisms across the world, with courts and arbitration institutions swiftly moving to conduct their proceedings virtually.³

The study provides an outline comparative analysis of India in relation to various best practices in ODR on an international scale inquiring about three main objectives: first, to consider the constitutional and statutory bases of ODR in India; second, to compare and contrast the implementation of ODR in India to the accepted international models of ODR implementation; and third, to define the key gaps that exist in India in ODR and provide the recommendations on how it can be improved.

The specific methodology used implies a combination of the doctrinal research and qualitative analysis of empirical data which include the statutory provisions, court precedents, policy documents, and comparative international frameworks. The research relies on the data of the National Judicial Data Grid, NITI Aayog reports, and the international studies about ODR implementation to offer a complete evaluation of the state of the ODR in India.

II. Theoretical Foundations of ODR and Access to Justice

A. Constitutional Mandate for Access to Justice

Access to justice is an imperative of the Constitution and the strongest embodiment of the concept of the right to life and personal liberty under Article 21 of the Indian Constitution. This broad interpretation of the provision by the Supreme Court has made access to justice as one of the basic rights and not just a process. *State of Maharashtra v. Manubhai Pragaji Vashi*⁴ The Court said that a speedy trial was a fundamental right incorporated in Article 21 of the Constitution.

Another constitutional provision, Article 39A, strengthens the constitutional layout as the Article provides directions to the State to see that no citizen is denied justice by reason of economic or other disabilities. This directive principle, implemented through the Legal Services Authorities Act of 1987, imposes a positive duty on the State to provide accessible and affordable justice systems.⁵ The convergence of these respective clauses of the Constitution, therefore, forms a strong basis to introduce ODR as an avenue to promote access to justice.

The reference of technology by the Supreme Court as a facilitator of the constitutional rights is also clear in different decisions. In *State of Maharashtra v. Praful B. Desai*⁶, The Court stated that it can obtain evidence and hold green arguments in more than one way, and technology can not turn into the hindrance to the side of justice delivery, but, instead, can assist in removing the already established ones.

B. ODR as an Enabler of Justice Delivery

The fundamental principle guiding ODR in its conception is straightforward, technology ought to break down access to justice obstacles, rather than establish new ones. According to the UNCITRAL Technical Notes on Online Dispute Resolution (2017), developed the necessary ODR guidelines based on four

² Ethan Katsh & Orna Rabinovich-Einy, *Digital Justice: Technology and the Internet of Disputes* 15-18 (Oxford University Press 2017).

³ World Bank, *Justice for All: Pandemic Response and Building Back Better* 23-25 (2021).

⁴ *State of Maharashtra v. Manubhai Pragaji Vashi*, (1995) 5 SCC 730.

⁵ Legal Services Authorities Act, 1987, § 12, No. 39, Acts of Parliament, 1987 (India).

⁶ *State of Maharashtra v. Praful B. Desai*, (2003) 4 SCC 601.

pillars: accessibility, fairness, efficiency, and enforceability.⁷ These principles align perfectly with India's constitutional promise of access to justice for all citizens.

The Digital India project of India is a clever form of government change that requires the introduction of ODR. The Digital India framework is an Indian government initiative introduced in the year 2015, where the government has adopted the technology as the facilitator of the excellence and interactivity of citizen-friendly governance.⁸ Implementation of ODR aligns with this vision, utilising technology to transform dispute resolution from a court-centric to a citizen-centric process.

Lord Woolf's seminal Access to Justice Report (1996) identified cost, delay, and complexity as primary barriers to justice access.⁹ ODR openly responds to these issues by eliminating the element of location, shortening the window of dispute resolution into much simpler processes and providing an easy to use digital interface that makes dispute resolution more democratic.

Both ideas about proportionate responses and improved case management principles can be found in the report and can be incorporated in ODR systems, so that the resolution mechanisms strike the balance between complexity and value of certain disputes and procedural integrity.

III. Comparative Analysis of International ODR Frameworks

A. European Union Model

This fact is because the European Union has had the most detailed ODR system in the world based on both a combined legislative approach and institutional apparatus. With the introduction of EU regulation No 524/2013 on online dispute resolution for consumer disputes, it is required to develop ODR platform as a tool to resolve consumer disputes in the EU.¹⁰

EU ODR platform has been functioning since 2016, and has already managed to solve more than 100,000 disputes per year, proving the scalability of a well-designed ODR system.¹¹ As it is integrated with national dispute resolution institutions, with standardized procedures and multilingual assistance, the platform has reached its success. The EU model relies on harmonization of regulations within the EU where each member countries has a chance to show its legal tradition but at the higher level of homogeneity.

European model of enforcement of ODR is especially interesting. Embodied in the European Small Claims Procedure that can be accessed via the internet and is available in various languages, offers direct access to cross-border dispute resolution without the claimant needing a lawyer to resolve its matter under the €5,000 jurisdictional threshold.¹² 13 This can be considered the seamless integration of ODR and other legal procedures that could bring about seamless dispute resolving ecosystems.

B. United States Framework

The United States is an exemplary example of a mixed model of ODR, with strong ODR initiatives on the part of the private sector, and demonstrating limited public sector adoption. The statutory basis of electronic arbitration agreements is the Federal Arbitration Act, according to which the courts retained

⁷ UNCITRAL, Technical Notes on Online Dispute Resolution 8-12 (2016).

⁸ Digital India Programme, Ministry of Electronics and Information Technology, Government of India (2015).

⁹ Lord Woolf, Access to Justice: Final Report 7-12 (HMSO 1996).

¹⁰ Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes, 2013 O.J. (L 165) 1.

¹¹ European Commission, Report on the functioning of the European ODR platform 12-15 (2021).

¹² Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure, 2007 O.J. (L 199) 1.

the continuity of online arbitration proceedings.¹³ Obviously, the Electronic Signatures in Global and National Commerce Act guarantees (E-SIGN Act) further supports ODR by granting the legal validity of electronic contracts and electronic signatures.¹⁴

The ODR initiatives of the United States private sector have already been incredibly successful. The Resolution Center developed by eBay resolves about 90% of disputes without any human consultation, and it has to deal with more than 60 million of them every year.¹⁵ Again, there is the Internet Corporation for Assigned Names and Numbers (ICANN) Uniform Domain-Name Dispute-Resolution Policy (UDRP) which since 1999 has dealt with more than 50,000 domain name disputes, constituting an international standard of specialized ODR systems.¹⁶

The United States model is more towards the market solutions and the enforcement of the guarding system of the court. Federal and state courts have been uniform in enforcing ODR awards as long as the due process requirements are satisfied, and when the parties have agreed to proceed online.¹⁷ This has had the effect of attracting development within the private sector, but without creating excessive risk to the justice system.

C. Singapore's Comprehensive Approach

Indeed Singapore system has become one of the world leaders in regard to ODR implementation due to its multidimensional approach with legislative reform, institutional creation and technological advancement integration. State Courts Despite the legal limitation that ODR should not be used as an alternative to face-to-face justice, Community Justice and Tribunals System (CJTS) developed by the State Courts incorporates ODR as both online filing and case management and ODR hearing applications into Singapore legal infrastructure.¹⁸

Online arbitration has been furthered by the Singapore International Arbitration Centre (SIAC), which offers a number of trial practices that allow online arbitrations to be as substantive and uncompromised as in-person hearings.¹⁹ immediate SIAC has developed and refined its rules of arbitration to accommodate online forms of arbitration as seen with its 2020 rules that provide clear provisions regarding online hearings and submission of evidence electronically.

The Electronic Transactions Act that governs Singapore law is very supportive to electronic documents, electronic signature, and electronic proceedings.²⁰ The technology neutral nature of the Act allows ODR systems to automatically adjust to technological development rather than being constantly subject to amendment of laws. A recent example that shows how well-designed ODR systems can effectively reach resolutions is the Singapore Mediation Centre that, in 2020, launched its online version of mediation, reaching resolution rates of over 80%.²¹

IV. Indian Legal Framework for ODR

A. Statutory Foundations

The ODR system in India is based upon a quiltwork of statutory provisions, but not on a coherent dedica

¹³ Federal Arbitration Act, 9 U.S.C. §§ 1-16 (2018).

¹⁴ Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 (2000).

¹⁵ eBay, Annual Report 2020 45-47 (2021).

¹⁶ ICANN, UDRP Statistical Summary.

¹⁷ Ruiz v. Transcontinental Realty Investors, 142 F.3d 1367, 1371 (11th Cir. 1998).

¹⁸ State Courts of Singapore, Community Justice and Tribunals System User Guide 8-12 (2020).

¹⁹ *ibid*

²⁰ Electronic Transactions Act, Cap. 88 (2010) (Sing.).

²¹ Singapore Mediation Centre, Annual Report 2020 18-20 (2021).

ted legislation. Electronic transaction and digital signature are spelt out in the Information Technology Act, 2000, which lays out the basic structure. These provisions - Sections 4 and 5 of the Act giving legal recognition to electronic records and digital signatures respectively and Section 10A which creates validity of electronic agreement - are vague in the dispute resolution context.²²

The Arbitration and Conciliation Act, 1996 amended as in 2015, 2019 and 2021 offers a little support to ODR. Although the Act is silent on the online proceedings, the technology-neutral language in the Act allows both electronic arbitration agreements and virtual hearings.²³ The amendment of 2021 provides an enabling environment by putting an emphasis on institutional arbitration and the addition of measures in the 2019 amendment allows the development of expedited procedures, which are favorable to ODR.

The Consumer Protection Act, 2019 is one of the milestones regarding ODR awareness. Certain provisions of the act, e-filing and virtual hearings before consumer commissions in Section 74(2), and online registration of consumer complaints in Section 35 are express on the usage of ODR in consumer dispute resolutions, which implies that Parliament sanctions the usage of technology in dispute resolution.²⁴

The Commercial Courts Act, 2015, requires parties to explore pre-institution mediation and, therefore, opportunities to include ODR are possible in Section 12A.²⁵ Nonetheless, the measure of the Commercial Courts Act, 2015, is more limited relative to ODR adoption due to its lack of references to electronic mediation processes.

B. Judicial Recognition

Indian courts have gradually recognized the validity of ODR mechanisms through progressive judicial interpretation. In *Shakti Bhog Foods Ltd. v. Kola Shipping Ltd.*, the Supreme Court upheld electronic arbitration agreements, noting that "the definition of 'agreement' in the Arbitration Act is wide enough to include electronic agreements."²⁶ This judgment established the principle that arbitration agreements need not be in physical form to be legally valid.

The Supreme Court's decision in *Trimex International FZE Ltd. v. Vedanta Aluminium Ltd.* further expanded ODR recognition by upholding online arbitration proceedings conducted through video conferencing.²⁷ The Court emphasized that "the object of arbitration is to provide a speedy and efficient remedy" and that technological tools should facilitate rather than hinder this objective.

During the COVID-19 pandemic, the Supreme Court's guidelines in *In Re: Guidelines for Court Functioning through Video Conferencing established comprehensive protocols for virtual proceedings*.²⁸ These guidelines, while temporary, demonstrated the judiciary's capacity to adapt to technological solutions while maintaining procedural safeguards.

C. Regulatory Initiatives

The ODR Policy Plan (2021) issued by the NITI Aayog is the most comprehensive effort at the national ODR framework in India. The plan projects a three level ODR ecosystem that includes negotiation, mediation and arbitration with the aid of technological infrastructure and regulatory control.²⁹ The

²² Information Technology Act, 2000, §§ 4, 5, 10A, No. 21, Acts of Parliament, 2000 (India).

²³ Arbitration and Conciliation Act, 1996, No. 26, Acts of Parliament, 1996 (India).

²⁴ Consumer Protection Act, 2019, §§ 35, 74(2), No. 35, Acts of Parliament, 2019 (India).

²⁵ Commercial Courts Act, 2015, § 12A, No. 4, Acts of Parliament, 2015 (India).

²⁶ *Shakti Bhog Foods Ltd. v. Kola Shipping Ltd.*, (2009) 2 SCC 134.

²⁷ *Trimex International FZE Ltd. v. Vedanta Aluminium Ltd.*, 2010 (1) SCALE 574.

²⁸ *In Re: Guidelines for Court Functioning through Video Conferencing*, Suo Motu Writ (Civil) No. 5/2020.

²⁹ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* 25-30 (2021).

priority provided by the plan on the partnership between the public and the private sectors and standardization of processes provides a blueprint on how ODR can be systematically established.

The Action Plan on the Department of Justice, project: Designing Future of Dispute Resolution: The ODR Policy Plan for India, elaborates on the NITI Aayog framework with references to the specific changes to be implemented in laws, and creation of other regulatory and institutional structures, including a National ODR Council.³⁰

The e-Committee of the Supreme Court which was formed in midst of e-Courts Project is a pioneer in adoption of technology by courts in India. The three steps in the project have seen the digitalization of court records, filing of cases online and implementation of video conferencing in Indian courts³¹ but the project does not have much effect in ODR because it only focuses on court digitization instead of making use of alternative dispute resolution.

The Mediation Act 2023³² also has specific provisions on online mediation; this means that online mediation is possible in the sense that the mediation proceedings could be held via video conferences or other types of electronic communications. This passage denotes that online mediation session is legally similar valid to a real-life fitting, as far as it meets the technical provisions and standard operating procedures.

V. Comparative Assessment: Gaps and Opportunities

A. Technological Infrastructure

The digital infrastructure in India has its opportunity and challenges towards the implementation of ODRs. According to report of National Sample Survey Office on the social consumption on education (2017-18), the digital divide is high with only 23.8 percent of the households in rural areas having access to internet compared to 42 percent in urban areas.³³ This is the bane of equal access of ODR.

South Korea and its e-litigation process can give a very strong analogy with the technological ambitions of India. Korea was fully operational in 2010 and processes more than 80 percent of civil cases electronically, time to resolve cases averages 30 percent less than before the system was in place.³⁴ Related to the success of the Korean system is their complete digital infrastructure, mandatory e-filing and case management systems.

Rural ODR access has potential in India, through the Bharatnet Project to bring high-speed internet to all gram panchayats³⁵, however, this early-stage project has been implemented slowly and uptake of high-speed internet in the rural areas is limited, which makes it a weak ODR access point. When matched with another country of Estonia where people can access 99 percent of government services online, the issue of infrastructure is the gap that India needs to close.³⁶

B. Legal Framework Adequacy

It can be noted that the Indian market lacks a separate ODR legislation which the EU possesses in full. Scanty procedural rules in online dispute resolution The EU Regulation 524/2013 contains detailed

³⁰ Department of Justice, Ministry of Law and Justice, ODR Policy Plan for India 15-20 (2021).

³¹ Supreme Court of India, e-Courts Project Phase III Implementation Plan 8-12 (2021).

³² The Mediation Act, 2023, § 28, No. 32, Acts of Parliament, 2023 (India).

³³ National Sample Survey Office, Household Social Consumption on Education, Report No. 585, 125-130 (2020).

³⁴ Korean Supreme Court, e-Court System Annual Report 2020 22-25 (2021).

³⁵ Bharatnet Project, Department of Telecommunications, Government of India, usof.gov.in/en/bharatnet-project.

³⁶ E-Governance Academy, e-Estonia Factsheet 2021 5-8 (2021).

procedural rules of ODR. India, however, lacks procedural procedures in this area; only an indicative extension of existing law is used.³⁷

The issue with the Bhartiya Sakshya Adhiniyam, 2023, is that ODR is hard to implement in this particular case. The provisions of documentary evidence, examination of witnesses, and authentication contained in the Act were meant to suit physical hearings, causing confusion on how the legislation would suit electronic evidence and virtual hearings. The comparison with the Evidence Act of Singapore, which has more provisions on electronic evidence, demonstrates the necessity of modernising the legislation.

The provisions of Section 89 of the Code of Civil Procedure, 1908 that enable courts to refer the dispute to the alternative dispute resolution, do not provide specific requirements about ODR,³⁸ and therefore, prevent the adoption of ODR to the full extent and prevent the involvement of ODR in the formal justice system.

C. Institutional Mechanisms

Indian ODR institutional conditions are quite uncoordinated and different initiatives are not operating on the same wave-length. Centre of Online Resolution of Disputes (CORD) is a privately established institution that has already resolved over 10,000 disagreements since 2020, yet there is no form of regulation and system of accreditation restricts trust of individuals in such websites.

A brilliant example that may be taken into consideration by the population of India is the model of the British Colombia Civil Resolution Tribunal. The tribunal has been established in 2016, and has already solved over 100 000 of the cases with the user satisfaction level 90 percent.

An entrepreneurial innovation of ODR in India can be found as the non-use of any universal methods, quality control, and integration with enforcement in its products offered by the private sector - Presolv360 and also under electronic Lok Adalat of AGAMI, which deal with partial and limited effectiveness and scalability.

VI. Critical Analysis of Implementation Challenges

A. Due Process Concerns

The ruling given by the Supreme Court in *Bharat Aluminium Co. v. Kaiser Aluminium Technical services* affirmed party autonomy as a fundamental element of arbitration, which demands express authorization of a material change of the proceedings.³⁹ This premise poses a challenge in implementing ODR since parties will need to make an express agreement on the online procedure, and this might inhibit ODR adoption.

The pre-requisites of natural justice is especially applied to ODR contexts. Audi alteram partem and nemo iudex in sua causa should be adaptively used to the online contexts with much prudence. There should be concerns of identity authentication, document authenticity and communication security in order to have due process compliance.⁴⁰

The digital divide also enhances the due process problems because there is discrepancy in technological and digital literacy. As per the report of the National Statistical Office on the social consumption on education in the year 2017-18, only 4.4 percent of the households in rural areas own a computer as

³⁷ Regulation (EU) No 524/2013, supra note 10, arts. 5-12.

³⁸ Code of Civil Procedure, 1908, § 89, No. 5, Acts of Parliament, 1908 (India).

³⁹ *Bharat Aluminium Co. v. Kaiser Aluminium Technical Services*, (2012) 9 SCC 552.

⁴⁰ *Mohinder Singh Gill v. Chief Election Commissioner*, (1978) 1 SCC 405.

opposed to 23.4 percent of households in the urban areas.⁴¹ This disparity raises questions about the fairness of mandatory ODR systems.

B. Enforceability Issues

Enforcement of ODR awards cross-border poses severe problems to India. Although the New York Convention of 1958 offers a basis of international arbitration awards enforcement, it would not explicitly cover ODR awards.⁴² There is no assurance on the ODR awards recognition due to lack of technological neutrality in the mechanisms of enforcement.

The issue concerning domestic enforcement mechanisms under Section 36 of the Arbitration and Conciliation Act also deserves close attention in the ODR settings.⁴³ Courts will have to establish whether ODR awards can satisfy the standards of enforceability, in addition to the due process and public policy concerns, that apply in the case of a regular arbitration award.

The Singapore Convention on Mediation (2019) can serve as the possible model of ODR enforcement, as agreements reached in the results of the mediation receive the international recognition.⁴⁴ However, the fact that India is not taking part in the Convention becomes a drawback, as individuals using Indian ODR will not gain such benefits.

C. Digital Literacy and Access

The observations made by justice D.Y. Chandrachud in video conferencing guidelines of the Supreme court points to the significance of digital literacy in the context of using ODR successfully.⁴⁵ The guidelines have been addressed to the importance of accessibility to technical support and training to create a relevant access to virtual hearings.

The linguistic diversity in India means that ODR implementation in India creates a special problem. The fact that the Constitution lists 22 official languages and issues of regional languages demand the use of multilingual support on ODR systems.⁴⁶ The comparison with the multilingual ODR platform in the EU indicate to what level linguistic variety has to be considered in the design of ODR systems.

The implication of legal aid under Section 12 of the Legal Services Authorities Act should be keenly addressed in the ODR environment.⁴⁷ The provision of legal aid to the eligible person under the Act would have to be restructured to make ODR systems truly accessible, including access to the stated technological support and access to the digital infrastructure.

VII. Recommendations for Enhancing ODR in India

A. Legislative Reforms

The need to establish a wide-range ODR Act comprising of UNCITRAL Model Law principle is the most important change that is needed. The suggested bill to be proposed should cover definitions clarity, procedure requirements, and enforcing mechanisms, and regulatory control. Technology-neutral frameworks which would accommodate technological evolution in the future, but be procedurally sound, ought to be included in the Act.

⁴¹ National Sample Survey Office, *supra* note 32.

⁴² Convention on the Recognition and Enforcement of Foreign Arbitral Awards, June 10, 1958, 330 U.N.T.S. 38.

⁴³ Arbitration and Conciliation Act, 1996, § 36, *supra* note 23.

⁴⁴ United Nations Convention on International Settlement Agreements Resulting from Mediation, Dec. 20, 2018, U.N. Doc. A/RES/73/198.

⁴⁵ In Re: Guidelines for Court Functioning through Video Conferencing, *supra* note 28.

⁴⁶ Constitution of India, art. 343, Eighth Schedule.

⁴⁷ Legal Services Authorities Act, 1987, § 12, *supra* note 5.

It is necessary to introduce Online Dispute Resolution (ODR) as a reasonable means of resolving disputes into the Code of Civil Procedure. The scope of the section 89 of the Code is to be increased to the multi-disputes (especially the small claims, consumer complaints, and non-complicated business disputes).

We should act in unison in the legislation to make ODR work alongside the BharatNet Project. There are some points that will be taken into consideration and offered to incorporate into the proposed Digital India Act, related to the ODR infrastructure requirement, data protection policy, and the cybersecurity policy.

B. Institutional Framework

Creation of National ODR Council is one of the most essential institutional reforms to be done on a priority basis. This Council would address some major responsibilities:

- ODR platforms accreditation
- Prevention of quality standards
- Creating awareness to the population
- Regulatory oversight- Rugged control

In order to have balanced governance, the Council is advised to incorporate judiciary, technology and consumer advocacy sector.

We should have common requirements of ODR platforms in terms of technology, security, fair treatment, and support to the user. The standards will promote trust among the people together with innovation and positive competition among service providers.

Interface between ODR systems and the National Judicial Data Grid (NJDG) would facilitate easy exchange of information between orthodox courts and online service sites. Such incorporation would facilitate the rendering of the decisions on ODR, managing appeals, and monitoring the effectiveness of the process.

C. Capacity Building

The overall ODR training is required to deal with technology skills, flexible processes, and ethical aspects when solving the civil disputes through the internet. National Judicial Academy ought to come up with particular ODR training programmes.

Awareness measures should be conducted to make citizens know about the advantages of ODR, how it works, and what safeguards are provided. Different media channels and local languages should be employed to spread these campaigns so that maximum people can be reached. The ODR support services must also be provided to those in need by the legal aid organizations.

Law schools ought to organize ODR in their curriculum to induce future lawyers to provide practice in an era driven by technology. This training ought to include both the technical bit and the procedural and ethical harbor in the process of settling disputes online.

VIII. Conclusion

In conclusion, the Online Dispute Resolution is a life-changing event to the justice system of India as the system has always been facing accessibility issues, delays, and excessive costs. Nonetheless, in order to bring this potential into reality, serious lacunas in legislation, institutional weaknesses and infrastructure problems have to be addressed by means of integrated change attempts.

Effective ODR requires an integrative strategy of putting in place strong legal foundations, superior technology infrastructures, efficient institutional frameworks and capacity building initiatives. The

conflict of constitutional needs and technological opportunities accompanies the journey of India to draw the line between theory and reality in terms of real practice of Aadhaar.

The right to justice that is enshrined in the Constitution offers a solid premise of ODR development, although the legal and digital divide is offering a significant challenge to the implementation. Successful initiatives of internationalised ODR have shown that such challenges can be addressed with consistent political will, proper resource investment and inter-stakeholder involvement.

The digital justice transformation pandemic in India needs an immediate international mediation on all levels. We require rich ODR law that explores a balance between innovation and due process, institutional innovations that guarantee quality and make ODR acceptable to citizens, and capacity-building efforts that train judges and citizens to take their places in ODR. This is not only procedural adjustment on the side of conceptualizing and practicing justice.