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From Paper Files to Platforms: A Structural Comparison of Traditional and Online-Administered Dispute Resolution in India Timelines, Cost-per-Case, and the Persistent Enforcement Gap

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Abstract

Currently, India's dispute resolution system has two parallel administrative models. There is a legacy paper-based model that is used in the majority of litigation and institutional arbitration. SEBI's SMART ODR is a model of ODR (online dispute resolution) that is based on a platform. This paper carries out a more detailed analysis of the two models. Instead of measuring the models based on how quickly and cheaply ODR administration is assumed to be, this paper assesses what limited Indian data allows. The author determined that the Reserve Bank of India's information on the average cost of banking ombudsman complaint administration decreased by 33.5 percent after digitalization. The author presents this number as a genuine efficiency measure, but also indicates that this is a single, sector-specific measure that has been overgeneralized in the literature on ODR. Analyzing the timelines mandated by SEBI's platform and the Arbitration and Conciliation Act 1996 and cross referencing that with data on pendency provided by the National Judicial Data Grid reveals that a significant portion of the perceived speed advantage of ODR is caused by the comparison of different types of disputes, as opposed to a like for like redefinition of the process. The author suggests that the real improvement of the administration of disputes using a platform is primarily in the field of logistics and is not in the process of adjudication, which is restrained by the same requirements of reasoning and enforcement under either model.

Paper-file administration and platform administration share a similar enforcement gap. Awards or settlements, produced without the hassle of paper filing, will still have to depend on the same unorganized, largely undigitized court execution machinery. The best solution is to focus legal and technical interventions on this enforcement gap.

Keywords: Online Dispute Resolution; Arbitration and Conciliation Act 1996; National Judicial Data Grid; Enforcement Gap; Cost-per-Case

1. Introduction and Research Problem

Statistics report that on 31 December 2025, there were 5.39 crore cases combined pending before the judiciary in India. Of these, 92,101 cases were pending before the Supreme Court, 63.66 lakh before the High Courts, and the rest before the District Courts and the Subordinate Courts. Meanwhile, independent estimates indicate that it will take the judiciary approximately nine years to dispose of each case.[1] In this context, people consider the administration of disputes on a platform, especially focus on the SMART ODR framework designed by SEBI, the most innovative and the best solution.

2. Research Objectives

This paper tests these assertions by evaluating the evidence based on a comparative analysis of the administration of disputes on a platform and off a platform.

3. Research Questions

- RQ1: What Indian-relevant data tells us about the cost-per-case and the time to dispose of traditional vs. technology-based dispute administration systems? How thorough is this data?
- RQ2: What is the comparison, in terms of timeline compliance, between the statutory timeline imposed by section 29A of the Arbitration and Conciliation Act, 1996 (a legal, as opposed to a technological, solution) and SEBI's platform-related timelines?
- RQ3: What elements of the administration of disputes do platforms actually re-engineer, as opposed to those where they merely digitize with no impact on the underlying structural framework?
- RQ4: Do the additional administrative and procedural burdens imposed by technology on dispute administration platforms narrow, or actually widen, the enforcement gap between the conclusion of a dispute and its performance?

4. Research Hypotheses

Proposition: The efficiency argument based on platform-based ODR administration in India relies on limited relevant data, largely on administrative and logistical efficiencies, as opposed to on adjudicative frameworks, and does not extend to the enforcement stage, where the two systems are the same. Chapter 7 finds this proposition largely supported.

5. Research Methodology

This paper employs doctrinal analysis of section 29A and SEBI's ODR circulars with a careful quantitative assessment of the only verified Indian cost-per-case data point analyzed in Part 3 and the NJDG pendency data analyzed in Part 1. This paper does not consider the RBI Banking Ombudsman data point as a proxy for ODR or ADR data and considers this data point as one of the findings on the state of the evidence and the lack of generalization. This paper considers section 29A timelines and SEBI ODR timelines (along with the caveats described in Part 5.2) and cautions against a misleading comparison since the dispute populations are totally different and there is no comparable control.

6. Literature Review

The 2021 NITI Aayog Expert Committee Report is the primary Indian source. They do cite at least one empirical figure that is directly relevant. This is the average cost of dealing with a complaint, as reported in the Banking Ombudsman reports of the Reserve Bank of India, which dropped by 33.5%, from approximately Rs. 2,412 for the period July 2019 to June 2020, to Rs. 1,605 for the period July 2020 to

[1] Moneylife, 'Court Case Pendency Rises to 5.39 Crore; Supreme Court Sees 11% Jump in One Year: Govt' (2026), citing data placed before Parliament by the Minister of State for Law and Justice; Data For India, 'Judicial Pendency in India' (April 2026), citing Daksh analysis.

March 2021, when the digital ODR-based grievance mechanism was introduced in the banking sector.[2] This is a genuine, sector-specific empirical figure. That said, subsequent literature on ODR, in support of cost savings for ODR, cites this or similar figures without the sectoral qualification that the original RBI figure has, to support claims of cost savings for ODR across different types of disputes, which this paper considers to be a weakness in the promotional literature, rather than in the original RBI data.

No source reviewed has an equivalent, independently verified cost per case or time to resolve figure, for SEBI's SMART ODR, for general commercial ODR platforms, or for a controlled comparison holding the type of dispute constant when comparing traditional and platform-based administration. This is an actual evidenced based gap in ODR research in India, which is not artificially constructed for this paper, as, on the one published data point, the claim that ODR is cheaper and faster show merit. However, it is more asserted than measured.

7. Research and Analysis

7.1 The Traditional Paper-File Administration Model

There is a recognizable sequence in the Indian system of paper-based court and ADR administration. This includes physical filing, slotting on a cause list, service by process server or post, in-person hearings with the possibility of adjournments, and the issuance of an order or award, which can be typed or handwritten. Each of these steps in the process is likely legal and efficient in itself. What the time estimate data in Part 1 show, however, is the effect of adjournments, delays in physical service, and backlog in the registries. The National Judicial Data Grid, an e-Committee project, has made this time estimate data available in granular form for each court. This is a significant step in administrative digitization, unlike the digitization of the process of dispute resolution itself.[3]

7.2 Statutory Timeline Discipline: Section 29A

Section 29A of the Arbitration and Conciliation Act 1996, as inserted by the 2015 Amendment and further amended in 2019, makes a provision for an arbitral award to be made within a period of one year from the end of pleadings, which can be extended to 18 months by agreement of the parties, and thereafter only by the court, which may also reduce the fee of the arbitrator for the delay in the arbitration process attributable to the Tribunal.[4] This is a legal, non-technological intervention. Parliament passed a law to address delay in arbitration by imposing a legal clock and a financial disincentive for the absence of such a frame work, irrespective of technology or digital infrastructure. This, then, provides an excellent context to determine what technology, over and above a legislative time bound framework, brings to the discipline of timelines.

7.3 Platform-Mandated Timelines: SEBI's SMART ODR

SEBI's SMART ODR system establishes time-bound obligations for the parties involved in the process. For example, a tribunal of three arbitrators is to be formed in five working days for a request for arbitration.[5] The conciliation stage of the process is structured around consecutive, short time bounds with a time-bound option to escalate. Compared to the twelve-month time-bound obligation of section 29A, the

[2] NITI Aayog Expert Committee on ODR (Chair: Justice AK Sikri), 'Designing the Future of Dispute Resolution: The ODR Policy Plan for India' (2021), citing RBI Banking Ombudsman Annual Report 2021.

[3] National Informatics Centre, 'National Judicial Data Grid' (NJDG overview, e-Committee, Supreme Court of India).

[4] Arbitration and Conciliation Act 1996, s 29A, as amended by the Arbitration and Conciliation (Amendment) Act 2015 and the Arbitration and Conciliation (Amendment) Act 2019.

[5] SEBI, Master Circular for Online Resolution of Disputes in the Indian Securities Market, Circular No SEBI/HO/OIAE/OIAE_IAD-1/P/CIR/2023/131 (31 July 2023, corrected 4 August 2023).

timelines established by SEBI's ODR, faculty are more restrictive. The disputes governed by section 29A and SEBI's ODR process are of different natures and dimensions. The difference in timelines might reflect, in part, difference in nature and magnitude of the disputes rather than difference in the technology or systems deployed. This is addressed in detail in Part 5.2.

7.4 The One Verified Cost Data Point, and Its Limits

The RBI Banking Ombudsman figure is significant because it has been documented site-specifically in India with an annual report of a named regulator, a defined before and after period, and a specific percentage reduction.[6] The restrictions, in this case, are specific as well. The figure indicates a single administrative cost of an ombudsman scheme and does not address the cost of litigants, the fees of arbitrators or conciliators, or the cost of the delay. The figure focuses on a single sector (retail banking grievances) in a single year of transition. The figure does not indicate the extent to which the reduction may amount to the digital ODR linkage, compared to the process changes at the Ombudsman's office. In the absence of other data, this is a sector-specific, bounded data point, which indicates that digitization, in this case, may have the potential to decrease the administrative cost. However, when the figure is cited as a proxy for ODR cost savings for different types of disputes, as is often the case, this figure overestimates the evidence provided in the source.

7.5 The Non-Comparable Timeline Problem

SEBI's five-calendar-day framework for appointment of arbitrators and section 29A's twelve-month framework set statutory ceilings on different things.[7] The SEBI framework concerns the constitution of the tribunal for the defined and standardized retail complaint; the section 29A framework concerns the entire period forentaward resolution of open-ended, complex, commercial disputes. A fair structural comparison would require the type and complexity of the disputes to be held constant and would examine the time required for the administration of the two systems – from filing to first hearing; hearing to award – for a comparable dispute. No source reviewed for this paper does that controlled comparison for India. This paper offers a negative, yet important, contribution; the numerous claims across several sources that ODR (Online Dispute Resolution) platforms are, in all instance, faster than traditional international arbitration are unproven in the specific, controlled sense the claim intends, although it may be true in the broader sense that platforms eliminate certain specific, identifiable, postal waiting and filing time delays that are shared with traditional international arbitration.

7.6 What Platforms Reengineer, and What They Merely Digitise

Part 5.2 describes two effects. This section suggests what a platform actually changes. SEBI's SMART ODR portal digitizes the filing of complaints, the upload of documents, and the allocation of cases— steps that consume physical registry time and postal time in traditional administration. SMART ODR does not affect the adjudicative architecture. Conciliation is still attempted before arbitration. An arbitral tribunal is still formed and is required to give a reasoned award under section 31(3) of the Arbitration and Conciliation Act 1996.[8] All parties still participate and submit all their evidence in the same order and sequence as a traditional arbitration. In this regard, the real efficiency is gained in the logistics of service and scheduling a dispute in order to reach a decision-maker. The actual decision-making still requires the same procedural and reasoned decision mandates as before. This is not a critique of ODR. Removing

[6] RBI Banking Ombudsman Annual Report 2021, cited in NITI Aayog (n 5).
[7] SEBI (n 4); Arbitration and Conciliation Act 1996, s 29A.
[8] Arbitration and Conciliation Act 1996, s 31(3).

logistical friction is a real and valuable gain, particularly at the scale of SEBI's investor grievance caseload. However, this is a significantly more limited perspective than "ODR resolves disputes faster," which the paper claims is a more accurate statement.

7.7 The Persistent Enforcement Gap

Regardless of the administrative model, an arbitral award is enforceable only through an execution proceeding under section 36 of the Arbitration and Conciliation Act, 1996, which implicates the same mechanics of the civil court system, whether the arbitration was conducted on paper or on a platform.[9] On the other hand, a mediated settlement under the Mediation Act, 2023 stands enforceable as a court decree upon registration, yet again, irrespective of whether the mediation was conducted on an online platform.[10] As this paper's accompanying study of SARFAESI recovery processes demonstrates more pointedly, even a totally automated notice-service and e-auction infrastructure ends, if the borrower resists, in the submission of an application under section 14 of SARFAESI Act, 2002, to the Chief Metropolitan Magistrate or the District Magistrate, which is an in-person, administrative step that both the SARFAESI Act and ODR platforms have not digitized.[11] Thus, the enforcement gap is a constant across all models studied in this paper and its accompanying studies; both paper and platform-based administration culminate in the same largely undigitized enforcement infrastructure, at the point of non-compliance.

7.8 Critical Analysis and Findings

The proposal is well substantiated. One genuine Indian cost data point that is available – the RBI Banking Ombudsman figure – is narrow and has been exaggerated in broader advocacy literature beyond what it can be interpreted to mean (5.1). As for the timeline, the primary difference between SEBI's ODR framework and section 29A is comparing populations of different types of disputes, rather than different types of dispute models in a controlled fashion (5.2). The genuine efficiency gain platforms are typically more focused in logistics – paperwork, service, and scheduling – than in adjudicative reengineering, since the same rationales and process remain (5.3). The enforcement gap, which is analyzed in this paper and in the companion SARFAESI analysis, is a gap that both models have failed to address (5.4). These above statements do not create a case against ODR. Rather, they create a case for quantifying the benefits of ODR more accurately than what current advocacy literature demonstrates.

7.9 Challenges and Gaps

- There is no relevant Indian study comparing cost and time to dispose of a case by traditional or platform-based administration for a constant dispute type. The only available data point (RBI Banking Ombudsman) is sector specific and has been over generalized to other studies.
- No specific disposal time or cost data for SEBI's SMART ODR framework was found in this research.
- There is no provision in the Arbitration and Conciliation Act 1996, the Mediation Act 2023, or the SARFAESI Act 2002 that digitizes the execution/enforcement stage. All three acts transfer, at the point of non-compliance, to the traditional court or magistrate level.
- There is literature on advocacy and promotional ODR that omits the difference between logistical efficiency (observed and measured by the RBI figure) and the efficiency of the adjudicative process (not measured by any relevant controlled study).

[9] Arbitration and Conciliation Act 1996, s 36.
[10] Mediation Act 2023, s 27.
[11] Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002, s 14.

8. Suggestions and Recommendations

8.1 Legal

- Encourage SEBI-appointed ODR institutions and similar mandated ODR frameworks by other regulators to publish standardized, stage-wise time and cost data. This could be similar to the level of detail provided by the RBI Banking Ombudsman, to enable the controlled comparison that this research found missing in Section 5.2.
- Extend a deadlines-based statutory framework with a number of clearly defined case management stage deadlines to institutional ODR. This would separate the legal deadlines from the logistical deadframes so that the case management gains would be perceived as greater than the logistical gains.

8.2 Technical

- To address the issue stated in Part 5.4, integrate the ODR and arbitral case-management platforms with the National Judicial Data Grid's tracking system for the execution stage. This will allow the enforcement gap to be identified in the same manner as the gap in pre-award pendency that the NJDG makes publicly available in a granular manner. Publishing this data will allow the enforcement gap to be monitored and potentially reduced (as opposed to just being perceived).
- Publish stage-timing data (time from filing to first response, time from response to hearing, time from hearing to award, time from award to execution) for ODR institutions based on platform data, in order to distinguish logistical gains (Part 5.3) from the timing of the adjudicative process. This will enable an evidence-based evaluation to be conducted, thereby providing a substitute for the unsubstantiated claims of an efficiency-oriented narrative.

9. Conclusion

The goal of this paper was to see if the claim that administration of ODR through a platform is both faster and cheaper than traditional ODR through a paper-based filing system could be substantiated rather than take the claim as a given. This paper found one substantial, limited example of supporting evidence — the RBI Banking Ombudsman's documented 33.5 percent cost reduction — which has been adopted beyond its sector in the literature (RQ1). The section 29A purely legal time binding framework and SEBI's platform time binding framework do not, on the evidence, compare like with like as they govern structurally different populations of disputes (RQ2). Platforms re-engineer the administrative logistics, but in essence conditioned on the requirement of reasoned decisions, retain the core architecture of the adjudication framework (RQ3). The enforcement gap is the same in both models and is consistent through this paper's analysis and the companion paper on SARFAESI recovery (RQ4). Therefore, the case for the use of ODR platforms is more bounded, and further evidence is required to support the claim, which, in turn, provides more guidance than the current state of evidence (RQ4). The next step in ODR policy making in India will be not the further adoption of ODR platforms, but the definition of a standard measurement criteria across the various stages/levels, which this paper has found to be consistently lacking. Due to this, the case for adoption of platforms to substitute paper files is more of an assertion.

Appendix: Timelines and Cost Data Compared

Metric	**Traditional / Statutory Baseline**	**Platform / ODR Figure**	**Comparability Caveat**
Average case disposal time (courts generally)	~9 years (Daksh analysis, 2026)	Not directly comparable — ODR platforms	General litigation, not ADR-specific;

Metric	Traditional / Statutory Baseline	Platform / ODR Figure	Comparability Caveat
		handle a different dispute population	included as system-wide backdrop only.
Arbitral award timeline	12 months + 6 months by consent (Arbitration Act, s 29A)	SEBI SMART ODR: tribunal constituted within 5 calendar days	Different dispute complexity and value classes; not a controlled comparison.
Cost per case	No general Indian baseline figure located	RBI Banking Ombudsman: ₹2,412 (2019–20) to ₹1,605 (2020–21), –33.5%	Single sector (banking ombudsman), single transitional year; not generalisable without further data.
Enforcement/execution	Arbitration Act s 36; Mediation Act s 27; SARFAESI s 14	No digitised equivalent identified under any framework reviewed	Constant across both models; the paper's central finding.

References

Legislation

1. Arbitration and Conciliation Act 1996, as amended by the Arbitration and Conciliation (Amendment) Acts 2015 and 2019.
2. Mediation Act 2023.
3. Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002.

Regulatory and Institutional Sources

1. SEBI, Master Circular for Online Resolution of Disputes in the Indian Securities Market, Circular No SEBI/HO/OIAE/OIAE_IAD-1/P/CIR/2023/131 (31 July 2023, corrected 4 August 2023).
2. National Informatics Centre, 'National Judicial Data Grid' (e-Committee, Supreme Court of India).
3. Reserve Bank of India, Banking Ombudsman Annual Report 2021.
4. NITI Aayog Expert Committee on ODR (Chair: Justice AK Sikri), 'Designing the Future of Dispute Resolution: The ODR Policy Plan for India' (2021).

Secondary Sources

1. Moneylife, 'Court Case Pendency Rises to 5.39 Crore; Supreme Court Sees 11% Jump in One Year: Govt' (2026).
2. Data For India, 'Judicial Pendency in India' (April 2026), citing Daksh analysis.