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Online Dispute Resolution: Risk or Solution towards Indian Legal System

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ABSTRACT

India's e-commerce industry is regarded as a large and lucrative market for e-commerce businesses. However, most Indian e-commerce businesses are still unclear about the rules. As a consequence, most e-commerce websites do not follow Indian regulations and unknowingly violate them. Indian regulators are scrutinizing the procedures of e-commerce platforms, and several may face legal action. The fight is not only between regulators and e-commerce website owners; it is again among e-commerce websites and potential customers.

In most cases, customers are ignorant of their digital rights whenever interacting with online retailers. Moreover, there are no forums or dispute resolution mechanisms for digital customers in India. In short, the Indian government will still handle e-commerce disputes. With the fast rapid growth of Internet and business applications, new conflict resolution methods are required to assist parties to settle issues in a fair, timely, and cost-effective way. ADRs are changing with new technology, allowing for electronic dispute resolution. In order to resolve online conflicts without the actual presence of the parties, online dispute resolution (ODR) has indeed been described as "a logical and natural step." Existing flaws occur due to a lack of complete ODR legislation and market, norm, and technological flaws. The present "hands-off" approach to ODR regulation seems to have failed, and it is time to reconsider. Citizens during the 21st century saw the ultimate social, economic, legal, cultural impact of information and communication technologies on the world at a time of globalization. The technological revolution of the Internet has increased the scope of human affairs and created new media that have influenced traditional juridical conceptions, especially in terms of the settlement. The growing complexity of connections, activities, and the decreasing cost of publication all accompany discrepancies and, thus, the demand for inventive-technology conflict resolution processes is on the increase.

"JUSTICE DELAYED IS JUSTICE DENIED" - the legal maxim of William E. Gladstone, which asserts that if Justice is still not administered in a reasonable timeframe, it remains unremedied. Pending cases swamp the Indian judiciary. Its downsides include delays in court proceedings and considerable litigation costs. As a result of these problems, public faith in the Indian judicial system has been damaged. Following the launch of alternative

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disputes, the focus has evolved from formerly rigid ways of resolving disputes through lawsuits and towards ADR. As a result of massive ICT progressions inside the twentieth and twenty-first centuries, there has been an explosion in merge internet chats and e-commerce operations that has resulted in an increase in electronic issues, including such website domain disputes, phishing and confidentiality violations, e-stalking, e-commerce, and commodity trading, etc., requiring a dispute resolution system. Social media, training, street performances, advertising, conferences, seminars, and campaigns are all needed to raise public awareness and training. The government may also finance ODR projects and provide the necessary technical and organizational infrastructures. To maximize the benefits of the younger generation of technically advanced conflicts, use privacy boosting methods and improved security precautions such as protective design, privacy architecture, and personal identity. Codification of laws, norms, and regulations is also needed for domestic and international recognition and acceptability of ODR procedures. Everyone should be able to afford Justice. Availability to e-courts, which may assist promote e-commerce and e-government, is required for simple access to Justice. Domestic and international efforts are needed to boost ODR and relieve the judiciary. Thus, advancing ODR is essential for global peace and foreign diplomacy in merge conflicts.

Keywords: *Justice delayed is Justice denied, COVID-19 Pandemic, Code of Civil Procedure, Constitution of India, Indian Evidence Act.*

I. A PEEK AT THE COMMENCEMENT

The alternative dispute has become a vital feature of the present legal system as it entails speedy settlement and outcomes often favorable to both parties. The online settlement of conflicts is also another development of the same one, and the only difference is that technology is used or helps resolve disagreements. While India was on the route to digitalization, some say that ODR techniques should be inducted; others have been totally against it.

It is frequently believed that this method is consistent with alternative resolving conflict but then at the same time employs technologies to help the process. During the continuing COVID-19 Pandemic, ODR became incredibly common, where even traditional courts heard disputes over video conferences. While it can benefit the parties by using online resolution process as a dispute resolution process, as it extends economic advantages such as efficient administration, ease of accessibility, coordinated information exchange, and quick disposal, on the other hand, it is also supported by many problems related to compromised confidentiality, literacy and everyone's natural ease of use. This paper attempts to analyze whether adopting Internet resolving disputes has indeed helped settle disputes in India or is just an overvalued idea with

background results that involve

(A) Key Issues

- While confidentiality has been a fundamental aspect of Indian Justice, can introducing dispute resolution mechanisms based on technology undermine the same?
- Whether the absolute interdependence of technology has led to the in-accessibility of Justice for the subjects concerned.

II. ONLINE SETTLEMENT OF DISPUTES IN THE TIME OF COVID-19 PANDEMIC

The breakout of COVID-19 has led the judicial authorities to consider bolstering alternate venues to ensure that the justice machinery is not entirely shut down. The first official step towards the creation of Internet resolving disputes in India is the report by the High Nilekani Panel on the 2019 Recommendations of both the High-level Commission on Digital Payments which establishes ODRs for the dispute over electronic payments. The Supreme Court (see here) also found that the online arbitration agreements are legitimate as the fundamental requirements of a case within Sections 4 and 5 of the Information Technology Act, even in *Shakti Bhog v. Kola Shipping* in 2012. Read section 65B of the Act on Evidence. However, even after this legal and judicial preparation, some important logistical and infrastructural sectors require special attention.

(A) Meaning

Online dispute resolution is simply the process of settling conflicts online. It occurs in different forms and venues throughout nations. Today's ODR tools are considered early indicators of the digital age's global dispute resolution environment. This kind of arbitration is electronic. If the arbitration is performed online, the parties have agreed on the applicable legislation, signed an internet arbitration agreement digitally, choose the server from which the arbitration will be conducted, and selected the location of the arbitrator's award signature. When we say online, we imply that now communication is electronic, mainly through the Internet. It includes using telephone, mobile, fax, email capabilities, any other method accessible online, and any other communications technology. Online arbitration saves parties from having to fly across the world to settle their disputes. Online arbitration may also be used to settle disputes resulting from transactions between parties. The whole system of out-of-court conflict settlement has thrived in recent years. However, ADR and technology working together could not have occurred. As a result, an increasing number of cross-border conflicts are being resolved electronically. Traditional methods of conflict resolution are unsuccessful in the internet context due to many legal and non-legal barriers such as physical, language, and cultural gaps

between parties. These flaws may potentially stifle the growth of, i.e., internet commerce or e-commerce, some say. ODR is being promoted as the best way to settle online conflicts, despite similar and other issues.

ODR uses accessible communication and IT technology to provide online mediating and adjudication services or ADR applications. It uses the Internet to arbitrate its arguments utilizing various ADR tactics similar to traditional ADRs.

ODR is a dispute resolution branch that uses technologies to resolve conflicts between parties, *Hon. Arthur M. Monty Ahalt* (ret.) says the most typical procedures utilized include negotiation, mediation, adjudication, or a mix of three. It is often considered in this respect as the online equivalent of ADR. As *Katsh and Rifkin* said, the essence of ODR consists of three key factors:

1. Convenience,
2. Trust and
3. Expertise.

Katsh and Rifkin referred to ICT as the fourth party, as there is also a fourth party inside the process, in addition to the disputant parties above mentioned and the neutral third party (arbitration panel, mediator, or negotiator). The third party is currently using the fourth choice as a tool to facilitate the process. ODR resolves e-conflicts and traditional disputes that can be resolved quickly and at a low cost utilizing information technology. The types of conflicts that it resolves include commercial conflicts, contractual efficacy, partnerships, production, contractual arrangements, defamatory disputes, family disputes, intellectual property protection, enterprise, financial services, healthcare coverage, confidentiality disputes, and other B2B, B2C, and C2C disputes.

E-negotiation, electronic mediation, E-arbitration, and hybrid mechanisms such as "*Medola, Compact Proceeding, Med-Arb, fast-tracked adjudication, Impartial Audience Consensus, Council-Arbitration*" etc. are all instances of ODR. It can make a judgment enforceable or quasi on the parties using an adjudicatory or non-adjudicative approach.

(B) History Of ODR

The Regional High Court has about 33.47 million new cases pending and 4.46 million cases before the High Courts, according to the e-Courts website². The High Courts have 35.6 percent empty judicial seats, while the District Courts have 21.4 percent. A similar issue arises when

² ODR: The Future of Dispute Resolution in India, <https://vidhilegalpolicy.in/research/the-future-of-dispute-resolution-in-india/>.

the established panel uses technological expertise to reduce a load of courts, causing an additional delay in dispute settlement. Mediation, negotiation, reconciliation, and Lok Adalat have also failed to address issues that the conventional Indian legal system has partially resolved.

Furthermore, the COVID-19 pandemic and the accompanying necessity for measures to distance society have driven all the forms mentioned above of settling disputes to operate in sub-optimal ways, compounding existing difficulties. The way forward is the restructuring of the conflict resolution ecosystem in order for it to adapt with technology to the increasing requirements of Justice. Online dispute resolution (ODR) and e-ADR were at the frontline of this transformation internationally. The Internet was founded in 1969, and ODR was not necessary until the beginning of the 1990s, as a business on the Web was banned until 1992. Whenever the National Research Council loosened the embargo, the online arguments increased, but no established organizations committed to ODR dispute resolution. In reality, the ODR acronym has not yet been coined. In response to the increased number of conflicts that emerged from online pursuit, the National Organization for Automated Information Research supported an ODR conference in 1996, resulting in the funding of three separate ODR programs.

Many ODR providers such as *'Modria, Cybersettle, ClickNsettle.com, Smart Settle, Arbitrator and BBB Online'* have actively settled public and private-sector issues since 1999. In India, the ODR has been promoted and initiated by organizations, including *"Perry4Law, NIXI (.IN domain) and TLCEODRI"*³.

III. VIRTUAL DISPUTE RESOLUTION AND PRIVACY ISSUES

Two main issues connected with the emergence of Online Resolving Disputes are computer software and cybersecurity. It is first necessary to explain why privacy is vital. It is also worth looking at how using Online Dispute Resolution affects privacy issues. Confidentiality was always a component of the Indian judicial system since it is necessary to guarantee that the disputing parties get Justice and safeguard their rights. It is essential that the anonymity of larger parties involved in conflicts be adequately maintained—such leaks harm the company and expose proprietary information. The exposure of confidential material affects significant companies and individuals or families who choose conciliation or even other options to settle conflicts. The level of security offered by the telecom operators is a deterrent to using online

³ Online Dispute Resolution Mechanism: Prospects and Challenges in India, <https://www.legalserviceindia.com/legal/article-839-online-dispute-resolution-mechanism-prospects-and-challenges-in-india.html>.

services for banking, conversations, or dispute resolution. People are often victims of cybercrime, going bankrupt, image, and intimate/personal details.

IV. LAW SHADOW

Numerous international arbitration acts, along with the 1961 Conventions on International Trade Adjudication and the Inter-American Conference on Arbitration Act of 1975, were supplemented by a 1979 Inter-American Convention on Sovereign Immunity of Foreign Judgments and Arbitral Awards.

- The International Arbitration rules Award Treaty of New York, signed in 1958.
- Model Law on International Commercial Arbitration and Conciliation of the UN Commission on Global Trade Law

When India had no courts of law, the oldest family member, the Sarpanch Village, handled household disputes back in the day. Several legislation, including the Madras Presidency Regulation Act, the Bombay Presidency Regulation Act, and the 1933 Charter Act, were passed to encourage arbitration. However, passing the Indian Arbitration Act 1940, based on the English Arbitration Act, was a big step. Mostly domestic arbitration.

i. "The Constitution of India": The Indian Constitution was, following independence, enacted, and Article 21 declared that unless in conformity with legal procedures, no one shall be stripped of his or her life or personal freedom. The method must also be 'rational, fair and fair.' The Indian Supreme Court determined that the right to a speedy trial is a fundamental part of the right to life and personal freedom in a historical event.

ii. "Code of Civil Procedure 1908": The Civil Procedure Code Amendment Act 1999 has incorporated Sections 89⁴ and Rules 1A to 1C, Order 10, which makes it essential for courts to appeal to parties for their discretion to consent to one or more ADR techniques.

iii. "The Arbitration and Conciliation Act of 1996": The Law was implemented on the basis of the Uncitral Model Trade Arbitration of 1985 and the Conciliation Rules of 1980 to unify and universally applicable the ideas of arbitration and conciliation in numerous legal systems worldwide. The main aim of the Act is to promote amicable conflict resolution through national and international arbitration and conciliation. It permits mediation, reconciliation, or other strategies to encourage the resolution of problems during the arbitration. As per section 73⁵ of the said Act, the authority of a court judgment is given to a settlement agreement concluded by

parties to the proceedings. The Arbitration and Recovery Act, 2015, recently renewed legal validity to electronic communications of arbitration agreements, a positive development in the greater awareness of ODR.

iv. "Information and Technology Act 2000": The principles of the writing and signature of online contracts have lately been substantially modified to make e-commerce more secure. In 1996 the UNCITRAL Proposed Legislation on Electronic Commerce was adopted as the foremost step to this purpose at the international level. UNCITRAL 2001 Electronic Signatures Model Law was adopted after that. These legislative amendments led to "a universal written reform mandate." The Information Technology Act, 2000, was established in India based on UNCITRAL model e-commerce law to encourage e-commerce and legally acknowledge e-transactions. The law represents the legal acknowledgment of electronic records and signatures in Section 4, 5, 10-A, 11-15.

v. "Indian Evidence Act, 1872": What if e-communication agreements are not acceptable as evidence in the courts? For this aim, sections 65-A and 65-B. Would be included which provided electronic proof as a secondary copy for admissibility in courts under the conditions specified in section 65-B.

V. CONFLICT RESOLUTION IS A DAILY NEED

The conventional means of resolving disputes include courts and tribunals. However, the method adopted by the court or tribunal is not only tedious but also costly. Alternative conflict resolution techniques have been created to speed up disputes, including arbitration, mediation, and conciliation. But nothing beats online dispute settlement in India.

Using ODR in India offers numerous advantages, but only if we have a well-established ODR infrastructure. India's ODR infrastructure is in disarray. India lacks a well-organized legislative framework and sufficient technological usage to make ODR a success.

Even though India has no specific legal framework for online dispute resolution, some clues may be gleaned from the Information Technology Act, 2000 (IT Act, 2000); however, these random and selected laws cannot support a solid, stable, and long-term ODR System in India. An additional factor for ODR's slow development in India is the lack of specialized centers offering training, education, research, and policy.

No such facility exists in India. It manages e-courts, ODR, digital evidencing, judges and attorney's education for e-courts and ODR, cyber law training sessions, etc. In these conditions, anticipating India to be an ODR center would be unrealistic. India has a long way to go before

using ODR to resolve disputes.

VI. TECHNOLOGY AND ARBITRATION

Alternative dispute resolution relies heavily on information technology. When using a computer, one is dealing with technology. Information technology may help to improve communication and therefore help to avoid and manage conflicts. ADR services may utilize technology to give knowledge to participants or replace conventional face-to-face interventions. Technology may also help improve ADR supervision, assessment, training, data management, research, and evaluation. A powerful instrument for arbitration court. It speeds up the dispute settlement process and helps manage the massive documents generated by modern arbitrations. Thus, referring to the use of IT in adjudication may encompass a wide range of activities that go far beyond most attorneys' everyday tasks.

VII. FORCES AND CHALLENGES

Strengths: ODR offers numerous benefits over regular courts where parties are self-sufficient in proceedings. Take as follows:

i. Time and cost strategic planning: ODR avoids any need for travel and reduces costs significantly. It enables better time and cost control, greater procedural versatility, and much more creative solutions.

ii. Versatile and unstructured: ODR fosters flexible and informal speed of settlement contrasted with rigorous court proceedings over the years.

iii. Trust and Confidence: Because of its quick due process, adaptability, time and cost control, and ability to promote e-commerce while overcoming geographical obstacles, alternative dispute resolution (ADR) helps build trust and self-belief online platform. Compared to face-to-face mediation conversations, asynchronously online communications have the advantage of being edited instead of spontaneous answers, which can occur in real-time. vs. communication:

iv. Communication using videoconference: According to Lodder and Zeleznikow, videoconferencing can be used in cases when the emotional engagement of both parties is so great that they should not see each other in order to avoid a confrontation. The lack of face-to-face communication has been deemed the major disadvantage of alternative dispute resolution (ADR). However, some have claimed that teleconference provides an "evident answer to the lack of facial expression contacts" in online dispute resolution and that it should be used instead.

v. Convenient and Timely Access: ODR can be accessible from any location at any time, from any computer with an internet connection, according to with comfort and requirement of the parties.

In the absence of a proper document storage system, one of the most common problems seen in the Indian judiciary has been replaced by an ODR system that allows for the secure storage of documents and the transmission of those materials or documents as and when required without any bother or hassle.

VIII. DISPUTES

A variety of impediments hinder ODR from developing in India. There is a lack of personal interaction, literacy, confidentiality, secrecy in discussions, lack of trust, a limited range of conflicts, cultural, intellectual, and linguistic obstacles, and nasty perceptions among attorneys. However, the validity of ODR is a significant problem.

IX. ADMISSIBILITY ISSUES

a) Mutual Consent and Written Consent: To invoke the ODR process, both parties must agree to it in advance, either with an explicit clause in the contract or through an entirely separate mutual agreement between the parties. Otherwise, any decision delivered by a neutral will not be legally enforceable and binding on the parties. One more important criterion is that any agreement reached between both parties be in writing. According to Article 2 of the New York Agreement and Article 7(2) of the UNCITRAL Model Law, the agreement must be in writing, which both demand it. Although agreements entered into it through digital communications are not covered by the New York Convention, other conventions cover them. The UNCITRAL Model Legislation, on the other hand, accepts arbitration clauses carried through electronic communications, and India has adopted this model law in its 2015 Amendment to the 1996 Arbitration Act.

b) The location of the proceedings: The arbitration hearing is chosen geographically in the adjudicatory process, and it is a critical aspect on which several legal ramifications are predicated. If proceedings are performed entirely online, with parties and neutrals located in separate locations, it appears to be impossible to detect the location of the proceedings at first glance.

ii. Appellate jurisdiction:

When disagreements are settled online, the question of what substantive law should be applied to the disputes emerges. In the context of international arbitration, it is critical to distinguish

between four types of legal issues:

- a) substantive law governing the merits of the parties' contract and claim;
- b) substantive law governing the parties' arbitration agreement; and
- c) law applicable to the arbitration proceedings themselves (curial law or *lex arbitri*)

Each of the legislation listed above is subject to the norms of conflict of laws.

iii. Pre-Trial Stage:

It is possible that in order to achieve a speedy resolution, essential elements of the pre-trial stage such as discovery, interrogatories, and the gathering of evidence to support the respective suppositions of parties will be minimized in ODR in order to achieve a speedy resolution, failing to discover the excellent and accurate state of facts.

iv. Announcing of Awards:

It should be noted that the Convention does not explicitly require that an arbitral award be signed and in writing, which makes it an excellent starting point for determining whether digital arbitration agreements are admissible within the current legal environment. Furthermore, Article 8 of the UNCITRAL Model Law on E-commerce activities expressly provides that an electronic data transmission might satisfy the requirement to convey facts in its original form when provided electronically. According to Article 31 (1) of the UNCITRAL Model Law, "the award having been made in shall be signed by the arbitrator." In India, Section 31 of the Arbitration and Conciliation Act, 1996, which is based on the Model Law, demands the same. The Information and Technology Act, 2000, which acknowledges electronic documents and message authentication as valid legal documents under certain circumstances, have supplanted traditional concepts of writing and signing.

X. REGULATION

It is the only central pillar over which the International Arbitration Building is based. If the Act of 1996 takes into account the following points:

- a) Decisions in the adjudicative procedure shall be enforced by the courtrooms.
- b) Implementing orders are susceptible to appeal.
- b) Court intervention during and after the ruling.

It may lead to concerns such as jurisdiction or legal requirements, or places of proceedings where conflicts of legal norms must be applied to avoid shopping forums.

XI. FOCUS ON RESEARCH

(A) Reinforcement of mediation

Notwithstanding the reference to mediation in several legislations, mediation has not become a popular conflict settlement tool in India. Due to the lack of confidence concerning enforcement, the need for mediation is shallow, so the capability has indeed been slow to develop up in arbitrators and settlement centers. This is extremely regrettable, given that mediation is appropriate for such a wide range of issues that may be settled outside the courts, many of them forecast to increase due to the sheer COVID-19 pandemic.

The paper investigates how the learning from the successful Italian 'opt-out' mediation mechanism in several countries may be learned in India. Under the concept, the litigants must undergo a compulsory negotiation meeting before the court admits their case. After that, either side can agree to maintain the mediation, or any participant can drop out of the process. In addition, a case is presented for promoting e-mediation.

(B) Reinforcement of arbitration

In India, ad-hoc arbitration is more likely than arbitration proceedings, increasing expenses and making the procedure more judicial. Furthermore, actual difficulties in appointing arbitrators for conflicts of minor value lakhs have resulted in misconduct in appointing referees. ODR can ensure that arbitration as a dispute resolution method increases, particularly for low to medium value conflicts. While the Arbitrator Authority of India has been provided for and institutional arbitration promoted, additional capacity-building efforts and inexpensive online adjudication ought to be undertaken.

(C) Introduction and integration in India of ODR

Several administrations in various jurisdictions have been spurred by the achievement of private ODRs to cooperate on their public courts. Jurisdictions have increasingly established permanently affixed Court ODR centers for particular matters, which can be resolved quickly. The preconditions for popularizing both judicial ordered and commercial ODR in India are also sketched out. The article also outlines the framework principles that any ODR platform would meet to achieve and retain confidence in the system.

XII. ANALYSIS OF ONLINE ARBITRATION

With the rise of online arbitration, whether electronic arbitration is legitimate under the existing legal framework has become more critical. It is challenging to apply conventional concepts of international arbitration law to online arbitration as a novel method of dispute resolution.

Numerous aspects of internet dispute resolution are now "insufficiently regulated." "Insufficient regulation" arises not just from a lack of complete ODR legislation but also other regulatory flaws. Undoubtedly, the law might not be the most fantastic tool. The situation has altered drastically in a short period. Every year, millions of conflicts are handled online with over a hundred telecom operators. These service providers operate globally. Online arbitration has grown from a novelty to a significant trend in dispute resolution. While there may seem to be no connection between the internet and commercial arbitration, such significant phenomena cannot be ignored. Recognizing this, ICC has undertaken numerous IT-related initiatives. There are also plans to create an online clearinghouse for minor claims and provide guidelines on using IT in arbitration.

Law, economics, conventions, and structure all interact to govern human behavior in cyberspace. A supplier of ODR solutions charging too much should be dealt with by the market rather than the legislation. If a supplier ignores customers' emails regarding price, norms appear to trump legislation. Not because it is illegal and because a computer will not recognize a particular number if the provider attempts to use it.

A client's credit card may be charged fraudulently, and the law must be followed. Hence, the law and other mechanisms govern online conflict settlement. No legislation encourages online dispute settlement. Because there is no special law dealing with the issues of online arbitration, we must turn to the standards that apply to conventional arbitrations. No element in the existing arbitration law prohibits online arbitration but owing to its unique features, and it would be advantageous to develop a separate legislative framework to govern this process.

In addition to the benefits of fast and hassle-free Justice, Online Dispute Resolution has several disadvantages that must be considered. The primary basis for the concept is the continuous dread of information exposure and the lack of resources to interact and profit from it. Because the whole procedure is online, you must submit documents, information, and private information. It makes the data accessible to hackers who can break into the networks and obtain the same data. It has also been repeatedly stated that increased private sector knowledge is needed to address current issues, particularly those relating to safeguards.

The government and courts have recently been increasingly attentive to the growth of ODR. Notable initiatives have included the Ministry of Corporate Affairs partnering with law schools to set up online consumer grievance facilities. One such facility is the online consumer unit just at the national law school in Bengaluru. There are also autonomous private online dispute settlements as CORD, Presolv360, and e-CADR to reach the needed individuals, promote

technological knowledge, and resolve fundamental conflicts. The Income Tax Department's E-Assessment and the National Stock Exchange's INDRP are notable examples of the government's recent efforts to create ODR.

With regard to technology and access to Justice, *Justice DY Chandrachud* has managed to incorporate his view on the significance of stakeholders such as technology service providers, governments, and professional organizations. In defining the role of internet providers, he states that mechanisms for informing parties of their entitlements and forums for dispute resolution should be created.

XIII. OPERATING DISPUTE RESOLUTION SYSTEMS

Litigation is still prevalent in nations with less established ADR systems. The word "alternative" implies the primary model for resolving conflicts litigating in the courtroom, unlike today, when courts are eager to transfer conflicts to mediation, conciliation, and arbitration, transferring issues "out of court" used to cause anxiety. Since then, ADR has been promoted, but ODR will also shortly find a place in the business sector. Factors that influence ADR growth would also influence ODR growth in India. The development of technology has made conventional courts ineffective in resolving internet conflicts. So, eventually, the necessity for ODR will be realized. Seeing how far the Internet has come in a decade and how much younger generations are involved in this development, the time for ODR is not far away.

XIV. RECOMMENDATIONS FOR PROFESSIONAL USE OF ODR METHODOLOGY

1. A distinct legal framework should be explored globally.
2. Steps must be done for ODR stability and not only on IT standards since they are defined for residential uses.
3. Virtual arbitration should have been started separately.
4. Raising public awareness of ODR as a viable conflict resolution method.
5. A comprehensive ODR framework should indeed be established using conventional arbitral concepts as a backbone.
6. Need for dedicated organizations to offer ODR employment, training, investigation, and policy in India.

XV. CONCLUSION

In conclusion, the development of Online Dispute Resolution has released the court of cases, but the efficiency of the judgments was not up to par due to the lack of appropriate technology

and infrastructure. Only individuals who were technologically savvy and have had access to quality equipment might profit. Only Covid-19 made people aware of what can be done electronically and that disagreement can be addressed online. Despite this, the government's recent efforts make up for previous shortcomings, and this can be stated that ODR has a bright future in India. Since ODR is still in its infancy in India and faces many challenges in its implementation, it may be concluded that although it has not yet shown exceptional results, it will be one future when cybercrime and other connectivity issues are resolved of the most crucial factor.
