

## ONLINE DISPUTE RESOLUTION (ODR)

Online Dispute Resolution (ODR) has once again come into limelight amid social distancing norms and high pendency of cases.

NITI Aayog CEO recently called to adopt ODR mechanism to solve India's judicial problems.

ODR is a data driven mechanism which uses Information and communication Technology (ICT) tools to

provide arbitration, mediation or negotiation.

Thus acts as Alternate Dispute Resolution. Possible benefits of ODR in India are :-

(i) lowing Burden of Judiciary wherein about 3.5 cr cases are pending according to National Judicial Data Grid.

(ii) more important issues - By handling pitty cases it can save judicial time, which can thus concentrate on more important issues like Constitutional Amendment.



- (iii) Accessibility - Traditional courts can not provide on door solutions, while ODR has capacity to provide on door solution in a customised way i.e. whenever no time limits - no place limits
- (iv) Effective justice - Due to low cost as well as in transparent and predictable manner.
- (v) Ease of Doing Business - problems like contract enforcement and small money and land disputes can be solved through ODR.

### Challenges in ODR

- (i) Behavioural change - people are accustomed with physical courts, thus satisfaction from ODR is a tough task.
- (ii) Traditional problems - like digital divide, illiteracy <sup>Data security</sup> are major road block before ODR.

### Way forward

- (i) supplementary - ODR can be used as supplementary to lokadalats and subordinate courts
- (ii) Awareness and training of legal practitioners is needed.