

Online Dispute Resolution to Enhance Ease of Doing Business

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Exploring the massive potential of Online Dispute Resolution (ODR) to enhance the Ease of Doing Business in India, NITI Aayog in association with Agami and Omidyar Network India held a conversation, co-hosted by Confederation of Indian Industry (CII), with heads of legal firms and industry representatives.

Online Dispute Resolution

In today's age of data-driven solutions and machine learning, **ODR provides the potential to resolve a substantial percentage of disputes at the site of their occurrence without burdening the courts.** Progressive and disruptive changes in justice delivery are critical components that can **alter the course of access to justice in an unprecedented way.** ODR is the resolution of disputes, particularly small- and medium-value cases, using **digital technology and techniques of Alternate Dispute Resolution (ADR), such as negotiation, mediation, and arbitration.** Ease of Doing business has been a priority area of the government for combating deceleration in the growth of GDP and investment.

ODR has extensive application and can be used to resolve a wide variety of commercial disputes. Recognising the essence of ODR, CII has been undertaking a plethora of initiatives such as setting up a **CII Centre for Alternate Dispute Resolution (ADR).** Through this Centre, CII plans to **impart training and undertake analysis through research papers, seminars and conferences, and interact with various national and international arbitration forums and other stakeholders in promoting arbitration,** thereby reducing time and cost to

litigation, and advocating harmony in the legislature, executive and the judiciary.

Advantages of ODR

- It can help **reduce the cost of dispute resolution** in the face of rising cases and disputes.
- It will allow citizens and consumers to raise any grievances they may have at the click of a button and **have an independent third-party firm review and address their grievance**. This can truly help businesses enhance consumer trust and improve customer retention.
- In the medium-term, once ODR firms have collected enough data around disputes, it can **start feeding back into business decisions regarding the product and service being offered**. This will help businesses sharpen their offerings besides improving access to dispute resolution.

Covid-19 has instilled an urgent need for ODR that requires decisive action, with the likelihood of a spurt in disputes before the courts, most notably in lending, credit, property, commerce, and retail. In the coming months, ODR could be the mechanism that helps businesses with achieving expedient resolution. A multi-stakeholder exercise will be undertaken in the coming weeks to enable ODR in India in a sustainable, efficient, and collaborative manner.