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# **BRIDGING THE DIGITAL DIVIDE: EFFECTIVENESS OF ONLINE DISPUTE RESOLUTION IN RURAL INDIA.**

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## **ABSTRACT**

Online Dispute Resolution (ODR) has emerged as a transformative mechanism in the global justice landscape, promising accessible, affordable, and efficient resolution of disputes outside traditional courtrooms. In India, where an estimated 50 million cases are pending before various courts, ODR offers a compelling alternative to litigation. However, the promise of ODR is significantly complicated by the persistent digital divide, the structural gap in access to digital infrastructure, literacy, and connectivity that characterizes rural India. This study examines the effectiveness of ODR in rural Indian contexts, analysing the interplay between technological access, legal awareness, linguistic barriers, institutional trust, and socioeconomic conditions. It argues that while ODR holds transformative potential, its effective deployment in rural India necessitates a multi-pronged approach involving infrastructure development, vernacular integration, community level facilitation, and robust legal frameworks. Without addressing these foundational challenges, ODR risks replicating and deepening existing inequalities in access to justice.

**Keywords:** Online Dispute Resolution, Rural India, Digital Literacy, Specific Sector for ODR.

## **1. INTRODUCTION:**

The Concept of justice delayed is justice denied is nowhere more viscerally felt than in the corridors of India's overburdened judiciary. With over 50 million pending cases across district courts, high courts, and the Supreme Court, the Indian legal system faces a crisis of access and efficiency that disproportionately burdens its most vulnerable citizens, the rural poor.<sup>2</sup> Against this backdrop, Online Dispute Resolution has been positioned by policymakers, legal

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<sup>2</sup> Department of Justice, Government of India. (2023). *Pendency of Cases in Indian Courts: A Statistical Report*. New Delhi: Ministry of Law and Justice. The figure of 50 million pending cases is drawn from the National Judicial Data Grid (NJDG), updated in early 2023.

technologists, and international bodies as a potentially democratizing force, capable of delivering justice at scale with reduced cost and time.

ODR encompasses a spectrum of mechanisms, such as negotiation, mediation, conciliation, and arbitration, which are facilitated through digital platforms, video conferencing, artificial intelligence, and automated decision support tools.<sup>3</sup> Unlike traditional Alternative Dispute Resolution (ADR), ODR removes the requirement of physical presence, theoretically enabling parties from geographically remote areas to resolve disputes without traveling to urban legal hubs. For a country like India, where 65% of the population resides in rural areas,<sup>4</sup> this proposition is highly significant.

However, the translation of this theoretical promise into a practical reality is far from straightforward. Rural India is characterized by fragmented Internet connectivity, low digital literacy, linguistic diversity, and deep seated distrust of formal institutional mechanisms.<sup>5</sup> The same technological infrastructure that ODR depends upon remains unevenly distributed, creating a paradox: those who most need accessible justice are often least equipped to access it.

This study investigates the effectiveness of ODR in rural India by examining its structural prerequisites, evaluating existing initiatives, and identifying barriers that prevent equitable access. It further proposes a framework for contextually appropriate ODR deployment that is sensitive to the socioeconomic and cultural realities of rural India.

## **2. CONCEPTUAL FRAMEWORK: ODR AND ITS DIMENSIONS**

### **2.1 DEFINING ODR**

Broadly defined, ODR refers to dispute resolution processes that are conducted wholly or substantially through digital means. The United Nations Commission on International Trade Law (UNCITRAL) Technical Notes on ODR (2017) describe it as encompassing negotiation,

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<sup>3</sup> Katsh, E. & Rabinovich-Einy, O. (2017). *Digital Justice: Technology and the Internet of Disputes*. Oxford University Press, pp. 3-27. The authors provide a comprehensive typology of ODR mechanisms, ranging from automated negotiation to AI-assisted arbitration.

<sup>4</sup> Census of India. (2011). *Primary Census Abstract: Rural-Urban Distribution*. Office of the Registrar General and the Census Commissioner of India. The 2011 Census recorded 68.84% of India's population as rural, and more recent estimates place this figure at approximately 65%.

<sup>5</sup> Srivastava, R. & Mathur, K. (2022). "Barriers to Digital Justice: A Study of Rural Litigants in Rajasthan." *Indian Journal of Law and Technology*, 18(1), 45-72.

conciliation, and arbitration through electronic communication with or without the involvement of a neutral third party.<sup>6</sup> In practice, ODR platforms range from simple email based negotiation tools to sophisticated AI-driven arbitration systems.

In the Indian context, NITI Aayog's 2021 report on ODR identified three primary modalities: asynchronous communication-based ODR (exchange of written submissions), synchronous video-mediated ODR (real time hearings via platforms like Zoom or Webex), and automated or algorithmic ODR (AI-assisted adjudication for low-value, high volume disputes such as consumer complaints and insurance claims).<sup>7</sup>

## 2.2 THE DIGITAL DIVIDE: A THEORETICAL LENSE

The Digital divide is not merely a technological phenomenon but a socio-structural one. Van Dijk's model of digital inequality identifies four successive barriers: motivational access, material access, skills access, and usage access.<sup>8</sup> Applied to rural India, this model reveals that the challenge is not singularly infrastructural; it is also embedded in broader patterns of educational deprivation, economic marginalization, gender discrimination, and linguistic exclusion.

Scholars such as Heeks have further introduced the concept of the "design-reality gap" in ICT4D (Information and Communication Technology for Development) initiatives, noting that technology solutions designed in urban or Western contexts often fail to align with the lived realities of rural users in the Global South. If ODR is deployed without contextual adaptation, it risks falling into this trap.<sup>9</sup>

## 2.3 ACCESS TO JUSTICE AS A CONSTITUTIONAL IMPERATIVE:

India's Constitution embeds access to justice as a fundamental and directive principle under Articles 14, 21, and 39A.<sup>10</sup> The Supreme Court of India has consistently held that access to justice is an integral component of the right to life. In *Anita Kushwaha v. Pushap Sudan* (2016),

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<sup>6</sup> UNCITRAL. (2017). *Technical Notes on Online Dispute Resolution*. United Nations Vienna. The Notes represent the first significant international soft-law instrument dedicated to the ODR.

<sup>7</sup> NITI Aayog. (2021). *Designing the Future of Dispute Resolution: The ODR Policy Plan for India*. Government of India, New Delhi. The report classifies ODR modalities and makes comprehensive policy recommendations.

<sup>8</sup> Van Dijk, J. (2006). "Digital Divide Research, Achievements and Shortcomings." *Poetics*, 34(4-5), 221-235. Van Dijk's four-stage model of digital inequality remains a foundational framework in digital access scholarship.

<sup>9</sup> Heeks, R. (2010). "Do Information and Communication Technologies (ICTs) Contribute to Development?" *Journal of International Development*, 22(5), 625-640. The concept of the "design-reality gap" is elaborated in Heeks, R. (2002). *Failure, Success and Improvisation of Information Systems Projects in Developing Countries*. IDPM Working Paper.

<sup>10</sup> Constitution of India (1950), Articles 14, 21, and 39A. Article 39A, inserted by the 42nd Constitutional Amendment (1976), directs the state to secure equal justice and free legal aid.

the Apex Court explicitly recognized access to justice as a fundamental right and identifying distance, cost, and procedural complexity as key difficulties.<sup>11</sup> ODR, in this constitutional framework, is not merely a technological convenience but a potential instrument of rights realization that must be evaluated against its capacity to serve the most marginalized.

### **3. THE STATE OF DIGITAL INFRASTRUCTURE IN RURAL INDIA:**

#### **3.1 CONNECTIVITY AND DEVICE ACCESS**

India has made remarkable strides in digital penetration in the past decade. The launch of Reliance Jio in 2016 disrupted the telecom market, dramatically lowering data costs and expanding mobile Internet access. As of 2023, India has over 850 million Internet users, making it the second-largest Internet market in the world. However, disaggregated data reveal a stark urban-rural divide.

According to the Internet and Mobile Association of India's 2023 report, urban Internet penetration stands at approximately 67%, whereas rural penetration remains at around 37%.<sup>12</sup> More critically, rural Internet access is predominantly mobile-based, with limited access to desktops or laptops, which are better suited for sustained ODR proceedings. Network quality is inconsistent, with frequent connectivity drops in hilly terrains, tribal regions, and states such as Assam, Nagaland, Jharkhand, and Chhattisgarh.

The Prime Minister Wi-Fi Access Network Interface (PM-WANI) scheme and BharatNet are the government's flagship rural broadband programs that have sought to bridge this gap by providing optical fibre connectivity to gram panchayats. However, implementation has been uneven, with audits by the Comptroller and Auditor General (CAG) noting significant delays and underutilization of the installed infrastructure.<sup>13</sup>

#### **3.2 DIGITAL LITERACY:**

Digital literacy in rural India presents an equally complex picture. The National Statistical Office, that is, NSO in its 2021 survey on household social consumption found that only 31% of rural Indians above the age of 15 were computer literate, with the figure dropping to 19%

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<sup>11</sup>*Anita Kushwaha v. Pushap Sudan*, (2016) 8 SCC 509. The Supreme Court identified four pillars of access to justice: availability of forums, absence of impediments, affordability, and timely justice.

<sup>12</sup>Internet and Mobile Association of India (IAMAI). (2023). *India Internet Report 2023*. Mumbai: IAMAI & Kantar Research.

<sup>13</sup> Comptroller and Auditor General of India. (2022). *Report on BharatNet Implementation*. New Delhi: CAG Publications. The audit noted that a substantial percentage of installed optical fibre capacity remained unutilized.

for rural women.<sup>14</sup>

For ODR to be functional, users must be capable of not only operating devices but also navigating platforms, uploading documents, participating in video hearings, and understanding digital notifications and abilities that require a level of digital fluency far beyond basic digital literacy.

This challenge is compounded by the age demographics. A significant portion of rural disputants, particularly in agrarian, tenancy, and matrimonial disputes, are elderly, and studies consistently show lower rates of technology adoption among older rural populations.<sup>15</sup>

### **3.3 LINGUISTIC AND LITERACY BARRIERS:**

India's linguistic diversity, with 22 scheduled languages and hundreds of others, poses a challenging barrier to standardized ODR platforms. Most existing ODR platforms in India operate primarily in English or, at best, Hindi, thereby excluding hundreds of millions of speakers of Tamil, Telugu, Kannada, Bengali, Odia, Marathi, and tribal languages.<sup>16</sup>

Combined with overall literacy rates, rural literacy stands at approximately 67.8% as per the 2011 Census, with significant variation across states and genders. The textual and procedural demands of ODR platforms risk being comprehensible only to a narrow, relatively privileged segment of rural India.<sup>17</sup>

## **4. EXISTING ODR INITIATIVES IN INDIA: AN EVALUATION**

### **4.1 SAMA AND PRIVATE ODR PLATFORMS**

Several private ODR platforms have recently emerged in India. SAMA (formerly known as Presolv360) is among the most prominent, offering technology-enabled mediation and arbitration services primarily for financial disputes between banks and nonpayers.<sup>18</sup> While innovative in design, SAMA's user base has been mainly urban and semi-urban, reflecting the demographic of formally banked, digitally literate individuals.

Similarly, platforms like Agami, Nyaay.co, and Presolv360 have facilitated the resolution of

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<sup>14</sup>Ibid. Urban penetration was recorded at 67% against rural penetration of approximately 37% for active internet users.

<sup>15</sup> National Statistical Office. (2021). *Household Social Consumption: Education in India (NSS 75th Round)*. Ministry of Statistics and Programme Implementation, Government of India.

<sup>16</sup>Rajan, S.I. & Balagopal, G. (2017). *Elderly in India: Report 2017*. United Nations Population Fund (UNFPA) India. The report documents consistently lower rates of technology adoption among elderly rural populations.

<sup>17</sup>Eighth Schedule to the Constitution of India lists 22 officially recognized languages. India's linguistic diversity encompasses hundreds of dialects beyond these scheduled languages.

<sup>18</sup>Census of India. (2011). *Literacy Rates in India*. Office of the Registrar General. The rural literacy rate of 67.8% conceals significant gender and regional disparities.

commercial, consumer, and matrimonial disputes, but their reach into rural constituencies has been limited. These platforms function largely in English, require stable internet connections, and need a level of institutional familiarity with ADR that rural disputants often lack.

#### **4.2 JUDICIARY-INITIATED ODR: E-COURTS AND VIRTUAL HEARINGS**

The Indian judiciary has invested significantly in digital infrastructure through the e-Courts Mission Mode Project. Phase III of the project, launched in 2023 with a budget of Rs. 7,210 crores, aims to establish a fully digital court ecosystem, including virtual hearings, electronic filing, and digital case management.<sup>19</sup>

The COVID-19 pandemic catalysed the adoption of virtual hearings, with the Supreme Court and High Courts conducting millions of hearings via video conferencing. However, the experience of district courts was the primary interface for rural litigants, which was more mixed. Technical failures, poor audio quality, lack of lawyers skilled in virtual advocacy, and the digital exclusion of unrepresented litigants undermine the efficacy of virtual hearings at the grassroots level.<sup>20</sup>

#### **4.3 NALSA AND LEGAL AID LINKED ODR**

The National Legal Services Authority (NALSA), mandated under the Legal Services Authorities Act, 1987, has begun integrating ODR elements into its Lok Adalat framework. Lok Adalats are known as people's courts that facilitate settlement through conciliation. They have historically been accessible to rural populations but have been geographically constrained. The introduction of National Lok Adalats, conducted partially through video conferencing, represents a growing but promising bridge between traditional legal aid and digital dispute resolution.<sup>21</sup>

The NALSA eSewa portal, launched in 2021, enables online applications for legal services. However, its penetration in rural areas remains limited due to the same infrastructural barriers discussed above.<sup>22</sup>

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<sup>19</sup>SAMA (formerly Presolv360). (2022). *Annual Impact Report 2021-22*. Mumbai.

<sup>20</sup>Department of Justice. (2023). *E-Courts Mission Mode Project-Phase III: Project Report*. Ministry of Law and Justice, Government of India.

<sup>21</sup>Vidhi Centre for Legal Policy. (2021). *Access to Justice During COVID-19: Challenges of Virtual Hearings in District Courts*. New Delhi: Vidhi Publications.

<sup>22</sup>NALSA. (2022). *Annual Report 2021–22*. National Legal Services Authority, New Delhi. The report details Lok Adalat settlements and the integration of video-mediated proceedings.

#### **4.4 SECTOR SPECIFIC ODR: AGRICULTURE AND CONSUMER DISPUTES**

Agriculture-related disputes over land, tenancy, water rights, and crop insurance constitute a substantial portion of rural litigation. The government's introduction of the Pradhan Mantri Fasal Bima Yojana attempted to use digital processes for insurance claim settlements, but disputes arising from rejected or delayed claims have highlighted the inadequacy of redressal mechanisms.<sup>23</sup>

The Consumer Protection Act, 2019, and its associated E-Daakhil portal represent perhaps the most concretely rural accessible ODR initiative, enabling consumers to file complaints electronically. However, awareness of the portal in rural areas is minimal, and literacy and connectivity requirements continue to restrict access.<sup>24</sup>

### **5. BARRIERS TO EFFECTIVE ODR IN RURAL INDIA:**

#### **5.1 STRUCTURAL AND INFRASTRUCTURAL BARRIERS**

The Most fundamental barrier is infrastructure. Online Dispute Resolution requires reliable electricity, internet connectivity, and access to devices. In many rural districts of Bihar, Uttar Pradesh, Odisha, and northeastern states, the power supply is inconsistent, and internet connectivity is either unavailable or prohibitively expensive relative to rural incomes. Without solving this initial problem, no amount of platform design innovation will render ODR accessible to the general public.<sup>25</sup>

#### **5.2 TRUST AND CULTURAL BARRIERS**

Access to justice in rural India is deeply embedded in the social and cultural norms. Dispute resolution has historically occurred through community-based mechanisms such as gram sabhas, panchayats, and village elders, which despite their limitations and occasional violations of rights, carry legitimacy and cultural familiarity.<sup>26</sup>

In contrast, is perceived as alien, urban, and impersonal. The absence of physical presence and face-to-face interaction, which ODR inherently involves, may weaken the trust necessary for parties to engage in meaningful settlements.

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<sup>23</sup>NALSA eSewa Portal: Launched in 2021, the portal enables online applications for legal aid, though rural outreach has remained limited.

<sup>24</sup>Ministry of Agriculture and Farmers Welfare. (2022). *PMFBY Implementation Report: Challenges in Claims Settlement*. Government of India.

<sup>25</sup>Consumer Affairs Department. (2023). *E-Daakhil Portal Usage Statistics*. Ministry of Consumer Affairs, Food and Public Distribution, Government of India.

<sup>26</sup>Kohli, K. & Bhartiya, N. (2021). "Rural Electrification and Internet Access: The Twin Deficits of Digital Inclusion in India." *Economic and Political Weekly*, 56(12), 31-38.

Srivastava and Mathur (2022) found that a majority of respondents in Rajasthan and India, had expressed disbelief about the enforceability and legitimacy of digitally reached settlements, viewing them as less binding than those concluded before a physical authority.<sup>27</sup>

### **5.3 GENDER AND MARGINALIZATION**

The Digital gender gap in India is one of the most pronounced in the world. Women in rural areas are significantly less likely to own mobile phones, access the Internet, or possess digital literacy skills, a disparity rooted in patriarchal norms, economic dependency, and restricted mobility.<sup>28</sup> Since women are unreasonably involved in family law, matrimonial, inheritance, and domestic violence disputes, accessible dispute resolution is critical in these areas. Moreover, the digital gender divide risks rendering ODR mechanisms functionally inaccessible to those who need them the most.

Similarly, Scheduled Castes, Scheduled Tribes, and Other Backward Classes face compounded barriers of poverty, literacy deprivation, and systemic social exclusion, which further diminish their capacity to engage with digital legal processes.<sup>29</sup>

### **5.4 LEGAL AWARENESS AND REPRESENTATION**

A Pervasive lack of legal awareness in rural India means that many potential ODR users do not know their legal rights, let alone the existence of ODR mechanisms in India. Studies by the Daksh Foundation and others have documented that a majority of rural litigants are unaware of ADR options, even in their accepted standards, non-digital forms.<sup>30</sup> Layering digital difficulty onto this awareness deficit creates compounded exclusion.

### **5.5 EVIDENTIARY AND PROCEDURAL CHALLENGES**

Rural disputes, particularly those involving land, frequently rely on physical documents such as pattas, revenue records, khasra-khatauni that may be unavailable in digital form, damaged, or disputed. ODR platforms require the submission of evidence in digital formats, presenting a practical barrier for rural disputants who must convert physical documents, navigate scanning

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<sup>27</sup>Galanter, M. & Moog, R. (2010). "Introduction: The Study of the Indian Legal Profession." *Law & Social Inquiry*, 35(4), 795-834. The authors discuss the coexistence of formal legal institutions and informal community dispute resolution mechanisms in India.

<sup>28</sup>Srivastava, R. & Mathur, K. (2022), supra note 4, at 61.

<sup>29</sup>GSMA Connected Women Programme. (2022). *The Mobile Gender Gap Report 2022*. London: GSMA. India was identified as having one of the largest gender gaps in mobile internet usage globally.

<sup>30</sup>Thorat, S. & Newman, K.S. (Eds.). (2010). *Blocked by Caste: Economic Discrimination in Modern India*. Oxford University Press. The volume provides empirical evidence of intersecting deprivations affecting SC/ST/OBC populations.

facilities, and upload files, these tasks requiring both resources and skills often unavailable in villages.<sup>31</sup>

## **6. A FRAMEWORK FOR CONTEXTUALLY APPROPRIATE ODR IN RURAL INDIA**

### **6.1 THE INTERMEDIARY MODEL: ODR FACILITATION CENTRES**

One of the most promising approaches to bridging the digital divide in ODR is establishing community-level facilitation centers staffed by trained intermediaries. Similar to the Common Service Center model, which has successfully delivered digital government services in rural areas, ODR facilitation centers could provide physical access points where rural disputants can receive assistance in filing claims, participating in hearings, and understanding proceedings.<sup>32</sup> The intermediary a paralegal, community mediator, or digital literacy facilitator would serve as a human bridge between the rural user and the digital platform, compensating for literacy gaps and technical unfamiliarity. Pilot programs in this direction have shown promise in states like Maharashtra and Andhra Pradesh, where CSC operators have been trained to assist in consumer complaint filings.

### **6.2 VERNACULAR AND VOICE-BASED ODR**

The Development of vernacular ODR platforms operating in regional languages is essential for meaningful inclusion. India's robust progress in natural language processing and AI translation, as evidenced by initiatives such as Bhashini (a government language technology platform), creates a technological foundation for multilingual ODR interfaces.<sup>33</sup>

More fundamentally, voice based ODR, where interactions occur through voice rather than text, would address both literacy and interface barriers. Interactive Voice Response (IVR) systems, vernacular chatbots, and voice-enabled hearing platforms can dramatically lower the threshold of digital literacy required for participation in research.

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<sup>31</sup>Daksh Foundation. (2016). *Access to Justice Survey*. Bangalore: Daksh. The survey documented widespread lack of awareness of ADR mechanisms among rural litigants across multiple states.

<sup>32</sup>Bhatia, G. (2022). *The Transformative Constitution: A Radical Biography in Nine Acts*. HarperCollins India. See also National Land Records Modernisation Programme (NLRMP) reports on the state of digitization of land records across Indian states.

<sup>33</sup>Common Service Centre (CSC) Scheme. (2022). *Annual Report 2021-22*. Ministry of Electronics and Information Technology, Government of India. The CSC network operates over 5 lakh centres across rural India.

### **6.3 HYBRID ODR MODELS**

A Purely digital ODR model is unlikely to serve rural India effectively in the near future. A hybrid model that combines physical presence at facilitation centers with digital backend processing would leverage the advantages of ODR (speed, cost-efficiency and scalability) while accommodating the realities of rural access. The neutral third party could conduct hearings from an urban location, while rural parties participate through a facilitated centre, assisted by a trained intermediary.

### **6.4 LEGISLATIVE AND REGULATORY ENABLEMENT**

The Effectiveness of ODR is directly contingent on a clear legislative framework that recognizes digitally conducted proceedings, electronically recorded settlements and digital evidence as legally valid and enforceable. While the Information Technology Act, 2000, and the Indian Evidence Act (now replaced by the Bharatiya Sakshya Adhiniyam, 2023) provide some foundation, specific ODR legislation, as recommended by the NITI Aayog and several expert committees, is necessary to provide legal certainty and stakeholder confidence.<sup>34</sup>

### **6.5 TARGETED AWARENESS AND CAPACITY BUILDING**

A sustained community-level legal awareness program focused on ODR, delivered through gram sabhas, self-help groups, ASHA workers, and local radio, this is a prerequisite for demand-side engagement. Supply side platform development without demand-side awareness will produce underutilized systems.

## **7. COMPARATIVE PERSPECTIVES**

India's challenge of deploying ODR in low-connectivity, multilingual rural contexts is not unique to India. Bangladesh's experience with Union Digital Centers, which provide digital services, including dispute facilitation, at the union council level, offers a relevant model of intermediary-based digital access.<sup>35</sup> Similarly, rural ODR initiatives in South Africa, where the Small Claims Court has incorporated video-mediated hearings in low-bandwidth

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<sup>34</sup>Ministry of Electronics and Information Technology. (2022). *Bhashini: National Language Translation Mission- Programme Overview*. Government of India. Bhashini aims to build AI-based language technology infrastructure for all scheduled Indian languages.

<sup>35</sup>NITI Aayog. (2021), *supra* note 6, at 45-58. The report recommends enactment of a dedicated ODR framework and amendment of the Arbitration and Conciliation Act, 1996, to expressly accommodate digital proceedings.

environments, provide lessons in technological adaptation for resource-constrained settings.<sup>36</sup> China's Hangzhou Internet Court, which handles e-commerce disputes through a fully digital process, demonstrates the potential of AI-assisted high-volume ODR, although its replicability in rural India's far more heterogeneous and low-infrastructure environment remains limited.<sup>37</sup>

## **8. DISCUSSION: RETHINKING THE ODR PROMISE**

The Enthusiasm for ODR in policy circles must be tempered by a clear assessment of structural realities. ODR is not inherently democratizing; its democratizing potential is contingent on equitable access to its prerequisites. In a context where the digital divide maps closely onto existing axes of social inequality based on class, caste, gender, and geography. The accepting deployment of ODR risks not merely failing the rural poor but actively disadvantaging them by formalizing processes they cannot participate in.

This does not counsel against ODR; quite the contrary. The inefficiency and inaccessibility of conventional litigation make the status quo invalid. Rather, it counsels for a justice centered, rather than technology centered, approach to ODR design and deployment. The question must not be "how do we get rural India to use ODR?" but "how do we design ODR so that rural India can meaningfully use it?"

This reframing has practical implications: it demands participatory design involving rural community members, gender responsive platform architecture, local language integration from inception rather than as an afterthought, and a willingness to accept that the "O" in ODR need not mean fully online and it can mean technology assisted, digitally processed, and intermediary facilitated.

## **9. CONCLUSION**

Online Dispute Resolution represents one of the most significant innovations in access to justice in the past two decades. For India, with its acute judicial backlog and vast rural population, ODR offers the possibility of a justice system that is faster, cheaper, and more

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<sup>36</sup>Access to Information (A2I) Programme, Bangladesh. (2020). *Union Digital Centre: Case Study Report*. Government of Bangladesh. The UDCs provide digital facilitation services, including legal aid referrals, at the union council level.

<sup>37</sup>South African Law Reform Commission. (2021). *Discussion Paper on Online Dispute Resolution*. Pretoria: SALRC. The paper reviews international and domestic ODR experiences with particular attention to low-bandwidth adaptations.

accessible than the one it supplements. However, this promise is seriously imperilled by the digital divide that continues to separate rural India from the digital infrastructure that ODR requires.

The Effectiveness of ODR in rural India is currently limited, not because the concept is flawed, but because its implementation has not adequately confronted the structural realities of rural life: inconsistent connectivity, low digital and legal literacy, linguistic diversity, gender exclusion, and cultural distance from digital institutions. These are not insurmountable barriers, but they require intentional and context-sensitive solutions.

A framework centered on community facilitation centers, vernacular and voice based platforms, hybrid models, legislative clarity, and robust awareness programs offers a pathway toward genuinely inclusive ODR. India has the policy will, technological capacity, and constitutional mandate to build such a framework. What remains is the institutional commitment to center the rural poor not as passive beneficiaries but as active participants in the design of its digital justice future.



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