

1. Online dispute Resolution could be the post-pandemic disruption that enhances justice delivery to all. Do you agree with this view? Comment.

Indian judiciary is prone to innovation to address the requirement of justice delivery to common public since independence. The Online dispute Resolution (ODR) is an Alternative dispute resolution (ADR) in judiciary to tackle the disruptions in justice delivery in COVID-19 situations. But it can't satisfy the need for all who access the steps of court.

ODR → Need computers → Need literacy
No literacy → No awareness → failure of ODR

Figure: Problem of ODR in litigations of India

Online dispute Resolution:

1. Pendency of more than 3.5 lakh cases in the apex court - Delhi
2. Pendency of more than 50,000 cases in large High Court of Madras, Bombay, Calcutta
3. ODR will tackle by reducing time of disposal since everything is done on internet.

4. High pendency → can be tackled effectively. But Quality should not be compromised.

Problems that can't enhance justice delivery to all:

1. Expensive path:

1. Need smartphone / computers to access
2. India's 60% rural population lacks digital literacy.
3. Hence their cases still can't provide effective justice by ODR

2. Failure of connections in internet:

1. Failure → risks in high pendency of cases
2. Electricity at central Indian villages is only for average 5-6 hours / day.
3. If no connection, then lags the petition clearance

3. Multiple stakeholders acceptance:

1. Complex behaviour of people persist
2. Not everyone accept ODR as their ADR.
3. Results in fail in justice to weaker sections

4. Lack of proper awareness:

1. North East state Tribal areas people
2. Lack of awareness ⇒ Lack of acceptance of ODR
3. (e.g) Ministry of Law ⇒ Nagaland has least ODR

Future Prospects:

ODR can't enhance justice of all for the Indian demography. Need digital gap reduce and support from NALSA act for proper effectiveness.