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A Critical Study of the Impact of Global Trends on the Growth of ADR Mechanisms in India

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ABSTRACT

This research paper critically examines the influence of global trends on the evolution and strengthening of ADR mechanisms in India. As globalization reshapes legal norms and dispute resolution frameworks, India has adapted its laws, institutions, and practices to align with international standards. The study explores legal harmonization efforts, technological innovations like ODR, and the rise of institutional arbitration. It further analyses how global practices, treaties, and conventions have influenced India's approach, while highlighting challenges such as enforcement issues, lack of awareness, and infrastructural gaps. The paper concludes by offering suggestions to make India a global hub for ADR while maintaining accessibility and affordability at the grassroots level.

This research paper critically examines how global legal, economic, and technological trends have influenced the evolution and growth of Alternative Dispute Resolution (ADR) mechanisms in India. The study explores how practices like institutional arbitration, online dispute resolution (ODR), and international commercial arbitration have gained traction due to globalization, digital transformation, and judicial reforms. It also highlights the influence of international institutions like UNCITRAL and ICC, and evaluates India's alignment with global best practices. The paper concludes by identifying key challenges and opportunities in adapting ADR to global standards while catering to the unique Indian socio-legal landscape

KEYWORDS

Alternative Dispute Resolution, Globalization, Online Dispute Resolution, Arbitration, India

INTRODUCTION

Alternative Dispute Resolution (ADR) refers to a set of processes used for resolving disputes without resorting to formal litigation. These processes include arbitration, mediation, conciliation, negotiation, and Lok Adalats. ADR mechanisms provide an efficient and flexible approach to resolving conflicts, focusing on collaboration rather than confrontation.

The traditional judicial system in India faces significant challenges, including a vast backlog of cases, delays, and high litigation costs. ADR presents a promising solution by offering quicker and more efficient resolutions, reducing the burden on courts. By enabling parties to resolve disputes outside the formal court system, ADR helps speed up the overall process, conserves judicial resources, and provides a more affordable path to dispute resolution. Moreover, ADR mechanisms often foster better communication between parties, which can lead to mutually beneficial agreements, preserving relationships that might otherwise be damaged by adversarial litigation.

As global trade and cross-border investments continue to grow, the need for effective international dispute resolution mechanisms becomes even more critical. In this interconnected world, businesses, governments, and individuals are increasingly facing disputes that span multiple jurisdictions. A global outlook in ADR is essential to accommodate this complexity, ensuring that parties in different countries can resolve their disputes efficiently and fairly. International treaties and conventions, such as the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, have reinforced the importance of cross-border recognition of ADR decisions. In India, the evolving ADR landscape reflects this need for alignment with international standards and practices.

The growing demand for efficient, less adversarial, and cost-effective dispute resolution has led to the evolution of ADR across the globe. India, too, has witnessed a significant shift in its dispute resolution mechanisms, influenced by global best practices and legal developments. The increasing complexity of commercial and civil disputes, alongside the mounting backlog in courts, has made ADR mechanisms an attractive option globally. ADR offers quicker and less adversarial ways to resolve conflicts, and in India, these methods are seen not only as a supplement to

the formal judicial system but also as a response to global commercial trends and cross-border legal challenges.

The convergence of legal systems under global economic integration has led to a notable transformation in India's ADR landscape. The need for investor-friendly dispute resolution, compliance with international treaties, and alignment with global best practices has necessitated reforms in both substance and structure. This paper attempts a critical evaluation of these influences and their implications on the Indian ADR regime.

GLOBAL TRENDS INFLUENCING ADR SYSTEMS

Legal Harmonization through International Conventions

The evolution of ADR system has been significantly influenced by key international legal instruments and institutional developments that promote harmonization and uniformity in dispute resolution practices across jurisdictions.

One of the most influential frameworks in this regard is the UNCITRAL Model Law on International Commercial Arbitration (1985, amended in 2006). This Model Law has served as a legislative template for many countries aiming to modernize their arbitration laws and align them with international best practices. For instance, India's Arbitration and Conciliation Act, 1996, was largely inspired by the UNCITRAL Model Law, enabling the country to establish a robust legal framework that ensures procedural fairness, party autonomy, and enforceability of arbitral awards in line with global standards.¹

Complementing this harmonization is the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958), ratified by over 170 countries. This Convention facilitates the cross-border enforcement of arbitral awards, thereby instilling greater confidence in the use of arbitration for international commercial disputes.² Its near-universal adoption underscores its vital role in creating a predictable and reliable environment for arbitration.

Further contributing to the evolution of ADR is the Singapore Convention on Mediation (2019), a pioneering treaty that provides

¹ UNCITRAL *Model Law on International Commercial Arbitration (1985), with Amendments as Adopted in 2006* | United Nations Commission On International Trade Law. https://uncitral.un.org/en/texts/arbitration/modellaw/commercial_arbitration. Accessed 11 May 2025

² Convention, New York. *United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards* (New York, 10 June 1958). <https://www.newyorkconvention.org/english>.

a framework for the international enforcement of mediated settlement agreements. Although India has not yet ratified this Convention, its significance lies in promoting mediation as a viable and enforceable mechanism for resolving international disputes.³ The Convention is expected to catalyse the integration of mediation into national ADR regimes, encouraging jurisdictions to adapt their legal frameworks to accommodate enforceable cross-border mediation outcomes.

Parallel to these legal developments, there has been notable institutional growth in the international arbitration landscape. Renowned arbitral institutions such as the International Chamber of Commerce (ICC)⁴, the Singapore International Arbitration Centre (SIAC)⁵, the London Court of International Arbitration (LCIA)⁶, and the Hong Kong International Arbitration Centre (HKIAC)⁷ have expanded their global influence. These institutions have introduced innovative rules, expedited procedures, and digital infrastructure, all of which contribute to the increased efficiency and credibility of ADR proceedings.

Collectively, these legal and institutional advancements are shaping a global convergence in ADR practices, offering a more accessible, predictable, and harmonized system of dispute resolution for commercial parties worldwide.

TECHNOLOGICAL INNOVATIONS AND EMERGENCE OF INSTITUTIONAL ARBITRATION

Technological Innovations in ADR

The global ADR landscape has experienced a transformative shift with the integration of technology-driven dispute resolution mechanisms, particularly in response to the growing demand for efficiency, accessibility, and cost-effectiveness. Online Dispute Resolution (ODR), once a niche concept, has now become a mainstream method of resolving disputes, especially in e-

³ United Nations *Convention on International Settlement Agreements Resulting from Mediation* (New York, 2018) (the 'Singapore Convention on Mediation') | United Nations Commission On International Trade Law. https://uncitral.un.org/en/texts/mediation/conventions/international_settlement_agreements.

⁴ 'Arbitration'. ICC - International Chamber of Commerce, <https://iccwbo.org/dispute-resolution/dispute-resolution-services/arbitration/>.

⁵ <https://siac.org.sg/>.

⁶ New item... 'The London Court of International Arbitration (LCIA)'. LCIA - The London Court of International Arbitration, <https://www.lcia.org/Default.aspx>.

⁷ HKIAC | Hong Kong International Arbitration Centre. <https://www.hkiac.org/>.

commerce, cross-border transactions, and consumer disputes. ODR leverages digital platforms to facilitate the resolution of conflicts through negotiation, mediation, or arbitration conducted entirely online.

Furthermore, the integration of Artificial Intelligence (AI) and digital tools in ADR processes is redefining how disputes are managed. Technologies such as e-arbitration portals, automated case management systems, digital evidence presentation tools, and predictive analytics are now being used to streamline proceedings, enhance transparency, and reduce human error. These innovations not only improve procedural efficiency but also increase the accessibility of ADR mechanisms for individuals and businesses globally.⁸

Emergence of Institutional Arbitration

Institutional arbitration has emerged as the preferred model for resolving international commercial disputes. Prominent arbitration institutions such as the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), and the Singapore International Arbitration Centre (SIAC) offer structured procedures, administrative support, and a framework that enhances neutrality, enforceability, and predictability in arbitration outcomes.⁹ These institutions are known for continually updating their rules to adapt to global trends, such as incorporating expedited procedures and allowing for virtual hearings.

India, recognizing these global developments, has taken substantial steps to align itself with international best practices. The establishment of institutions like the Mumbai Centre for International Arbitration (MCIA) and the Delhi International Arbitration Centre (DIAC) signifies a strategic move to position India as a competitive venue for arbitration. Moreover, the New Delhi International Arbitration Centre (NDIAC), a statutory body enacted under the New Delhi International Arbitration Centre Act, 2019, reflects India's ambition to provide a credible and world-class institutional arbitration framework.¹⁰

These developments—both technological and institutional—indicate a clear trajectory towards modernization and internationalization of India's ADR ecosystem, creating opportunities for faster, cost-effective, and more globally accepted

⁸ Ethan Katsh & Orna Rabinovich-Einy, *Digital Justice: Technology and the Internet of Disputes* (Oxford Univ. Press 2017)

⁹ New item... LLC, Aceris Law. 'The 2016 SIAC Rules • Aceris Law'. *Aceris Law*, 1 Sept. 2016, <https://www.acerislaw.com/2016-siac-rules/>

¹⁰ *The New Delhi International Arbitration Centre Act, No. 17 of 2019.*

dispute resolution mechanisms.

Technological Transformation and Online Dispute Resolution (ODR)

The advancement of digital technologies has revolutionized the dispute resolution landscape through the widespread adoption of ODR systems. ODR refers to the use of technology and electronic communication platforms to facilitate the resolution of disputes without the need for physical presence or courtroom procedures. This method has proven particularly valuable in handling disputes in sectors such as e-commerce, banking, insurance, and consumer protection, where speed and cost-efficiency are critical.

The global shift toward digital dispute resolution gained significant momentum during the COVID-19 pandemic, as legal systems worldwide faced disruptions in traditional courtroom functioning. ODR provided a flexible, contactless alternative, ensuring continuity in dispute resolution amidst lockdowns and social distancing requirements.

In line with this global momentum, India has proactively embraced ODR through several innovative platforms and policy initiatives. Notable among these are platforms such as SAMA and Presolv360, which offer structured digital frameworks for mediation and arbitration. These platforms enable parties to submit disputes, communicate asynchronously, and arrive at enforceable outcomes entirely online. Moreover, NITI Aayog's 2021 policy plan, developed in partnership with key stakeholders from the private sector and civil society, laid a comprehensive foundation for institutionalizing ODR in India's justice delivery system. These initiatives aim to promote access to justice, reduce judicial backlog, and offer cost-effective and timely remedies, especially for low-stakes, high-volume cases.¹¹

Cross-Border Trade and Commercial Needs

In a globalized economy, cross-border trade and investment have given rise to a growing demand for neutral, efficient, and enforceable dispute resolution mechanisms. International commercial parties and foreign investors seek arbitration and other ADR tools that offer procedural safeguards, neutrality, and enforcement mechanisms beyond domestic jurisdictions.

¹¹ NITI Aayog Pushes for Online Dispute Resolution for Speedy Access to Justice.

<https://www.pib.gov.in/www.pib.gov.in/Pressreleaseshare.aspx?PRID=1776202>.

This demand has led to the widespread inclusion of dispute resolution clauses in Bilateral Investment Treaties (BITs) and Free Trade Agreements (FTAs). Many BITs incorporate Investor-State Dispute Settlement (ISDS) provisions, allowing foreign investors to initiate arbitration directly against host states in cases of alleged treaty breaches. ISDS provides a neutral forum—often seated in third-party jurisdictions—ensuring that investors are not subjected solely to the domestic courts of the host country.

While ISDS mechanisms have drawn both support and criticism globally, their inclusion in treaties underscores the importance of predictable, impartial, and enforceable dispute resolution in promoting investor confidence and facilitating international trade. India, after withdrawing from several older-generation BITs, is currently reassessing its model BIT to strike a balance between sovereign regulatory space and investor protection, reflecting global concerns about transparency, consistency, and legitimacy in ISDS processes.¹²¹³

THE EVOLUTION OF ADR IN INDIA: DOMESTIC RESPONSES TO GLOBAL CHANGE

Legal Reforms in India Influenced by Global Trends

India's approach to Alternative Dispute Resolution (ADR) has evolved significantly in response to global developments in international arbitration and mediation. The Arbitration and Conciliation Act, 1996, which governs arbitration in India, was modelled on the UNCITRAL Model Law on International Commercial Arbitration (1985). This alignment allowed India to harmonize its legal framework with international standards, thereby enhancing the credibility and enforceability of arbitral awards¹⁴.

Recognizing the need for continuous modernization, India introduced significant amendments to the Arbitration Act in 2015, 2019, and 2021. These amendments were designed to address long-standing concerns related to delays, ad hoc proceedings, and lack of institutional infrastructure in arbitration.

¹² United Nations Conference on Trade and Development (UNCTAD), *Investor-State Dispute Settlement: Review of Developments in 2020* (IIA Issues Note, May 2021)

¹³ Ministry of Finance, Government of India, *Model Text for the Indian Bilateral Investment Treaty*.

¹⁴ UNCITRAL *Model Law on International Commercial Arbitration (1985), with Amendments as Adopted in 2006* | United Nations Commission On International Trade Law, https://uncitral.un.org/en/texts/arbitration/modellaw/commercial_arbitration

Key Features of Legislative Developments:

- 2015 Amendment: Focused on expediting the arbitration process by imposing time limits for completion of proceedings and reducing court interference.
- 2019 Amendment: Established the Arbitration Council of India (ACI) **to** promote and regulate institutional arbitration across the country, mirroring the global shift toward standardized, professionally managed arbitration forums¹⁵.
- 2021 Amendment: Introduced stricter criteria for challenging arbitrators and reinforced norms of confidentiality and independence, reflecting trends in jurisdictions with mature arbitration frameworks.

India has also reinforced its commitment to international arbitration by recognizing and enforcing foreign arbitral awards under both the New York Convention (1958) and the Geneva Convention (1927). This ensures that arbitral awards from recognized jurisdictions are enforceable in India, promoting confidence among international investors and commercial parties.

These reforms not only modernize the Indian ADR framework but also align it with global best practices, thereby positioning India as a serious contender in the international arbitration ecosystem.

Judicial Attitudes and Support for ADR

In recent years, Indian courts—particularly the Supreme Court of India—have demonstrated a markedly pro-ADR stance, which has significantly contributed to the growth of arbitration in India. Judicial pronouncements have consistently emphasized the principles of party autonomy, minimal judicial interference, and recognition of institutional arbitration norms, in alignment with global best practices.

A landmark moment in the evolution of India's arbitration jurisprudence was the decision in *Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc. (BALCO)*¹⁶, where the Supreme Court firmly upheld the territoriality principle under the UNCITRAL Model Law. The Court ruled that Part I of the Arbitration and Conciliation Act, 1996 does not apply to foreign-seated arbitrations, thereby limiting the jurisdiction of Indian

¹⁵ *Arbitration and Conciliation (Amendment) Act 2019*, Shardul Amarchand Mangaldas & Co, <https://www.amsshardul.com/insight/arbitration-and-conciliation-amendment-act-2019-key-amendments/>

¹⁶ BHARAT ALUMINIUM COMPANY v. KAISER ALUMINIUM TECHNICAL SERVICES INC. (Civil Appeal No. 7019 of 2005) JANUARY 28, 2016.

courts in such cases. This decision reversed earlier precedents and marked a decisive shift toward non-interventionist judicial philosophy in matters involving foreign arbitration.¹⁷

In a more recent development, the Supreme Court, in *Amazon.com NV Investment Holdings LLC v. Future Retail Ltd.*¹⁸, recognized the validity of emergency arbitral awards granted under the Singapore International Arbitration Centre (SIAC) Rules. The Court held that such interim awards are enforceable under Indian law, affirming that the intent and autonomy of parties to submit to institutional rules must be respected. This decision is notable for reinforcing India's alignment with international arbitration norms, particularly with respect to emergency relief mechanisms in institutional settings.¹⁹

These judicial trends reflect a broader institutional maturity and receptiveness within the Indian judiciary toward international ADR frameworks. By affirming the legitimacy of foreign-seated and institutional arbitration proceedings, Indian courts have played a crucial role in enhancing India's reputation as an arbitration-friendly jurisdiction.

Rise of Institutional Arbitration in India

Although arbitration in India has traditionally been conducted on an ad hoc basis, recent years have seen a deliberate shift toward institutional arbitration, driven by judicial encouragement and policy-level interventions. Institutions such as the Mumbai Centre for International Arbitration (MCIA), Delhi International Arbitration Centre (DIAC), and the Indian Institute of Arbitration and Mediation (IIAM) have been established to provide structured, rule-based arbitration services. These centres are designed to offer transparency, neutrality, procedural efficiency, and enforceability, aligning with international best practices.

Recognizing the need to make India a global hub for arbitration, NITI Aayog and the Ministry of Law and Justice have actively advocated for the promotion of institutional arbitration, including the establishment of the New Delhi International Arbitration Centre (NDIAC) under a dedicated statute. These efforts reflect a broader aspiration to position India competitively alongside

¹⁷ *Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc.*, (2012) 9 SCC 552 (India).

¹⁸ [2021] 4 S.C.R. 771 *AMAZON.COM NV INVESTMENT HOLDINGS LLC v. FUTURE RETAIL LIMITED & ORS.* (Civil Appeal Nos. 4492-4493 of 2021) AUGUST 06, 2021 [R. F. NARIMAN* AND B. R. GAVAI, JJ.]

¹⁹ *Amazon.com NV Investment Holdings LLC v. Future Retail Ltd.*, (2021) SCC Online SC 557 (India).

international institutions like SIAC and LCIA.²⁰

Despite these initiatives, the uptake of institutional arbitration remains limited, with the majority of arbitrations still conducted in an ad hoc manner. Challenges include lack of awareness, limited capacity, and resistance from entrenched legal practices, but ongoing reforms continue to address these gaps.

Emergence of Online Dispute Resolution (ODR) in India

Parallel to institutional reforms, India has also seen a rapid rise in Online Dispute Resolution (ODR) as a complementary mechanism, especially for low-value, high-volume disputes. Initiatives by NITI Aayog, in collaboration with civil society organizations like Agami, and private ODR providers such as SAMA and Presolv360, have brought digital ADR into the mainstream. These platforms are particularly effective in consumer, e-commerce, fintech, and insurance disputes, offering scalable, low-cost, and efficient dispute resolution.²¹

India's policy shift toward ODR is reflective of global trends that prioritize technology-led access to justice, especially post-COVID. With growing governmental support and integration into regulatory frameworks (e.g., RBI and SEBI guidelines on grievance redressal), ODR is poised to become a core pillar of India's dispute resolution architecture.

Community-Based ADR Mechanisms

In contrast, India has long relied on community-centric ADR mechanisms, such as Lok Adalats and Gram Nyayalayas, which resolve disputes through conciliation and compromise. These forums serve an essential role in decentralized justice delivery, especially in rural and semi-urban areas, and are legally recognized under statutory frameworks such as the Legal Services Authorities Act, 1987 and the Gram Nyayalayas Act, 2008.

While effective in reducing court backlogs and promoting access to justice, these forums often lack international legitimacy, procedural formality, and enforceability beyond domestic boundaries. Nonetheless, they highlight the diversity and adaptability of India's ADR models to serve both global commercial needs and local justice aspirations.

CRITICAL ANALYSIS: OPPORTUNITIES AND CHALLENGES

²⁰ The New Delhi International Arbitration Centre Act, No. 17 of 2019,

²¹ NITI Aayog, *Designing the Future of Dispute Resolution: The ODR Policy Plan for India* (2021).

India's evolving ADR landscape reflects both the promise of globalization and the complexities of local adaptation. While legal reforms and international alignment have opened new frontiers, persistent systemic and cultural challenges continue to temper the effectiveness of ADR in practice.

Positive Outcomes from Globalization

- **Increased International Credibility:** The adoption of globally recognized frameworks such as the UNCITRAL Model Law and the New York Convention has boosted India's profile in the international arbitration community. Institutions like MCIA are increasingly hosting high-stakes commercial disputes.
- **Speedier Cross-Border Dispute Resolution:** Institutional mechanisms and procedural timelines under amended arbitration laws (e.g., the 2015 and 2019 Amendments) have reduced delays in resolving cross-border commercial matters, increasing business certainty.
- **ODR and SME Accessibility:** Online Dispute Resolution platforms—like SAMA, Presolv360, and ODRways—are enabling cost-effective, remote dispute resolution for small and medium-sized enterprises, particularly in consumer and fintech sectors.
- **Judicial Endorsement of Foreign Awards:** In cases such as *Amazon.com NV Investment Holdings LLC v. Future Retail Ltd.*, the Indian Supreme Court's recognition of emergency arbitral awards under SIAC rules has strengthened investor trust and affirmed India's commitment to institutional norms.

Structural and Cultural Barriers

- **Enforcement Challenges:** Despite a judicial shift toward pro-arbitration principles (e.g., *BALCO*), inconsistent enforcement of arbitral awards and judicial overreach remain significant bottlenecks. Delays dilute the efficiency advantages of arbitration.
- **Capacity and Training Gaps:** There is a shortage of skilled arbitrators, especially outside major urban centers. This leads to uneven arbitration quality and undermines the spread of ADR mechanisms.
- **Resistance to Institutional Arbitration:** Many parties still prefer ad hoc arbitration, perceiving it as more flexible or cost-effective—despite institutional arbitration being more efficient and rule-based.
- **Infrastructural Constraints in ODR:** The promise of ODR is often hindered by low digital literacy, patchy internet

infrastructure, and concerns over data privacy and cybersecurity, especially in semi-urban and rural regions.

- **Global-Local Disconnect:** Imported ADR models may not fully resonate with India's pluralistic and community-driven legal culture. For instance, rural parties may trust panchayats or Lok Adalats over formal arbitration or digital platforms. Thus, there's a need to contextualize global norms within local socio-legal frameworks.

Case Studies & Real-World Examples

- ***Vodafone International Holdings BV v. Republic of India*²²**

A high-profile Investor-State Dispute Settlement (ISDS) case under a Bilateral Investment Treaty (BIT), where international arbitral rulings clashed with domestic tax demands, illustrating tensions between global arbitration and national sovereignty.

- ***Amazon.com NV Investment Holdings LLC v. Future Retail Ltd. (2021)***

This case affirmed the enforceability of emergency arbitration awards in India, reinforcing India's receptiveness to institutional rules like SIAC—but also showed complex court interventions that can cloud ADR predictability²³.

- **SAMA/ODR Platform Use by ICICI, HDFC, and Razor pay**

Financial institutions are leveraging ODR platforms for micro-dispute redressal in EMI defaults, chargebacks, and consumer complaints—demonstrating scalable ADR solutions in commercial sectors.

REFLECTIVE QUESTIONS FOR ONGOING DEBATE

- Has globalization enhanced ADR in India, or has it created a mismatch between imported best practices and Indian legal-social realities?

²² *Vodafone International Holdings BV v. Union of India*, (2012) 6 SCC 613. (2012) 6 SCC 613.

²³ *Amazon-Future-Reliance Dispute*, Supreme Court Observer, <https://www.scobserver.in/cases/amazon-future-reliance-dispute-amazon-com-nv-investment-holdings-v-future-retail-ltd/>

- What must be done to bridge the urban-rural divide in ADR access, especially for non-English-speaking populations?
- Can ODR platforms be trusted for high-stakes disputes, or should they be limited to low-value matters?

India's journey with ADR illustrates a hybrid legal modernization—where global models are being adopted, but must be indigenized to ensure broader access, efficiency, and legitimacy. The challenge ahead lies in institutional capacity-building, enforcement reforms, and culturally sensitive adaptation of global norms.

FUTURE ROADMAP: ALIGNING WITH GLOBAL STANDARDS WHILE RETAINING LOCAL IDENTITY

As India consolidates its position as a major player in the global legal and commercial landscape, the future of its ADR framework must strike a strategic balance between global best practices and local socio-legal realities. A forward-looking roadmap is essential to realize the full potential of ADR in delivering accessible, efficient, and culturally resonant justice.

RECOMMENDATIONS

1. Ratify the Singapore Convention on Mediation

India should take decisive steps toward ratifying the *United Nations Convention on International Settlement Agreements Resulting from Mediation (2019)*. This would legally enable cross-border enforcement of mediated settlements, signalling a strong commitment to global ADR norms and boosting investor confidence.

2. Strengthen Institutional Arbitration through the Arbitration Council of India (ACI)

The Arbitration Council of India, introduced via the 2019 Amendment, must be operationalized effectively with adequate autonomy, funding, and regulatory authority. A robust ACI can standardize arbitral institutions, certify arbitrators, and promote best practices in line with SIAC, LCIA, and ICC models.

3. Develop a Unified ADR Policy Framework

There is a pressing need for a comprehensive national ADR policy that integrates litigation, arbitration, mediation, conciliation, and ODR mechanisms. This policy should address interoperability, enforceability, data security, and

accessibility across all platforms—physical and digital.

4. Encourage ADR in Public Sector and Government Contracts

Institutionalizing ADR in public procurement, infrastructure, and government contracts—as seen in jurisdictions like Singapore and the UK—would decongest courts and normalize arbitration in high-stakes public matters. Standard dispute resolution clauses in government contracts can mainstream this practice.

5. Revamp Legal Education and Professional Training

To create a sustainable ADR ecosystem, law schools and bar associations must introduce ADR-centric clinical programs, practical simulations, and continuing legal education (CLE). Specialized training in arbitration, mediation, and ODR will bridge the capacity gap and develop a new generation of dispute resolution professionals.

OPPORTUNITIES AND THE WAY FORWARD

- Bolster the growth of credible arbitration and mediation centers across India's metro and tier-II cities.
- Design and adopt ODR regulations tailored to India's linguistic, infrastructural, and legal diversity, ensuring inclusivity and data protection.
- Integrate ADR into Legal Services Authorities, Gram Nyayalayas, and Lok Adalats, adapting institutional models to community contexts for broader access.
- Legislative and judicial reforms should mandate pre-litigation mediation in select civil and commercial matters, backed by awareness campaigns.

India stands at a pivotal juncture where international alignment and local relevance must go hand in hand. By institutionalizing ADR, modernizing legal training, and embracing digital platforms, India can build a resilient, inclusive, and globally competitive dispute resolution framework—one that not only reduces judicial pendency but also champions accessible justice for all.

CONCLUSION

The evolution of Alternative Dispute Resolution (ADR)

mechanisms in India has been profoundly shaped by global legal, economic, and technological trends. International frameworks such as the UNCITRAL Model Law, the New York Convention, and institutional arbitration practices have pushed India to modernize its ADR laws and practices, leading to greater harmonization with global standards. Simultaneously, the rise of Online Dispute Resolution (ODR) and the growing role of technology have opened new avenues for making dispute resolution more accessible, cost-effective, and timely—particularly critical in the Indian context of judicial backlogs and underserved populations.

India's proactive steps, including the establishment of dedicated arbitration institutions like MCIA and NDIAC and the development of digital ODR platforms, reflect a clear intent to position itself as a favourable hub for both domestic and international dispute resolution. However, challenges remain. These include the need for greater public awareness, infrastructural development, capacity-building among legal professionals, and consistent enforcement of arbitral and mediated outcomes.

To fully capitalize on global momentum, India must strike a balance between adopting international best practices and tailoring ADR frameworks to meet its sociolegal realities. Strengthening institutional support, improving regulatory clarity, and ensuring inclusivity in access to ADR especially for small businesses and individuals are crucial steps forward. If these efforts are sustained and strategically enhanced, India can not only meet its internal dispute resolution needs more effectively but also emerge as a global leader in the ADR ecosystem.