

COUNTRY REPORT ON THE JUDICIAL DISPUTE RESOLUTION PROCESS

By

BY SUPREME COURT OF INDIA

Member | International Judicial Dispute Resolution Network

The below report provides a brief, high-level overview of the Judicial Dispute Resolution (JDR) process in India, focusing on civil, commercial, family, and court-annexed dispute resolution mechanisms. Given India's federal structure, diversity of jurisdictions, and variations in procedural practices across different High Courts and subordinate courts, the implementation of JDR processes may differ across States and Union Territories. While efforts have been made to present the principal legal framework, institutional mechanisms, and prevailing practices relating to JDR in India, it would not be possible within the scope of this report to comprehensively address every regional variation, local practice direction, or court-specific initiative operating across the country.

1. Introduction to the Country and its legal framework

a. Overview of India's legal system

I. What's the Country's legal system based on?

India is a sovereign, socialist, secular, democratic republic with a Parliamentary form of Government. The Constitution of India is the supreme legal authority which binds the legislative, executive, and judicial organs of the government. India follows a common law legal system substantially derived from the British legal tradition, while simultaneously incorporating constitutional supremacy, codified legislation, judicial precedents, and indigenous dispute resolution traditions.

II. How are courts structured?

One of the distinctive features of the Indian Constitution is that, despite adopting a federal structure with separate Union and State laws operating within their respective spheres, it establishes a single integrated judicial system for the administration of both Union and State laws. At the apex of this hierarchy is the Supreme Court of India, followed by the High Courts established for each State or group of States, which supervise and administer the subordinate judiciary within their jurisdiction. At the district level, each State is divided into judicial districts headed by a District and Sessions Judge, who functions as the principal judicial authority of the district and exercises both civil and criminal jurisdiction, including the power to try serious offences punishable with death. Below the District Courts are various subordinate civil and criminal courts presided over by judicial officers designated differently across States, such as Chief Judicial Magistrates, Civil Judges, Sub-Judges, Munsif Magistrates [Civil Judge (Junior Division)], and Judicial Magistrates of different classes. In addition to the formal judicial structure, several States also have village level courts and local dispute

resolution forums functioning under names such as Gram Nyayalayas, Nyaya Panchayats, and Gram Kachheris, which deal with minor civil and criminal disputes at the community level. India's legal framework also features specialised, quasi-judicial bodies or tribunals established by a statute to adjudicate specific disputes such as taxation, administrative issues, and environmental matters outside the traditional court system. The broad structure of the Indian judicial system, including the hierarchy of courts and specialised tribunals, is illustrated below:

The Court Structure in India

1. Supreme Court of India

Apex Court

2. High Court

One for each State or a group of States
Highest Court at the State Level

Specialised Tribunals

Statutory or quasi-judicial
bodies that deal with specific
subject matters.

3. Sub-ordinate Courts

Presided over by District and
Sessions Judge

III. At which level of judiciary is the JDR process or element of that process implemented?

JDR processes in India are implemented at multiple levels of the judiciary. Elements of JDR are most commonly practiced in the district judiciary through court-annexed mediation centres, Lok Adalats, Family Courts, Commercial Courts, and other subordinate courts dealing with civil and commercial disputes. High Courts across various States have also established mediation and conciliation centres and actively encourage settlement-oriented case management and alternative dispute resolution mechanisms. At the apex level, the Supreme Court of India has played an instrumental role in promoting alternate dispute resolution methods such as arbitration, conciliation, negotiation and mediation through judicial pronouncements, practice directions, and specialised committees such as the Mediation and Conciliation Project Committee (MCPC).

In addition, certain tribunals and specialised forums also incorporate mediation, conciliation, and other settlement mechanisms as part of their adjudicatory processes.

2. Objectives of the JDR process

a. Impetus for the introduction of the JDR process in India

The introduction and expansion of JDR processes in India was primarily driven by the need to address increasing case pendency, delays in adjudication, judge to population ratio, rising cost of litigation and the growing pressure on the traditional court system. With a large number of pending cases across different levels of the judiciary, there emerged a pressing need for mechanisms that could facilitate faster, more efficient, and cost-effective resolution of disputes.

Another significant factor was the recognition that many disputes, particularly family disputes, commercial disputes, labour matters, compensation claims, and community-level conflicts, could often be resolved more effectively through consensual and settlement oriented processes rather than prolonged adversarial litigation. The judiciary also recognised that traditional litigation frequently strained relationships between parties and imposed substantial emotional and financial burdens upon litigants.

The constitutional commitment to access to justice under Article 39A of the Constitution of India further encouraged the development of mediation, conciliation, Lok Adalats, and other alternative dispute resolution mechanisms.

b. Objectives and key outcomes of the JDR process

The primary objective of the Judicial Dispute Resolution (JDR) process in India is to encourage the early, fair, and amicable resolution of disputes in a timely manner which is less expensive than traditional court proceedings. The process seeks to improve access to justice by providing parties with more flexible and participatory methods of resolving disputes, while also reducing the burden on courts and helping matters reach resolution without the need for prolonged trials.

Among the key outcomes of implementation of JDR processes is that it has contributed to faster disposal of cases, reduction of pendency in several categories of disputes, and wider acceptance of mediation and other alternate mechanisms within the justice delivery system. It has also helped improve litigant satisfaction, reduce litigation costs, and strengthen confidence in accessible and efficient dispute resolution processes.

3. Legal framework for the JDR process

- a. What is the source of the court's authority to implement the JDR process, including the use of dispute resolution modalities (e.g. legislation, rules of court, practice directions, convention, inherent case management powers, inherent jurisdiction of the court, case law etc)?**

Please see response to question 3(b) below.

- b. Are there specific legislations, regulations, or other guidelines to enable or allow the judge presiding over the JDR process to carry out judicial mediation, early neutral evaluation or employ other related JDR modalities (which traditionally are not regarded as part of the role of the judge)**

The authority of courts to implement the JDR process in India is derived from a combination of constitutional principles, statutory provisions, judicial precedents and the inherent powers of courts relating to case management and administration of justice.

A significant statutory foundation for JDR is provided under Section 89 of the Code of Civil Procedure, 1908,¹ which empowers civil courts to refer disputes for arbitration, conciliation, mediation, judicial settlement, and Lok Adalats where elements of settlement exist. In addition, the Legal Services Authorities Act, 1987² institutionalises Lok Adalats and Permanent Lok Adalats as mechanisms

¹ The Code of Civil Procedure, 1908 (Act 5 of 1908) s. 89, available at https://www.indiacode.nic.in/show-data?actid=AC_CEN_3_20_00051_190805_1523340333624&orderno=95 (Last visited May 17, 2026)

² The Legal Services Authorities Act, 1987 (Act 39 of 1987), available at https://www.indiacode.nic.in/bitstream/123456789/19023/1/legal_service_authorities_act%2C_1987.pdf (Last visited May 17, 2026)

for consensual settlement of disputes. The Arbitration and Conciliation Act, 1996³ provides the legal framework governing arbitration and conciliation proceedings in India, while the Mediation Act, 2023⁴ establishes a comprehensive statutory framework for mediation, including court-referred and pre-litigation mediation.

Specific statutes such as the Family Courts Act, 1984⁵ and the Commercial Courts Act, 2015⁶ also encourage dispute resolution processes in particular categories of disputes. Family Courts are required to make efforts for conciliation and settlement, while the Commercial Courts Act introduces mandatory pre-institution mediation for specified commercial disputes.

³ The Arbitration and Conciliation Act, 1996 (Act 26 of 1996), available at https://www.indiacode.nic.in/bitstream/123456789/21922/1/the_arbitration_and_conciliation_act%2C_1996_act_no._26_of_1996.pdf (Last visited May 17, 2026)

⁴ The Mediation Act (Act 32 of 2023), available at <https://egazette.gov.in/WriteReadData/2023/248775.pdf> (Last visited May 17, 2026)

⁵ The Family Courts Act, 1984 (Act 66 of 1984) s.9, available at https://www.indiacode.nic.in/bitstream/123456789/16127/1/a1984_66.pdf (Last visited May 17, 2026)

⁶ The Commercial Courts Act (Act 4 of 2016) available at <https://www.indiacode.nic.in/bitstream/123456789/2156/1/a2016-04.pdf> (Last visited May 17, 2026)

4. Description of JDR process

a. Description of the JDR process

I. What are the characteristics of the JDR process? Which dispute resolution modalities are practiced?

The types of dispute resolution modalities in India include :

- Court-annexed mediation is one of the most widely used dispute resolution mechanisms in India. Under this process, disputes pending before courts are referred to mediation centres attached to the courts, where trained mediators facilitate discussions between parties to arrive at a mutually acceptable settlement.
- Pre-litigation mediation is conducted before a formal case is instituted in court, with the objective of resolving disputes at an early stage and avoiding litigation altogether. It is increasingly encouraged in civil and commercial matters and is facilitated through mediation centres, legal services authorities, and specialised mediation institutions. This mechanism is mainly used at the district level and before commercial courts.
- Pre-institution mediation was introduced under the Commercial Courts Act, 2015, as a mandatory step in specified commercial disputes before filing a suit, unless urgent interim relief is sought. The process is intended to encourage settlement at the earliest stage and reduce commercial litigation. It is conducted through authorities designated under the Legal Services Authorities Act and is primarily used before Commercial Courts.
- Arbitration is another formal alternative dispute resolution mechanism in which disputes are decided by an independent arbitrator or arbitral tribunal instead of a court. It is widely used in commercial, contractual, infrastructure, and international business disputes. Arbitration proceedings may be institutional or ad hoc and are governed by the Arbitration and Conciliation Act, 1996. Courts, particularly Supreme

Court, and High Courts, frequently refer parties to arbitration where arbitration agreements exist.

- Hybrid dispute resolution methods are also gaining popularity in the Indian judicial dispute resolution landscape. These methods combine two or more traditional ADR methods such as arbitration or mediation into a single combined procedure. Examples include Arb-Med, Med-Arb, Arb-Med-Arb methods. These are increasingly used by ADR institutions in India.
- Lok Adalats are statutory settlement forums established under the Legal Services Authorities Act, 1987 to facilitate amicable settlement of disputes through compromise and negotiation. They are widely used for motor accident claims, cheque dishonour cases, matrimonial disputes, utility bill disputes, labour matters, and pending civil cases. Lok Adalats function at the national, state, district, and taluk levels and are conducted by judicial officers, lawyers, and social workers.
- Permanent Lok Adalats are specialised forums established for disputes relating to public utility services such as transport, postal services, electricity, and insurance. Unlike ordinary Lok Adalats, Permanent Lok Adalats may adjudicate disputes if settlement efforts fail. These forums function under the Legal Services Authorities Act and operate mainly at the district and state levels.
- Negotiated settlement involves direct discussions between parties, often assisted by lawyers, judges, or mediators, with the aim of resolving disputes through mutual agreement. This informal process is frequently encouraged by courts at all levels, particularly in civil, commercial, and family disputes.
- Online Dispute Resolution involves the use of digital technology and online platforms for conducting mediation, negotiation, arbitration, and settlement proceedings. ODR gained significant importance after the COVID-19 pandemic and is increasingly used in commercial, consumer,

e-commerce, and banking disputes. It is used by courts, private institutions, and online platforms across different levels of the judiciary.

- Neutral evaluation involves assessment of the strengths and weaknesses of a dispute by an independent neutral expert or evaluator, usually at an early stage of litigation. Though still evolving in India, this mechanism is increasingly used in commercial, technical, and specialised disputes, particularly in arbitration-related proceedings.
- Gram Nyayalayas and village-level dispute resolution forums aim to provide accessible and inexpensive justice at the grassroots level. These forums deal with petty civil and criminal disputes and encourage settlement and conciliation within local communities. They primarily function in rural areas under state-specific laws and the Gram Nyayalayas Act, 2008.

II. How is the JDR process carried out? Is the process conducted online? Are technological tools used to facilitate the JDR process?

The JDR processes in India can be undertaken through both physical and online services. It is generally carried out through a combination of judicial case management, court-referred settlement mechanisms, mediation proceedings, conciliatory processes, and technology enabled dispute resolution systems. Courts identify disputes that are suitable for amicable resolution and may refer parties to mediation centres, Lok Adalats, conciliators, arbitrators, or settlement forums depending upon the nature of the dispute and the applicable legal framework. In many cases, judges actively encourage parties to explore settlement possibilities during the course of proceedings and may conduct settlement discussions or judicial settlement conferences to narrow issues and facilitate resolution.

India has increasingly integrated technology into the JDR process. Online and virtual modes of dispute resolution are now widely used across different levels of

the judiciary, particularly after the COVID-19 pandemic accelerated digital judicial reforms. Many mediation proceedings, settlement conferences, and hearings are conducted through video conferencing platforms and online communication systems. Courts and mediation centres regularly use virtual hearing facilities, electronic filing systems, digital document sharing, e-summons services, and online case management tools to facilitate efficient dispute resolution.

The Indian judiciary has also implemented several technology-driven initiatives under the e-Courts Project, including the National Judicial Data Grid (NJDG), e-filing systems, virtual courts, digital case tracking, online payment facilities, and AI-assisted legal research tools. Online Dispute Resolution (ODR) platforms are increasingly being used in commercial, consumer, banking, and e-commerce disputes, allowing parties to participate remotely and reducing time and costs associated with physical proceedings.

While Artificial Intelligence is not used for adjudication or decision making in judicial disputes, its potential is being explored as an assistive and administrative tool to improve efficiency, accessibility, case management and legal research within the legal system. The Supreme Court of India and various High Courts have adopted AI-enabled tools for legal research, document management, transcription, translation, metadata extraction, and intelligent search assistance. One of the notable initiatives is the Supreme Court Portal for Assistance in Court's Efficiency (SUPACE), which is designed to assist judges and researchers by identifying relevant precedents, summarising legal materials, and facilitating quicker access to case-related information. Similarly, the SUVAS (Supreme Court Vidhik Anuvaad Software) system uses AI-based language translation technology to translate judicial documents and judgments into regional languages, thereby improving accessibility to justice.

III. Do judges conduct judicial mediation or are these outsourced to third parties?

JDR process can be conducted by judges, trained mediators, arbitrators, conciliators, legal professionals, subject experts, or other authorised neutral persons depending upon the type of JDR method opted by the parties.

b. Eligibility criteria for the JDR process

I. Is the JDR process mandatory or optional? Is it mandatory for certain types of disputes only?

JDR process in India is both mandatory and optional, depending upon the nature of the dispute, the applicable statutory framework, and the stage of the proceedings. While many forms of alternative dispute resolution are encouraged by courts on a voluntary and consensual basis, certain categories of disputes are subject to mandatory settlement-oriented procedures before or during litigation.

II. When would the Court recommend JDR process for parties?

Courts in India generally encourage JDR process when they feel that a dispute can be settled amicably without going through lengthy and adversarial court proceedings. The decision to refer parties for mediation, conciliation, Lok Adalat, or other settlement-oriented mechanisms usually depends on the nature of the dispute, the relationship between the parties, the possibility of compromise, and the chances of arriving at a mutually acceptable solution.

c. Training of judges conducting the JDR process

Training and capacity building form an important component of the JDR framework in India. The Supreme Court of India, High Courts, judicial academies, and specialised mediation institutions regularly conduct training programmes for judges, mediators, conciliators, arbitrators, and other professionals involved in dispute resolution processes.

A major institutional initiative in this regard is the Mediation and Conciliation Project Committee (MCPC), constituted by the Supreme Court of India in 2005 to promote and institutionalise mediation across the country. The MCPC has developed model mediation rules, training manuals, accreditation frameworks, and structured mediation programmes for judicial officers and mediators.

Judges are regularly trained through the National Judicial Academy and State Judicial Academies on subjects relating to mediation, conciliation, judicial settlement, case management, negotiation techniques, ethics, communication skills, and technology-enabled dispute resolution. These programmes aim to equip judges with the skills necessary to identify disputes suitable for settlement, facilitate effective case management, and encourage consensual resolution wherever appropriate.

Training is also provided to mediators and other qualified professionals conducting ADR processes. Court-annexed mediation centres and recognised mediation institutions conduct structured mediation training programmes, including basic mediation courses, advanced mediation workshops, refresher courses, and specialised sector-based training. These programmes are attended by retired judges, advocates, legal academics, counsellors, subject experts, and other accredited professionals who act as mediators or conciliators.

In recent years, training programmes have also increasingly focused on online dispute resolution (ODR), virtual mediation, digital case management systems, and the use of technology and AI-assisted tools within the justice delivery system.

d. Statistics on the JDR process

I. Statistics and other empirical and qualitative data on the effectiveness of the JDR process

India has witnessed significant growth in the use and effectiveness of Judicial JDR mechanisms, particularly through mediation, Lok Adalats, conciliation, and technology-enabled dispute resolution systems. Over the years, these mechanisms have contributed substantially towards reducing pendency, facilitating early settlement, saving judicial time, and improving access to justice.

Lok Adalats, functioning under the Legal Services Authorities Act, 1987, have emerged as one of the largest and most effective settlement-oriented dispute resolution mechanisms in the country. According to data published by the National Legal Services Authority (NALSA) and the Press Information Bureau (PIB), more than 23.58 crore cases were resolved through National, State, and Permanent Lok Adalats between 2022-23 and 2024-25.⁷ In the first National Lok Adalat of 2026 alone more than 4 crore cases amounting to over 23 thousand crore rupees were settled.⁸ NALSA also separately publishes annual “*Settlement*

⁷ National Legal Service Authority of India, “National Legal Service Day”, Press Information Bureau, November 08, 2025, available at: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2187718®=3&lang=2> (last visited on May 16, 2026).

⁸ Disposal of National Lok Adalat held on 14.03.2026 (All Types of Cases) available at <https://cdnbbsr.s3waas.gov.in/s32e45f93088c7db59767efef516b306aa/uploads/2026/04/202604131722458164.pdf> (last visited on May 16, 2026).

through Mediation Reports” which informs that between April 2025 to March 2025 more than 98 thousand cases were settled through mediation.⁹

In addition, High Courts, State Legal Services Authorities (SLSAs), District Legal Services Authorities (DLSAs), mediation centres, and some arbitral institutions periodically publish their own settlement and mediation statistics in annual reports, newsletters, and judicial conferences.

The National Judicial Data Grid (NJDG) also provides extensive data on case pendency and disposal across Indian courts, although it is not exclusively limited to JDR processes. The data is often used to assess the broader impact of mediation, Lok Adalats, and settlement-oriented judicial reforms on reduction of backlog and improvement of case disposal rates.

⁹ NALSA, Settlement through Mediation Report (2025) available at <https://cdnbbsr.s3waas.gov.in/s32e45f93088c7db59767efef516b306aa/uploads/2025/06/202511021883015027.pdf> (Last visited on May 16, 2026)