



**INDIA ADR WEEKDAY 1: BANGALORE**

**SESSION 2**

**AI and ODR: Is the future here?**

**02:30 PM To 04:30 PM IST**

**Moderator** – Anind Thomas, Partner, AZB & Partners

**Speakers:**

Deepika Kinhal, CEO, CORD

Paul Thottan, Product Manager, SAMA

Subbaiah KG, Head of Products, CADRE

Vasu Aggarwal, Lucio



1 **HOST:** We'll be starting with our next session soon. I request everyone to please be seated  
2 inside. Thank you. Our next session is by CORD, CADRE, SAMA and Lucio. I would like to  
3 invite on stage the panellists for the session Mr. Anind Thomas, the Moderator for the session,  
4 Partner at AZB & Partners. Ms. Deepika Kinhal, CEO at CORD. Mr. Paul Thottan, Product  
5 Manager at SAMA. Mr. Subbaiah KG, Head of Products at CADRE and Mr. Vasu Agarwal at  
6 Lucio.

7  
8 **ANIND THOMAS:** So, our topic, as you see on screen, is AI and ODR is the future here. I'm  
9 Anind I'm going to do the easy job of asking questions. I'm taking this as an opportunity to ask  
10 them everything that I, as a practitioner, want to know about ODR, how AI is being used as  
11 part of the ODR process, and what we're going to see next. Again, before we start off into the  
12 specific aspects, I'm going to request each of my panellists to help me introduce the topic in  
13 terms of what is ODR, and then what do we see as AI in ODR. Me personally, when I look at  
14 ODR, there is of course ODR there are ODR service providers, there are other platforms that  
15 are traditionally looked at as being ODR as opposed to other forms of dispute resolution. But  
16 for me, arbitrations that are conducted online are... and it doesn't have to be by one of the ODR  
17 service providers or the ODR platforms, but an arbitration that's conducted entirely online can  
18 be ODR. Courts are increasingly encouraging Party, Litigants and Counsel to argue matters  
19 online. Very busy senior counsel from various... from Delhi appeared before our High Court  
20 online. They get the opportunity to appear in multiple courts on the same day. You can have  
21 mediation that's conducted online. Conciliation that's conducted online. Arbitration, like we  
22 already discussed, conducted online. So at least that's what I see as the universe of ODR for  
23 me as a practitioner. But Deepika? I think they're all on.

24  
25 **DEEPIKA KINHAL:** Hi, good afternoon, everyone. Thanks, Anind. I think I will just take  
26 off from where you left and highlight one of the points you made with respect to how there is  
27 no one single definition of what ODR means and includes. ODR can be anything which is  
28 facilitated through the integration of technology at any stage in the lifecycle of dispute  
29 resolution. And at the other end of the spectrum is where, end-to-end all stages of a life cycle  
30 of a case are managed only through technology. And that is the spectrum, which also correlates  
31 to what, in technology terms we say deterministic to probabilistic journey between automation  
32 and AI. So, just to take a step back, what we at CORD do, which is Centre for Online Resolution  
33 of Disputes, and as the name indicates, it is an Online Dispute Resolution offering platform  
34 plus services, which facilitates dispute resolution through negotiation, mediation, conciliation  
35 and arbitration.

36



1 At present, what we do is essentially provide an aggregate of all the technology tools that all of  
2 us may be using across various aspects of our life as well as our aspects as dispute resolution  
3 professionals. This can be your virtual hearing facilities, scheduling facilities, to using some  
4 level of documentation management online and some level of automation as well, in terms of  
5 using templates, in terms of using some predictable analysis for certain categories of disputes.  
6 All of that put together on a single platform, that is what Online Dispute Resolution platforms  
7 today offer.

8

9 Along with that, we also have our technology arm, which is TERES, which is what most of you  
10 here may be familiar with, which ensures that Artificial Intelligence is experimented with and  
11 deployed for live cases in an agile manner. While CORD looks at end-to-end dispute  
12 resolution, TERES looks at how can we develop modular solutions which can be used for  
13 dispute resolution within CORD or elsewhere.

14

15 This is sort of the world of ODR that we are bringing to our clients today. There are variations  
16 of this that India is currently experimenting with through multiple private ODR service  
17 providers. And we will hear I'm sure, more of that from other speakers. But the bottom line is  
18 there is no one single definition, and we are still definitely on an explorative journey today.

19

20 **PAUL THOTTAN:** Hey, is it audible? Fine. Yeah, I think I just wanted to sort of frame it also  
21 from I think, some of us also product folks here, and you hear a lot about the legal side of legal  
22 tech, but I don't think enough is spoken about the tech side of legal tech as well. So, I thought  
23 I'd just take a chance to frame ODR also from maybe like a design and product lens, right? So,  
24 if you look at any product, any service, that you use, in the design world, the framing for how  
25 can you build product love. How do you love a service that you're using, is always a large part  
26 of it comes from the error handling. Okay? So if I'm using a service, and it does exactly as it's  
27 supposed to be. I'm using an app and it does exactly as it's supposed to do, that's the normal  
28 course of things. But if something goes wrong, I hit some roadblock, I'm trying to do something  
29 that I want to do on this app, but it's not letting me do that. Something else is happening. Then  
30 there are two ways that apps will handle this, right? Like a well-designed app will try and  
31 empower the user to realize their mistake and then correct that mistake for them. All this long-  
32 winded way to say that I think even dispute resolution is essentially the same for the contract  
33 world. It's the error handling for the contract world. What happens when something goes  
34 wrong in your contract? That's when the dispute resolution clause comes into the picture,  
35 right? So, the way I think of ODR is also is to leverage technology to empower people to resolve  
36 these errors on their own. So, ODR really is a lot about that. That's the way we look at it. SAMA  
37 also is allowing empowering people to leverage technology to resolve disputes on their own.



1 So, whether today that is within the framework of conciliation and arbitration, so, we empower  
2 people to file their case easily and then give them access to a subject matter expert who can  
3 then give them a decision, whether that is today or tomorrow. It could be like an AI assisted  
4 autonomous mediator, right? So, that's also I just want everyone to think of ODR broader than  
5 just alternative dispute resolution. But it's also really about leveraging technology to empower  
6 people to resolve disputes on their own. I just thought that ground ODR also in that lens.

7

8 **ANIND THOMAS:** Thanks Paul. Subbaiah, anything to add to that? I think we had two very-  
9 very different perspectives that we've heard from the first two speakers.

10

11 **SUBBAIAH KG:** Yeah. So, hi, good afternoon. I'm Subbaiah. I'm from CADRE. I think  
12 everybody put it right that the universe of ODR is quite huge. Now, obviously from a CADRE  
13 perspective we call ourselves a tech intermediary. So what do we do? We basically help, we  
14 provide a platform where we don't mind what the sector is, who are the disputing parties? Who  
15 are the Parties that will actually eventually do the adjudication? We are a platform that will  
16 help you get these disputes resolved faster at a lower cost and be more efficient at doing it. So,  
17 it's about bringing down time and also like Paul put it, the end-user needs to be considered. It  
18 should be user first, which means that the disputing Parties need to be able to use it and  
19 actually feel that it is a better system than what it is there today. And whatever is required as  
20 additional tools for them to be able to do that for each of the individual parties, I think that's  
21 what we kind of work on to get automation, AI, all of it into it to help that happen. So, if you  
22 look at it from a broader spectrum, we are basically a tech intermediary, which is sector  
23 agnostic and we don't mind getting into different sectors. If any one of you are really interested  
24 in trying it out, please reach out to others.

25

26 **ANIND THOMAS:** Vasu, before I ask you to add, I'll also start off with asking you the next  
27 question, which is what are your thoughts on what you think ODR is, and how exactly is AI  
28 being used in ODR? What do we mean by AI and ODR? And then we'll bring it back the same.

29

30 **VASU AGGARWAL:** Sure. Thanks Anind. Am I audible? Okay. Hi. Good afternoon,  
31 everyone. I am Vasu. I'm the founder of Lucio. I'm a lawyer by education. I graduated in '23  
32 and back in '22 with my roommate then, I started Lucio. And I'll come to the two questions  
33 that Anind has asked, but maybe, let me start by sort of identifying what is it that lawyers do,  
34 right? Back in '22, I was speaking to a Partner at a law firm, and he told me something very  
35 interesting. He said 60% of what we do isn't really the practice of law. It's perhaps only the  
36 40% of it that's practice of law. Curious, right? What does it mean, that 60% of it isn't really  
37 practice of law. And I was curious. I asked him, okay, why are you saying that? That's when he



1 started describing that look, when I'm doing something like a due diligence, I get a data room.  
2 The first thing I do is download all documents, sort them, rename them, arrange them in a  
3 certain order. And all of this, even before I start applying my legal brain. I'm spending so much  
4 time extracting clauses from documents and putting them in my daily report then actually  
5 applying brain on seeing what the risk is, right? I could be spending so much time sort of  
6 summarizing a marked-up document to find out what the key issues are even before sort of  
7 applying my legal brain or commercial brain on what's really going on in this. And that's when  
8 I started wondering that, okay, there is a possibility that a lot of times there are these tasks  
9 that are done which don't sort of push you to apply your legal brain.

10

11 I was speaking to a senior who's working at a law firm, and she told me that she had started to  
12 hate her job purely because she was spending more time putting titled documents in a  
13 chronological order, extracting dates from that, extracting who is passing the title to whom  
14 and at what point in time, summarizing these documents and so on. Another one of my friends  
15 told me that they had to spend two weeks sorting correspondences in a construction  
16 arbitration in different issues that might be change of scope or utility shifting or so on.

17

18 What are these tasks, right? These are really the tasks where you don't even need to apply  
19 mind, let alone say your legal education or your legal training. These also take a lot of cognitive  
20 load on lawyers and sort of, this is what we try and automate at Lucio. We pick problems of  
21 this sort and try and help you solve those. But now, coming back to questions that Anind posed  
22 right? He asked a very good question on, okay, what is it, that's technology and what is AI,  
23 right? And today we see a lot of this mismatch on what is automation versus what is AI versus  
24 what was before AI. Perhaps, I'd say that there are three different ways of looking at it, right.  
25 Perhaps three generations. First being automation, where there are deterministic aspects that  
26 you're putting together to get a certain outcome. You know the input. You know the output.  
27 You'll get it that way. This is automation. We started seeing perhaps the first wave of predictive  
28 analysis in the legal space through some clause tagging and name identity recognition  
29 software, right? These allowed you to get or extract sort of clauses from your contracts. They  
30 could also tell you perhaps out of the 100 contracts that you have, jurisdictions for certain  
31 contracts are, India, certain maybe Singapore, so on, so forth. This is perhaps the second wave,  
32 perhaps pre-transformers is what I would say. Pre-transformers AI is where you used to do  
33 things like this. But more recently with Chat GPT and OpenAI coming up, we have a completely  
34 new wave of AI where you can use these very strong language models to solve a lot of your  
35 lawyer problems. This is how I would view the difference between, say, the starting point from  
36 automation to AI.

37



1 Anind, should we just right now go into what the use cases of AI are?

2

3 **ANIND THOMAS:** I think makes sense to segue into where we are seeing AI being used one  
4 in India of course, the state of how it's being used in India. And for me, as a practitioner, I'd  
5 also like to know how it's being used across the world because we know that these practices  
6 percolate from one jurisdiction to another. And so we can expect practices that are working  
7 elsewhere to work here. So if I could actually start again with that question, Deepika?

8

9 **DEEPIKA KINHAL:** Sure. I think I'll start out with taking a few examples that are relevant  
10 for the audience here. When Vasu talks about automation, right, he mentioned the word  
11 "deterministic". This is where you're not really looking to analyse and have a plethora of  
12 options to choose from. It is as simple as two plus two equals four. Of course, with calculator  
13 it is a click of a button exercise, but you don't really need Artificial Intelligence, so to say, to  
14 help you with this. And here, some of the things that can play a role in making the lives of  
15 anyone involved in dispute resolution are easier are things like chronologically arranging your  
16 documents, right? What this requires is that you have structured data to begin with. So, here  
17 is where what matters is how we are ensuring our documents are maintained. And this can be  
18 applied across small law firms to big law firms. It can be applied in courts. It can be applied  
19 from the perspective of lawyers to judges to even clients, companies, the way they maintain  
20 their documents. So, this is a technology that already exists. This is tech intervention of the  
21 simplest kind.

22

23 On the other end is where you are looking at assistance with perhaps a judgement writing. And  
24 here, while India is not yet there, we are seeing that certain other jurisdictions are already  
25 experimenting with some form of predictive analysis to aid judges. From what we understand,  
26 the most advanced form of application of this use case is being seen in China. But even here,  
27 of course, everyone is cautious because you do not want to at this stage, override human  
28 intervention when it comes to ultimate decision making. So, what is AI being used for is, to  
29 give the judges the assistance until the very end point where, say, A to D options are given to  
30 choose from. And then the judge applies their judicial mind to say that, okay, this is my  
31 ultimate decision. But, in this journey, the time that is invested by the judge is reduced by one-  
32 tenth. Right? And that is the kind of use cases that we need to start moving towards here in  
33 India, both as far as ADR is concerned and the court workload is concerned. And I come from  
34 the background of corporate law, then litigation, and then policy space. And in my most recent  
35 past role, I was working with the judiciary. I have served on e-Committees of the Supreme  
36 Court. I've worked with NITI Aayog, mainstreaming Online Dispute Resolution. And in that  
37 our effort had been to look at these multiple use cases across various jurisdictions and take the



1 essence of it to India and not really replicate everything that is happening over there. Some of  
2 the hurdles that are unique to India is something that we always keep in mind when we design  
3 our solutions, be it what the judiciary is looking to adopt or what we at CORD seek to do. It is  
4 sector agnostic. It is client agnostic. But at the end of the day, we are looking at who the  
5 ultimate beneficiary is going to be. We have requirements with respect to language diversity.  
6 We have hurdles due to lack of digital literacy, access to digital tools across the country. So,  
7 keeping all of these in mind, we will have to see how the AI journey in India will truly translate  
8 into action.

9

10 **ANIND THOMAS:** Paul, have you seen technology, AI technology being used in other fields  
11 that we think can be adapted and used for the Dispute Resolution in India?

12

13 **PAUL THOTTAN:** Yeah. So, I think there's a common misconception, I feel. You feel that  
14 Artificial Intelligence is going to be some sort of stone-cold, non-empathetic sort of chatbot,  
15 which may not be able to handle the nuances that is required in mediation. Because mediation  
16 is supposed to be inherently very reliant on emotional understanding, high on EQ, all of that.  
17 So, you traditionally think that these chatbots may not do, so all of that and you need a human  
18 touch. You need someone who can understand tone of voice, body language, a lot of those  
19 things. But you will be actually really surprised by how good some of the chatbots are at even  
20 doing tasks like therapy, counselling, all of that. So, there's an app called Dot. It's built by an  
21 ex-Apple designer, and it's sort of like a personalized assistant. But it's extremely good at  
22 having these really sort of empathetic conversations from you, and I would argue that it's going  
23 to be way faster at understanding what is your position on a particular issue, much faster than  
24 probably that comes from a human.

25

26 Another example also sort of taking from there is, I think there's something called Hume.  
27 Right? Hume builds sort of these voice APIs, and what they have done is they've built this  
28 model that really gets to understand what are the emotions that are coming in through  
29 someone's voice, right. So, they have something called an expression management API, which  
30 is trained on a lot of different conversations to understand what are the different emotions  
31 that a person is expressing at any time while they are conversing. And where this is helpful  
32 was how it's being used currently in the West is, there's a sports team, and the sports team  
33 now has, like a very large fan base. The fan base is sending in a lot of videos. These reaction  
34 videos of all the highlight reels and things like that. And so they want to compile some video.  
35 So, what they would do now is just show me the top happiest or the ones which are most  
36 excited, right. And then from, like, 10,000 videos, you'll be able to come down to the top 10,  
37 15, 20 videos, which have the most expressive, most energetic, most happy. And so, I think the



1 way I would see it is in India, if you're using a lot of mediation through voice, like a lot of voice-  
2 based, can you assist the mediator in understanding, okay, these are the sort of emotions that  
3 are coming in through the person at the other end and then use that to assist in mediation. So  
4 those, I think are some of the examples I can think as corollaries, which are from other  
5 industries, but is the use of AI, which could really benefit, even in dispute resolution.

6  
7 **ANIND THOMAS:** Interesting. So, Subbaiah, getting down to some more concrete example  
8 of how you use AI tools at CADRE in the life of a dispute whether it's case management to  
9 enabling practitioners who are actually helping resolve the disputes where all do you see it  
10 currently and what do you think you should be looking at in the next few months?

11  
12 **SUBBAIAH KG:** Yeah. I would probably set this up in three phases. So, from an AI  
13 perspective or from a tool perspective or from a platform perspective, I don't think individually  
14 AI can stand by itself, right. What that means is that the AI needs to be plugged in, into the  
15 system, into the platform, the automation needs to be part of the system. Everything needs to  
16 be part of a jigsaw puzzle, which eventually fits in place. Right? So, at CADRE today, if I were  
17 to now break that down horizontally, I would say it would be to drive efficiency, then it would  
18 be to provide assistance. And then third, I think for everybody which is a moonshot, is to try  
19 and get the judgment itself going. From that perspective, I think from an efficiency, we are  
20 quite there already. So, we help with everything that is required to do with document  
21 management and evidence management and all of that. From an assistance perspective as I  
22 told you, we are mixing all three of them. We are trying to get an editor out in place, which is  
23 a mix of, take something from the case that is already there on the platform, put it there. Take  
24 something that the AI, generative gives to you from the inferences or from the fact that it  
25 essentially drives from the case documents as well as the case proceedings and put it in place,  
26 right? So, we have all of these coming from templates from facts and also from inferences. And  
27 we are ensuring that we are able to give this to the Dispute Resolution professional, who can  
28 then look at it and sign it off. So that we are currently in that second phase, which I spoke  
29 about, which is the assistance phase. Soon we'll also be trying to see drive inferences to a larger  
30 extent, in the sense that, get to the point. exactly. But you need to understand that AI is a black  
31 box and to get that black box going, you need vast amounts of data, right? In a particular sector,  
32 because we talk about different sectors, any particular sector for us to actually get it right, you  
33 look at these generic models that are there today. Obviously, there are fine tuning techniques  
34 and track techniques and all of that that are there on top of these, but to get things actually  
35 right you need quite large amount of data. And I think from an Indian perspective I am not  
36 sure that any platform or anything has that amount of data for us to train and get to that





1 immediately. I see that in a few years' time getting there, but that's where we are in our journey  
2 as CADRE on using AI and stuff inside our lives.

3

4 **ANIND THOMAS:** Before I come to you, Vasu, because you do a completely different thing  
5 from what CADRE and CORD do, I'm going to ask Deepika, how exactly you're using AI as  
6 part of your offering? You said, it is part of the offering that you have on a standalone basis or  
7 within the platform that you operate. But if you could give us some concrete examples that I,  
8 as a practitioner, can understand that this is how AI is being used and this is where I believe  
9 this AI is going to be able to help us.

10

11 **DEEPIKA KINHAL:** Sure. The advantage that team CORD has is that we work in tandem  
12 with the technology arm that I mentioned, which is TERES. With TERES, we are able to... one  
13 of the key flagship offerings that you all may be aware of is legal transcription and this is based  
14 on ASR engines.

15

16 **ANIND THOMAS:** What's an ASR engine?

17

18 **DEEPIKA KINHAL:** It is speech recognition engine which ensures that across languages  
19 wherever Large Language Models have been developed, it is able to convert speech to text.  
20 And the most recent offering that we have is translation along with transcription. We recently  
21 tested this in a Singapore Tech Law Conference where we had a panel of English and French  
22 speakers. Along with speaker diarisation, we were able to demonstrate live the French speech  
23 being converted into English and corrected live. So, at the end of the event, you had 100%  
24 accurate transcript available for everyone to peruse, and that was also being displayed online  
25 the way it is currently being displayed. Everything that we are currently speaking is being  
26 transcribed. But imagine the complexity that arises when speakers are speaking in multiple  
27 languages. So, that is the progress that we have been able to make at TERES. Building off of  
28 this offering is what we are able to do with other AI tools, which includes summarization,  
29 which includes querying the documents that you generate through transcripts. And this is  
30 already happening, right? One of the key things that TERES does is transcribe arbitration  
31 hearings, especially international arbitration hearings. And we are also the service provider to  
32 the Supreme Court of India. In fact, the Chief Justice of India recently acknowledged that he  
33 is able to undertake better research and analysis thanks to the transcripts that are available,  
34 which documents all the arguments that are advanced in courts.

35

36 So, it is not just tech as an end in itself, the way we are currently putting it to use, but it has  
37 actually ensured that it contributes to the betterment of jurisprudence, and it also makes the



1 lives of lawyers and judges easier because it reduces the cost and time involved. For instance,  
2 earlier, because the hearings used to happen across multiple days, you sometimes lose sight of  
3 or have accurate record of exactly what has been argued. But now, thanks to transcript, at the  
4 click of a button, you will know exactly what arguments were made. And using thematic  
5 summarization tools which are embedded along with transcription services, you can search  
6 the text based on specific arguments that were advanced, which is given to you in a summary  
7 format. So, these are the use cases that are already available and that we are already offering  
8 to our clients.

9

10 **ANIND THOMAS:** I think in a country like India where we're so multilingual, may not be  
11 for large, high profile arbitrations where your documents are in English, or your proceedings  
12 are in English. But I think in a lot of other cases, the fact that one these transcripts can be  
13 translated on to different languages makes it more accessible both ways. For example, there  
14 are courts in Bangalore where you have to cross-examine in Kannada.

15

16 **DEEPIKA KINHAL:** Yes.

17

18 **ANIND THOMAS:** I can't, but there are. And then I have to get somebody to read the  
19 transcript track out to me or not in the transcript, but what has been recorded physically by  
20 the stenographer after the judge had dictated the answer. I have to get them to read it back to  
21 me for me to understand it and then get them prepared for the next round of cross  
22 examination. So, something like this, I think, will make my life a lot more easy. Similarly, the  
23 fact that in India, transcription is not the default situation. Our arbitrations are ad hoc  
24 arbitrations, do not have transcription. Cross examinations go on for days and weeks because  
25 we still conduct the way it was conducted in court, which is that, a question is asked and answer  
26 is, an answer is given that the judge dictates the answer out. So, it's not being recorded real  
27 time. The steno is not taking the answer that I may give as a witness, but taking the judge's  
28 summation of that. So, it is not true to state that, and the question is stated after that, which  
29 makes (1) takes much longer (2) it doesn't give you the essence of what was actually said there,  
30 and that is lost when you're trying to do a final argument because you have the judge who has  
31 already inserted himself in the process of the arbitrator, who's already inserted himself in the  
32 process and dictated what he's understood of the answer, as opposed to letting the answer  
33 itself be recorded. So, I think those two things, well, at least to me, are things that I  
34 immediately see can help, my practice can help us get more efficient.

35

36 **DEEPIKA KINHAL:** Absolutely. Just one quick point there Anind. In fact, combining that  
37 with what one of the other speakers was mentioning, which is identifying the emotions behind



1 the text, emotions behind the speech that is already being put to use in a lot of these customer  
2 facing services. Looking at user experience, the ratings, all of that is now assimilated, which  
3 can be brought into the legal world. So, even when you're reading a transcript, it is possible for  
4 you to, through certain icons, identify what was the emotion of the person who was speaking  
5 those words. So, the use cases can be several. So I think we are just at the beginning of that  
6 journey.

7

8 **ANIND THOMAS:** So when Paul mentioned it, one of the things I was thinking of is not in  
9 conciliation, but, again, in my own narrow field, I'd like to know how the judge is receiving my  
10 argument. Whether he really or the arbitrator is receiving my argument, whether I'm getting  
11 through to him, or this is a point that let me not waste too much time on. Let me move on to  
12 something that either he's receiving better or I have to sharpen my argument as we're arguing.  
13 So those are use cases again that....

14

15 **SUBBAIAH KG:** Yeah, just a thought that we usually keep discussing at CADRE, right? So  
16 is hearing mandatory? Is emotions really required? Can we make it asynchronous? Like, is all  
17 of this actually required? Like, I'm not going getting into the details of regulatory details of  
18 what cases can, what can happen in a cross examination and all of that. But one thing that we  
19 are piloting and we want to do is try to keep everything asynchronous. So, that kind of helps  
20 you not worry about this is also another angle to look at it. I'm not saying that you can have  
21 everything without meetings, et cetera, all of that. But I think there are scenarios where you  
22 could try and see if that can happen. So you don't leave it to the bias of emotions, if I may call  
23 it right, to actually be part of it.

24

25 **ANIND THOMAS:** I look at emotions as being a feature, not a [UNCLEAR], but again...

26

27 **SUBBAIAH KG:** So that is a lawyer speaking.

28

29 **ANIND THOMAS:** Again, never say never and you never know whether you'll end up with a  
30 situation like that. Today, I don't think we're there. But we do see document only arbitrations,  
31 for example, where we are not having cross examination, especially with larger corporate  
32 disputes where everything is correspondence. In a lot of matters we don't end up with cross  
33 examination. We go straight with the documents into final arguments. That's where we  
34 sometimes end up. Who knows, we might not even, at some stage in life, we may not even have  
35 those. I don't know what I'm going to be doing but there might be a situation like that. But that  
36 said Vasu, from the developer from the side of somebody developing these kind of things that



1 platforms can use, what have you been doing for the ODR or the dispute resolution space?  
2 What have you been doing?

3

4 **VASU AGGARWAL:** Perhaps I'll mention what use cases we are seeing, regardless of  
5 whether we provide them or not. What is it that market is actually getting out of AI today,  
6 especially sort of dispute resolution lawyers, right? But perhaps it's useful to differentiate the  
7 use cases for different stakeholders. Stakeholders from judges and institutions and court side  
8 of things, and the stakeholders who are practitioners, right? Lawyers who are arguing these  
9 matters. From the perspective of institutions and judges perhaps one of the easy use cases, as  
10 Deepika mentioned, is transcription, right? It's already being used in the Supreme Court of  
11 India. It's all already being used in a lot of arbitrations. There's something that actually making  
12 lives easier. But to consider a completely different example from the perspective of a Supreme  
13 Court registry could be, how do we identify defects in pleadings using AI, right, which takes  
14 them a lot more time. This is something that Supreme Court is, in fact, working towards.  
15 Another different example could be where at the time of appeals, certain cases can be batched  
16 for those appeals, depending on the kind of issues that they contain. And these are also the  
17 kind of things that take a lot more time for registries for judge of the High Court overall to go  
18 through. I was also discussing this with one of the institutions, and they said, look, we have  
19 thousands of these arbitrators' profiles, and we want to know who's the most relevant  
20 arbitrator for perhaps this dispute basis this issue. AI can today help find what is the... which  
21 is which is perhaps the most relevant arbitrator for that issue, or for that dispute basis their  
22 profile. So, think about it as you have a large volume of data and you're able to extract insights  
23 from that large volume of data. I'm also seeing that apart from these sort of use cases for  
24 centres and sort of registries, there is also a growing sort of acceptance within judges as well.  
25 For instance, IIT Bombay and NLS today are working with META to come up with a tool that's  
26 going to assist consumer judges, consumer courts in making their decisions. When they say  
27 making their decisions, all they're looking for is, hey, can I get all the data into various different  
28 buckets for me to be able to analyse violations more easily? Can I just check very quickly  
29 whether something's within limitation period? Can I be very quick in seeing whether I have  
30 the jurisdiction at all to solve something like this? But from a different, completely different  
31 stakeholders perspective, which is you and perhaps the other practitioners here, there are  
32 various different use cases we're seeing of AI today.

33

34 One very simple use case is summarization of lengthy documents. This is something that what  
35 we've seen is accepted now quite widely. Other use cases like preparing chronologies, right?  
36 You mentioned that in documents, only arbitration you deal with thousands of  
37 correspondences, emails. How do you make sense of a data dump that has been given by a



1 client to you, right? What you need is really a quick way for you to be able to skim through the  
2 events, the storyline, what's really happened, and today, AI is able to help with tasks such as  
3 this.

4  
5 Another interesting use case we've seen very recently is fact finding, right? You have thousands  
6 of these documents and you want to know is there any document in which perhaps X has been  
7 represented as an agent of the company. And what do you need to do now? You need to go  
8 back to each and every document that you think is plausible to have anything related to that  
9 and then look for it. But is it possible for AI which is able to consume a large quantity of data  
10 at once to answer this question for you, right? We're seeing these kind of use cases come up.  
11 For instance, more recently there was a construction arbitration in which somebody had a very  
12 simple question. "Is there a place where the other Party has admitted to delay themselves?"  
13 And perhaps this is not even direct admittance, but they were able to find documents in which  
14 there was a sense of admission, of delay. And that this is the kind of fact finding that can be  
15 done a lot faster using AI.

16  
17 There are other few use cases for instance, the ability to sort documents, the ability to create  
18 knowledge repositories, right? You have lots of precedents. You want to see if you worked on  
19 something before for you to be able to see, okay, I'm giving a uniform sort of sound advice. I've  
20 given that before, and I'm giving in future, right?

21  
22 Another useful use case we've seen is folks trying to create cross examination questions from  
23 entire case files because AI is able to understand perhaps what that Party may have done  
24 throughout the dispute basis different documents, including contracts, including  
25 correspondences. AI is able to create or curate a first list of questions that you might want to  
26 ask a probable cross examinee, right? These are some of the use cases that we are seeing on  
27 practitioner side of things.

28  
29 **ANIND THOMAS:** And again, this is to all of you. Where do you see India in terms of  
30 adoption of technology and AI versus, at least in the ODR space versus the rest of the world?  
31 Are there things that are being done elsewhere which are not yet being done in India? We  
32 heard the China example of at least helping with the decision-making process, which I don't  
33 think we're doing here. But from what I hear that's something that you're planning to do in a  
34 limited manner for the consumer, for consumer disputes. Is there anything else where you  
35 think India has not yet adopted it as we should be. I understand, at least when we look at it  
36 right now, you guys are at the ODR service providers, the ODR practitioners, seem to be using  
37 technology a lot more than any of the... I won't call them mainstream dispute practitioners,



1 but practitioners who are not in the online tech space. So, is there something that you think  
2 that we should be using more often that is an overlook tool, which could be in a rationale or  
3 are we pretty much there, at least when it comes to ODR and technology? All of you. So,  
4 whoever... Deepaka, first, if you have anything to say.

5

6 **DEEPIKA KINHAL:** Sorry. Just have been grappling with this problem for far too long. So,  
7 have a few things upon my mind. I think I wouldn't jump the gun in terms of saying that AI is  
8 the way to go to resolve a lot of issues that we face as dispute resolution professionals or even  
9 as legal professionals or as court system which is overburdened with crores of cases. I think  
10 what is more important for us to currently look at is how we can embed the existing technology  
11 to improve the time and cost efficiency to whatever extent possible. AI is the buzzword. It is  
12 something that is fascinating, I understand. And there is always this urgency to bring in  
13 something that is out there. But I think we can start with something that is already out there,  
14 that has worked in other domains and adopt that for certain cookie-cutter cases, as we call it.  
15 Say, for instance, wherever there are disputes where parameters are fixed, right, you know that  
16 beyond these ten metrics, this case is unlikely to have anything more. It is almost like a  
17 formula. Those are the cases where I think we can bring in structured data. We can bring in  
18 algorithms to improve the efficiency with which you're able to arrive at the conclusion. Say,  
19 for instance, what is already being experimented with Section 138 cases. The highest  
20 percentage of case load today that the judiciary faces is because of Section 138 cases. Is there  
21 a way that we can ensure that by the time the case reaches the judge for application of judicial  
22 mind, they have everything on their table to apply their mind only for five to ten minutes to  
23 arrive at a decision? And even that decision is templated so, that it can serve future analysis  
24 of similar cases.

25

26 Tenancy disputes. Again, here it takes years on end to resolve tenancy disputes, even though  
27 the kind of arguments that can be advanced, the underlying documents that can be presented  
28 are hardly any. So, these are the use cases that I think we should start focusing on and try and  
29 resolve for them one case category at a time, and that is a similar approach that we are  
30 adopting even at CORD. The main sector that we are focusing on is BFSI. But here we are able  
31 to do that because of the data that is already available. Because of the manner in which  
32 documents are already maintained by insurance companies, by the banking sector by certain  
33 businesses. So, if best practices are inculcated at the very inception of a case with respect to  
34 the judiciary, it may be e-filing with respect to businesses. It is the way they have their  
35 onboarding documents templated, I think dispute resolution process will automatically  
36 become significantly faster.

37



1 **ANIND THOMAS:** Yeah, so just from taking off from what you had to say, because that  
2 strikes a chord with me. Disputes like you mentioned, the cheque bounce disputes under 138  
3 the courts are so overburdened with them that the policymakers are actually thinking of  
4 decriminalizing it, which I don't think is the right approach. But those are disputes that it's  
5 documents only literally. You have a cheque, you have to see whether cheque bounced for what  
6 reason it bounced, and then look at whether the various criteria that are set out is literally  
7 check the box, but those disputes because of how overburdened our system is and because, of  
8 course, the person who had drawn the cheque, clearly doesn't want a decision as soon as  
9 possible, take years and years, which for something that if these boxes are actually ticked,  
10 would end up with that being resolved in a few, like you said, a few minutes. It's not rocket  
11 science. It's one of the easiest disputes to resolve. But our system is so overburdened by it that  
12 it doesn't move. And as a result, like the tenancy disputes again, people file because they know  
13 that it's going to give them time. A tenant will file a dispute if he knew that he's going to be  
14 evicted in three months because there is no merit to it or on humanitarian grounds the tenant  
15 is going to be given six months for him to go and find the alternate accommodation because  
16 that's what finally happens here. He will not file that because he knows that there is no point  
17 spending time, money and effort to get three months more. They file it and the reason why  
18 there are so many that are pending is because he knows that that's going to buy him an easy  
19 three years. By the time the court actually gets the time to hear your matter, take evidence  
20 decide the matter, it's three years, four years, and you go and appeal and in appeal that High  
21 Court now has been telling people that either I hear your appeal and dismiss it because we  
22 know there's nothing there. Or you tell me you want six months, I'll give you the six months  
23 and dismiss your appeal. But you get six months today. And you'd be surprised the number of  
24 matters that get over because the High Court decided has told him I don't see merit in your  
25 appeal. I'll give you six months today, or you want to argue it and face consequence of being  
26 evicted tomorrow, and a lot of matters get settled that way. So, if we are able to use technology  
27 and reduce the pendency I think we'll have a system that, with less load, works more efficiently,  
28 and that will also mean that a lot of matters that we believe are without merit, but only there  
29 to game the system and get time will go away. That said, I think that's a good segue into how  
30 exactly and we heard... sorry, Subbaiah.

31

32 **SUBBAIAH KG:** Yeah. I'd like to add to what you said. You mentioned is India at a stage that  
33 was the question that you started, right? I think when you look at whether we are there, I think  
34 you need to look at the ecosystem as a whole right? Now, Fintech, where are we in the world?  
35 We are in one of the top, right? So, anything that's related to data is all digitized right? So  
36 everything is available. So, I think from my point of view is that India is actually primed now  
37 to get all of this in place because everything is available for someone to initiate a dispute, to



1 actually also evaluate it, right? So, it's I think balance that regulators need to get together and  
2 figure out where and when they need to actually deploy these so that whatever backlog and  
3 whatever timelines that you're talking about can be concise significantly.

4  
5 **ANIND THOMAS:** Excellent. So that brings me to a question that wasn't on the list. Sorry  
6 for throwing it out at you. But again, so anyone of you can tell us. But what have you seen, as  
7 the experience from the SEBI Dispute Resolution that we moved to the ODR space? What are  
8 your views of how well or how bad these were working? Anybody?

9  
10 **SUBBAIAH KG:** Yeah. I can speak about it. So, we are associated with both BSE and NSE  
11 for SEBI disputes. I think the best part is when you see the investor actually writing back to us  
12 saying that how ODR or CADRE ODR in this case, in this particular case, has been able to not  
13 fall into the pressures of the dependent parties who are huge conglomerates, if I may call it,  
14 right. Have huge legal power at them, and still investors are protected. So, we get these  
15 consumer emails, which says, thanks for doing this. This has helped us. That's essentially  
16 placing it where we are. So we are getting technology and helping people resolve disputes not  
17 just like the common man get the benefit out of it and we are seeing that. So we see that there  
18 is merit in what we are doing there. As I told you, it's about adopting that in the other scenarios.

19  
20 **PAUL THOTTAN:** Yeah. So, I just want to put on shameless plug here, which is that SAMA  
21 was the one who had the chance to actually build the platform as well. Smart ODR platform  
22 on which these disputes are getting handled. So, I think we had a sort of bird's eye view on  
23 some of the ways that some of the learnings that we got from that experience also. And I think  
24 one... I think the biggest takeaway was sort of the ODR framework that SEBI has created is not  
25 only for referring disputes but also sort of getting the enforcement also that comes out from  
26 the mechanics. They really define timelines very tightly. There's a lot of follow up on  
27 compliance as well. So, because of that, once the dispute enters the foray of the ODR  
28 framework, that's been defined by SEBI, it goes through a very well-defined timeline of 21 days  
29 at a pre-conciliation stage, which is free for both parties and is overseen by one of the stock  
30 exchanges or the repositories, and then it goes into, if it gets referred to ODR, then it gets sent  
31 into an ODR institution that is allied to one of the exchange or repositories. And then again,  
32 they have 21 days strictly for trying to resolve that dispute. And then from there, if it needs to  
33 go to arbitration either party can initiate arbitration and goes in for 30 days. So it's a very tight  
34 sort of timeline within which the entire framework operates and because of that, I think  
35 there's, at least, I think, enforcement wise there has been a lot more.... We're seeing a lot more  
36 teeth in because we're getting support from the regulator who has established this framework.  
37 I think that's a very new sort of thing that we've seen.





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**ANIND THOMAS:** And so Deepika, you want to add?

**DEEPIKA KINHAL:** Yeah, I would just like to add a couple of points to directly answer your question as to whether it's going well. It's been a year of SEBI-driven Online Dispute Resolution mechanism for securities market. And in this one year, there are around 7000-odd disputes that have been resolved through ODR, accounting for roughly around 200 crores worth of dispute value. I think the numbers speak for themselves. Beyond just these numbers, I think we have to also look at how this has been enabled and I think that is where the true value of this system lies and it has, in fact, paved the way, I believe, for other regulators to follow suit. What SEBI has done is issued this Master Circular, where some of the more relevant day-to-day processes have already been chalked out, which has ensured that all the Online Dispute Resolution platforms that are today offering their services to SEBI have some say in how the disputes are resolved and are also equally held accountable for ensuring transparent and secure way of resolving these disputes. Paul mentioned the timelines which are followed extremely strictly. The average dispute resolution time is around 30 days, and this is across conciliation and arbitration processes. And the way the cases are allocated to ODR platforms is through a round-robin method. There are around six ODR platforms that are currently offering their services to these disputes. CORD currently works with NSE and NCDX in resolving the disputes. And what we have seen is, because there are say, three to four specific categories of issues that may arise, we are able to train the dispute resolution professionals, the neutrals that are the conciliators and the arbitrators to specialize in these disputes. We are able to create that human resource layer, which is extremely critical. Our case managers across all dispute resolution platforms who are again trained to speak to the investors, speak to the trading members and understand with a complete understanding of what the underlying dispute is. Even though the Case Manager's role is limited to facilitating the scheduling of cases, bringing the Parties together because they have a thorough understanding of what the disputes themselves are. The quality of service that we are able to give to the Parties is significantly enhanced. So, because the regulator is involved and has created this policy framework, I think the entire dispute resolution ecosystem as far as the securities market is concerned, has significantly improved. And ultimately, it is the experience of the end-user that matters and that, I think, has improved and I'm hoping that this will set the trend for, say other such regulators to adopt something similar, be it MSME, be it Consumer Courts, which see a lot of volume and are overburdened already. This is the way forward, I believe.



1 **ANIND THOMAS:** And before we adopted ODR at SEBI, for stock industries, how long was  
2 it taking, do you have any idea of how long taking before ODR was adopted to now in the last  
3 one year? Is it significant?

4

5 **DEEPIKA KINHAL:** Unfortunately, I do not have a comparative figure. Does anyone here  
6 has the number?

7

8 **ANIND THOMAS:** But I'm assuming it's shortened.

9

10 **DEEPIKA KINHAL:** Significantly, significantly.

11

12 **PAUL THOTTAN:** Also the increasing accessibility for investors in rural areas, also  
13 significantly is raised because it's now moved online. As earlier I think they had an IGRC for  
14 investor grievance redressal mechanism where you had to participate, either it was a lot more  
15 physical conciliation, physical arbitration one that. Or the other was you had to go to an  
16 investor service centre to sort of participate. So it's sort of become easier now to participate in  
17 the process also, and has definitely significantly reduced the time.

18

19 **ANIND THOMAS:** Accessibility, not just in terms of being able to go online, but like you're  
20 saying, time and cost which time and money costs.

21

22 **DEEPIKA KINHAL:** And also language diversity, if I may add, right. We have had cases  
23 across 24 states in the last one year that CORD as a platform has handled. So, we have had to  
24 bring in our case managers from those specific regions who are familiar with the language to  
25 be able to assist the parties to log online, and we have spent time in educating the parties to  
26 be able to have their Zoom account and attend the hearing effectively. So, these are additional  
27 value adds that you get because you have service providers like us embedded. If it was a  
28 centralized mechanism that the regulator itself runs, I'm not sure if this level of detailing would  
29 have been possible.

30

31 **ANIND THOMAS:** Got it. You just mentioned the fact that we should be seeing other  
32 regulators hopefully, if we bring this up. Are there any of them? If you if you can tell us, if it's  
33 fine for you if you can tell us. Are the regulators also looking at similar mechanisms? Is there  
34 interest or are everyone still waiting, saying that, "It's only been a year, we'll wait a little longer  
35 before we try to experiment with ODR?"

36



1 **SUBBAIAH KG:** It's above my pay grade. I know that of one public information at least is  
2 the fact that I think there was a CPGRAM standard that was floated out last year for the  
3 consumer grievances. I don't think it completed the entire course. I know that we were part of  
4 the process, but I'm sure that the government is actually looking at these mechanisms to  
5 actually resolve disputes that are huge in numbers, that have backlogs that are for years  
6 together that need to be looked at.

7

8 **ANIND THOMAS:** Yeah, I think our courts as well have been somewhat keen to push stuff  
9 online, leverage technology and that brings me to my next question. But so much so that in  
10 judgments they've said, the Supreme Court has said, requested the High Court to look at the  
11 various areas or various different various types of matters that can be handled online. And  
12 hopefully being handled online is not just saying that you have online hearings, but also  
13 leverage technology, technology AI, whatever it is, but whatever type of technology to  
14 hopefully get the process moving as fast and as efficiently as what seems to be happening at  
15 the securities disputes stage. But when we're talking about regulators and regulatory issues,  
16 have any of you faced any statutory or regulatory hurdles in terms of wanting to use ODR or  
17 wanting to have alternate Dispute Resolution mechanisms being used for some types of  
18 disputes and not being able to do it because of a statutory or a regulatory limitation? For  
19 example, you were talking about the BFSI space, and it immediately brings to mind the fact  
20 that banking disputes, a lot of them can't be taken anywhere else but the Debt Recovery  
21 Tribunal, which some of us who actually practice, they know how long it takes for matters  
22 there. So, are there any places where you believe that if the regulations change, those kind of  
23 disputes will benefit from the ability to use one alternate dispute resolution mechanism that's  
24 not a DRT, but ODR or any other alternate dispute mechanism?

25

26 **DEEPIKA KINHAL:** Maybe I'll start. I think things have significantly improved over the last  
27 couple of years. For instance, with the Mediation Act that was promulgated, ODR has specific  
28 recognition, right. There is a chapter on ODR. And this makes things significantly easier for a  
29 sector which is still at its nascent stage and we still are looking at how to secure buy-in from  
30 our end clients. Therefore, statutory recognition makes a huge difference for the ecosystem at  
31 large.

32

33 Having said that, there are definitely certain legal hurdles that we will have to overcome to  
34 take complete advantage of technology. To just give you a few examples, going back to the  
35 SEBI example that we were talking about, one of the requirements over there is stamping of  
36 arbitration awards, right? And we all understand how complicated the stamping regulations  
37 are across the diversity, the costing requirements and the lack of access to e-stamps across all



1 states. What ends up happening is that because of this particular step, the costs increases and  
2 you're not able to provide the end-to-end digital dispute resolution experience that you could  
3 have otherwise provided. This is where I'm hoping that the policy and the laws align with what  
4 is possible through technology already. There have, of course, been judgments which have put  
5 a spanner in the works. The one you mentioned with **Vidya Drolia** case where we were not  
6 able to take on a chunk of disputes because of the embargo case drawn, banking sector. This  
7 again, I think is something that the judiciary needs to be mindful of when passing such a  
8 blanket ban on how certain disputes can be resolved. Carving out a jurisdiction for the  
9 specialized Tribunals is well and good, but taking away an avenue for Alternative Dispute  
10 Resolution mechanisms I think is doing disservice to the ultimate litigants who need that  
11 efficient way of dispute resolution. So, I think we have some distance to go, but there are  
12 certain specific examples where the law needs to change and certain others where the judicial  
13 precedent needs to be overcome.

14

15 **VASU AGGARWAL:** It's actually the lawyer in me who's thinking and not the entrepreneur,  
16 which is aren't there cases where you're restricted from doing arbitration going to be the same  
17 where you're going to be restricted to sort of follow the ODR platforms and methods of ODR.

18

19 **ANIND THOMAS:** Absolutely. See the ODR is a subset of ADR, so if it's not allowing you to  
20 arbitrate and you can't do any of it. You have to go to the specialized tribunal, the DRT in this  
21 instance. But I think that's been interesting. Now for me and my fellow practitioners in the  
22 room, I know we've touched upon it in various dis-parted portions. But as a practitioner, a  
23 legal practitioner somewhat technological, how can I use ADR in my practice? What are the  
24 easy ways? The low hanging fruit, so to speak, for me to use ADR today to become a more  
25 efficient lawyer if nothing else, from anywhere between the agreements being drafted to the  
26 entire Dispute Resolution mechanism? What are the various tools that are available to a  
27 practitioner to help him get better at his job, which is to help resolve disputes? I directly start  
28 with Vasu and then come this way.

29

30 **VASU AGGARWAL:** You mean from AI perspective?

31

32 **ANIND THOMAS:** From an AI perspective. Like I said but again, it's not just AI is a subset  
33 of technology. I know the topic is AI, but I don't want to make a clear distinction, saying that  
34 only AI. But if there is technology that we aren't using today, but is available and should be  
35 used, I'd like to hear.

36



1 **VASU AGGARWAL:** So look, there's a lot of technology that's coming up that can help you  
2 do a whole load of things, right? I mentioned a few use cases a few minutes ago. Things that  
3 we support and I know a few others support. Very, very simple things like summarization, fact  
4 finding, sorting documents, preparing chronology. In fact an ability for you to be able to ask  
5 questions across large data rooms, right? These are the kind of use cases every lawyer, and not  
6 just a dispute resolution lawyer, should be using to make it far more efficient for you to be able  
7 to actually do your job, right? You owe this to not just your clients in terms of getting things  
8 more efficiently for them, but also to your juniors, your folks, who are spending a lot of time  
9 doing things that are mundane in day-to-day life. What actually, is a precursor to this question  
10 is a question of adoption, right, and what are the fears that one might have with AI. And I think  
11 that's what has really been the big hindrance in a lot of lawyers adopting it today. We can do a  
12 very quick, short experiment in the room to see what are these sort of hindrances? Do you  
13 think that will be interesting?

14

15 **ANIND THOMAS:** Absolutely. Have questions. Please go ahead.

16

17 **VASU AGGARWAL:** Maybe we can just ask a couple of questions in the audience today. So,  
18 how many of you? Perhaps we can see a raise of hands, I think. That use of AI would make  
19 juniors lazy? Lazy, lazy. You think that they won't learn as much as they are learning when  
20 they're doing something from scratch today? Yeah.

21

22 **AUDIENCE 1:** [UNCLEAR] I see a change when I started my practice. One of the ways we  
23 were supposed to do the research was actually to go and pick up an SCC journal, pick up an  
24 AIR, do some research, and we didn't end up just learning what you were looking for but  
25 there's a lot more law that we learned around reading it. Of course, come to the time now as  
26 well, be it non-availability of time or whatever, now you just go to Manu Patra, to Alexis, just  
27 pick up that point, get some judgments, and they're on it. Now, has that made me lazy or has  
28 it made me more efficient is a very difficult question. But yes, that was also a very useful way,  
29 especially for me when I started off my career. Today, it may not be that I'm not able to spend  
30 that much of time. So that's probably the comment that I have on this. Thank you.

31

32 **AUDIENCE 2:** [UNCLEAR] We're going to come on to one of the later sessions, is around  
33 developing efficiencies and how we utilize that. And that's a massive bonus you know. Nobody  
34 wants to do endless chronologies and all of that. I can understand that. But what makes me  
35 slightly nervous is when you're talking about use of AI for interpreting emotion and telling  
36 somebody what that is effectively. Because isn't it part of process or part of one's learning and  
37 analysing key skills in terms of retaining and developing that human specialism so, you can



1 apply it as you go up the line. If somebody is then telling you that this paragraph equals this  
2 person is angry, what impact does that then have in terms of the lending or the developing of  
3 that specialist technician, no pun intended, from a legal point of view?  
4

5 **VASU AGGARWAL:** Yeah. So, exactly, these are some of the aspects that we think about at  
6 the time of adoption of AI. Let me ask a slightly different question. Just taking the experiment  
7 forward, but thank you so much for your comments, which is, would you be comfortable if  
8 somebody assured you AI is going to be effective 98% of the times. Just a show of hands, yes  
9 or no? 98% of the times. Okay. Do you think that your juniors or when you are working, you  
10 are accurate 98% of the times? Just a show of hands. Yes, I think I'll be accurate 98% of the  
11 time. I think that makes the point slightly clearer, right? Which is, the big hesitation in  
12 adopting AI today is, is it even accurate, right? On the other hand, the question that we should  
13 also be asking is, are we accurate as humans or are we as accurate as humans? Perhaps I'll take  
14 one more example, which is perhaps slightly more controversial, which is, how many of you  
15 today are unhappy with the hourly billing systems that lawyers adopt?  
16

17 **ANIND THOMAS:** It's all practitioners in the room.  
18

19 **VASU AGGARWAL:** It seems all of you are quite happy with the hourly billing systems that  
20 we adopt in the legal industry and AI is seen, and I don't see any hand up, surprisingly, which  
21 is we're all very happy with the status quo on how hourly billing is done. AI, on the other hand  
22 sits completely opposite to it, right? To say that I'm going to help you reduce the number of  
23 hours that you bill, meaning that I'm going to earn less, should I even look at AI then? Should  
24 I even be adopting it? So the point that I was actually trying to make was very simple on  
25 adoption of AI, right? What are the challenges today and perhaps the narratives today that  
26 don't allow us to reach a wider audience when it comes to practitioners?  
27

28 **ANIND THOMAS:** Yeah. And now that's when he pre-empted my final question. We can  
29 move on to interaction and questions and comments from everyone in the room.  
30

31 **AUDIENCE 3:** On the 98% accuracy bit, and I wouldn't argue with that. When I was a child,  
32 if you wanted to go somewhere, sometimes you used an A to Z and you worked out how to go.  
33 I was definitely less accurate than following Wave or Google Maps. So, I take that and  
34 definitely, that's the benefit. I think the question was more in getting improved and increased  
35 accuracy from something that's from technological advances. It's the deskilling in other areas  
36 of that individual and how do we balance that? I think that's what I was trying to say. I don't  
37 dispute the accuracy element. It's just how we manage the development of other skills then,



1 because there are those skills which are going to be taken away by the fact that they've been  
2 superseded.

3

4 **VASU AGGARWAL:** That's in fact actually a wonderful point. Right? And this also comes  
5 from what Niti was saying a few minutes ago, which is there was a point in time when we were  
6 actually looking at case libraries. We were going to libraries, trying to read the entire volumes  
7 to understand, hey. Okay, this is the case that might be relevant to my case today. Today we  
8 just put key in a few keyword and get the right cases and just rely on them. We're not even sure  
9 at this point that the keywords that we've inputted are even correct or not. And yet somehow  
10 it's now become a skill that if I am doing a research, I know of certain keywords that I can rely  
11 on and get certain judgments out that are going to be much better than somebody else's.  
12 Exactly similarly on this line, and this is something we realized, is the fact that you can go to  
13 the library and find a precedent that has been reskilled to a significant effect. The new skill  
14 that has come into place is my ability to cognitively think about what are perhaps the right  
15 keywords that I need to key in to find a judgment. Similarly, from that wave to this wave, it's  
16 going to make a big difference on how users are able to use AI who understands the kind of  
17 prompting that might be necessary to get a particular result out of an AI. How do I make use  
18 of a tool to get to 80% of my task and then do the 20% of it manually. There is a level of  
19 upskilling required. In fact I generally say this, which is education and training, has been two  
20 key missing aspects in adoption of AI. There hasn't been enough education, there hasn't been  
21 enough training, there has just been more and more hype, which has, in fact, today led to a  
22 situation where the adoption of AI is quite slow. But, yes, I 100% agree that we're going to be  
23 doing a lot of deskilling and upskilling at the same time on different aspects of skills.

24

25 **PAUL THOTTAN:** I think the context also really matters. Even to your earlier point, what  
26 you were saying that it's kind of scary seeing AI being used in these highly emotionally charged  
27 sort of mediation, et cetera. I think the context really, really matters. And all of this Artificial  
28 Intelligence being used does not negate the need for actual intelligence. You still need that AI  
29 as well. I think even when earlier Subbaiah was talking about how AI is a black box, right, I  
30 think you feel like, how is it that, how can we sort of let it be that some AI is analysing some  
31 text and coming at that this is what the emotion is coming out of that. And I think there's also  
32 a little bit of retaining our own mind to sort of understand how technology has evolved. So, is  
33 it just predicting the next word, or is it also doing some level of reasoning, right? Which is  
34 higher order reasoning to be able to come to make a logical representation of that text and  
35 understand what that text means and then come and say that, okay, this problem means this  
36 person is angry. And I think if you use these tools more, I think that's the only way that you  
37 would be able to identify whether these things actually work or not is to use them more. And



1 there are I think a lot of practice tools that people could be using here to understand how they  
2 really can help everyone run in their daily lives. I know one, for example, is there's this tool  
3 called Jurisphere which I know a lot of my friends have been using for legal research. So, it's  
4 quite good it's an RAG based tool. So, RAG is essentially retrieval augmented generation. And  
5 that's really good at sort of reducing the amount of hallucinations that can happen when you  
6 do a particular search. That's one of the biggest problems with AI, like Vasu was saying was  
7 the reliability aspect. But I think there's a lot of work going on in AI to ensure that there are  
8 more guardrails to get more accurate responses, reduce the number of hallucinations. And the  
9 more and more, I think the systems are also getting a lot more reliable and there's a great  
10 example which one of the opening I found is actually gives on whether they are just next to our  
11 predictors or do they also do some kind of reasoning. The example he gives is think of a  
12 detective novel. It's a very complicated detective novel. Lot of layers, a lot of characters, lot of  
13 situations. All of these things are happening, okay. And then at the end, the last sentence is,  
14 "And the murderer is..." The better a Large Language Model or an AI tool is predicting what  
15 that word is going to be you have to... And it's not easy, right, for it to just predict a word  
16 because there are a lot of words that it could predict. But it's then if you're able to get more  
17 accurate responses there, then you know that it's, it's not just predicting words. It is also  
18 probably building some sort of a logical basis for why it's predicting that word. So I would say  
19 use those tools more, see how those tools are, whether they're accurate, whether they sort of  
20 model your own behaviour and fit with your mental models of how these things would be done  
21 by a human. And then maybe don't dismiss it yet, is all I would say.

22  
23 **SUBBIAIAH KG:** The more philosophical answer would be, do you still use Google Maps to  
24 get back, even though you know the road you have learnt? Because you're looking at traffic  
25 now. You're looking at all of the other things right? So, the more you adapt, the other skills  
26 you'll complement with the more time that you have. So, that's how philosophically, that's how  
27 technology also has evolved from a typewriter to a computer to anything, right? So, more you  
28 adopt, you get more time to develop other skills. And if you're not going to use that skill that  
29 you've, learned to get to place A to B without the maps, then, I mean, you're not going to use  
30 it down the line. So, I think adoption is key. How far and how well we adopt, I think that's  
31 where things get going.

32  
33 **DEEPIKA KINHAL:** And taking from there, I think your question is very valid right? It's a  
34 concern, it's a fear that all of us share. How is the technology going to disrupt? And it actually  
35 reminded me of what used to be my father's claim to fame a few years ago. He could remember  
36 100 phone numbers, right? At any given time a minimum of 100 phone numbers by heart. Ask  
37 any child today or ask me today, I hardly remember any phone numbers. And similarly, right





1 what was being said about Google Maps. Recently, I was chatting up with an auto guy and he's  
2 in his late 50s and he was talking about how he knows every gully in Bangalore and that used  
3 to be his USP. Like whenever the client came to him, whenever the customer came to him, he  
4 knew exactly how to go, and if he wanted to charge more, he also knew what other routes to  
5 take. But come today, you have your people with Google Maps who hardly know one lane from  
6 the other. They are as clueless as the customer themselves are. So, yes, generation after  
7 generation, I think with infusion of newer levels of technology it may feel like our notions of  
8 what is important in terms of knowledge, in terms of intelligence, may be changing. But I think  
9 contextualizing it for our world say, with the caseload that the judiciary is facing today, if we  
10 are able to significantly reduce the time taken for cases that the technology can help with, that  
11 will mean that the judicial mind is freed up to apply for more complicated disputes, more high  
12 value disputes, or disputes that actually affect the life and liberty of people at large. And  
13 similarly for lawyers, if we are able to actually automate a lot of tasks, then that means you  
14 have your time to offer more creative solutions to your clients. So, I think that is where  
15 technology is in a position to empower rather than disrupt. And directly answering your  
16 question on what it is that lawyers can do? I think my ardent request to all the lawyers in the  
17 room would be to include ODR clauses in your contracts. Please advise your clients to include  
18 ODR clauses, not just ADR clauses. I think that's the way forward. Thank you.

19

20 **ANIND THOMAS:** Thank you. And on that subject, we're out of time. My fellow panellists,  
21 thank you so much. I've enjoyed not just this panel, but the fact that I've spoken to you over  
22 the past couple of days as well. It's been eye opening for me. Hopefully the audience has got at  
23 least some of what I... benefit that I got. Thank you all. And they're around in case anyone has  
24 any more questions. But we are out of time for this panel. Thank you.

25

26 **PAUL THOTTAN:** Thanks Anind, thanks everyone. Thank you for taking out the time.

27

28

29

~~~END OF SESSION 2~~~

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31