

Proposal for HDFC Bank

Resolve Disputes Online with Webnyay

The legal and finance space is witnessing rapid advancements in technology, with a growing demand for efficient and cost-effective dispute-resolution mechanisms. At the forefront of this transformative wave is Online Dispute Resolution (ODR), which seamlessly integrates technology with legal processes. As a leading startup in India recognised by the Government of India, [Webnyay](#) aims to leverage the immense potential of ODR, which offers a streamlined and accessible alternative to traditional court litigation and offline processes, overcoming challenges like cumbersome procedures, exorbitant costs, and limited accessibility. We use our digital platforms to expedite the dispute resolution process and facilitate negotiation, mediation, and arbitration in a virtual environment. We are confident that our expertise and technological acumen will drive a paradigm shift in resolving your disputes.

In this short proposal, we cover: -

ABOUT WEBNYAY	1
PROBLEM	2
SOLUTION	2
<i>Debt Recovery and Collections</i>	2
<i>Online Dispute Resolution (“ODR”)</i>	2
WEBNYAY’S TECHNOLOGY	5
a. Legal Notices.....	5
b. Draft legal notices and pleadings with AI and document automation technology	5
c. Secure Private Virtual Hearing and Breakout Rooms.....	5
d. Document Management System.....	6
e. Integrations.....	6
f. Digital Signatures and Stamping	6

About Webnyay

Webnyay is India’s leading grievance redressal and online dispute resolution technology platform. We were shortlisted by the Reserve Bank of India Innovation Hub, as part of the Swanari Techsprint, to design the next-generation technology-led grievance redressal system for rural India.

Webnyay helps resolve disputes and grievances online at a very low cost bringing all the stakeholders to one place without having to go anywhere. With Webnyay, HDFC Bank will have access to the most advanced and trusted technology solution and a comprehensive panel of experts or neutrals that frequently sit as arbitrators, mediators and conciliators.

Webnyay’s end-to-end secure platform will help you manage, handle and resolve disputes online. By using Webnyay’s technology, you will have faster outcomes, improved customer experience, streamlined procedures, significantly reduced costs and better results.

Webnyay is trusted by over 150+ businesses in India, including financial institutions like DMI Finance, Axio (Formerly Capital Float) and Pocketly, global technology companies like Netflix, Amazon Prime, Apple TV, Disney+ Hotstar, news publishers like Newsclick, Republic Group, Edtech players like Unacademy, Upgrad, Classpass, etc. We also work with self-regulatory bodies like the DPCGC, Indian EdTech Consortium, News Broadcasters Federation, etc. We also work with courts and arbitration centres like the courts of Dubai International Financial Centre (DIFC) and Tashkent International Arbitration Centre (TIAC). We have been exclusively empanelled by NSDL, in its capacity as a Market Infrastructure Institution (MII) in the securities market for conducting online conciliations and arbitrations for disputes in the securities market. This wide range of customers demonstrates Webnyay’s ability to adapt to the needs of different industries and demonstrates the trust that these businesses have in our technology. Our ability to serve different sectors with the same level of quality and efficiency is a testament to our robustness and reliability.

Below are just a few of the testimonials from our clients: -

1. Mr. Shubham Saket (Senior Vice-President – Legal of DMI Finance) says, “*Webnyay is an incredibly helpful platform for resolving disputes online. It has saved us the hassle of engaging and liaising with lawyers to file court cases in non-metro cities. Our cost to recover debt has significantly reduced, and the legal team has created value for the business teams. We also use the Webnyay arbitration clauses in our agreements and contracts to protect ourselves against future disputes.*” and;
2. Axio (formerly Capital Float) has massively seen an increase in engagement with borrowers and an uptick in collections and debt recovery since we started working with them. In particular, if they were not working with Webnyay, they would not have been able to recover debt from their Amazon Pay Later product.

Problem and Solution

Problem	Solution
<p data-bbox="193 1704 762 1749"><i>Debt Recovery and Collections</i></p> <p data-bbox="193 1809 762 2011">Debt recovery is a critical aspect of maintaining customer satisfaction and financial stability for organisations across various industries. However, the traditional</p>	<p data-bbox="762 1704 1401 1749"><i>Online Dispute Resolution (“ODR”)</i></p> <p data-bbox="762 1809 1401 2011">Given the limitations of traditional debt recovery methods, ODR has gained traction as an effective and efficient solution to address the problem of NPAs. ODR is a form of alternative dispute</p>

methods employed by many organisations to recover debts are often outdated and inefficient, posing significant challenges. To overcome these risks and challenges, it is necessary to modernise debt recovery mechanisms. By working with us, you can transform your debt recovery process into a more efficacious and beneficial exercise. We offer ODR solutions for both B2B and B2C lending, which include cases relating to loan defaults, fraud, non-payment of credit card debts, and more.

resolution (ADR) that provides parties with a platform to negotiate a mutually agreed solution without face-to-face interaction. ODR is quick, cost-effective, and less adversarial compared to traditional methods, making it an ideal solution.

Some benefits of ODR in debt recovery are:

- a. Time-saving:** ODR eliminates the need for time-consuming legal procedures and allows disputes to be resolved in a fraction of the time. The entire process can be completed in a few days or weeks. A 2016 study conducted by the International Council for Commercial Arbitration (ICCA) found that *the average resolution time for ODR disputes is 90 days, compared to an average resolution time of 360 days for traditional legal proceedings.*
- b. Cost-effective:** ICCA's 2016 study also found that *the average cost of ODR disputes is 60% lower than the average cost of traditional legal proceedings.*
- c. Transparency:** ODR provides a transparent platform for both parties to negotiate and reach a mutually agreed solution, reducing the likelihood of misunderstandings and breakdowns in communication.
- d. Increased recovery rate of debts:** ODR has proven that the recovery rate for debts owed by defaulting borrowers is much higher and improves the financial position of the lender. By providing a platform for both parties to negotiate, it is more likely that a mutually agreeable agreement can be reached. This would have a positive impact on financial stability, allowing it to

	<p>supplement economic growth through lending to other borrowers.</p>
<p>Supreme Court of India’s decision in Perkins Eastman Architects DPC v. HSCC India Limited</p> <p>The <i>Perkins Eastman v. HSCC</i> judgement of the Hon’ble Supreme Court of India has had a significant impact on companies that unilaterally appoint an arbitrator based on the phrasing of the arbitration agreement. The decision makes it clear that such clauses are invalid and that the appointment of an arbitrator must be made by a neutral and impartial third party. On failure of amendment of such clauses, these companies risk having their arbitral awards overturned.</p> <p>Here are some of the implications of the judgement for companies that unilaterally appoint an arbitrator through the agreement:</p> <ol style="list-style-type: none"> a. Any clause in an arbitration agreement by a company that allows the unilateral appointment of an arbitrator is invalid and requires to be amended by the company. b. A neutral and impartial third party must be appointed as the arbitrator upon the agreement of both companies. c. A company must adopt a transparent process for the appointment of an arbitrator. d. When selecting an arbitrator, a company needs to be more mindful of any potential for bias. 	<p>Webnyay is an independent ODR institution recognised by the Government of India.</p> <p>Since 2020, we have been acting as an independent and neutral third party providing and facilitating arbitration, mediation and conciliation services and a platform for financial institutions. You can work with Webnyay for the mediation, conciliation and arbitration process since we are a third-party and neutral institution. We have a panel of over 1,000 (and growing) experts who frequently act as mediators, conciliators and arbitrations. Our panel comprises experts ranging from lawyers, accountants and financial experts with a few years of experience to retired judges from the Supreme Court, High Courts and District Courts.</p> <p>Further, by including the Webnyay standard arbitration clause in all its agreements, contracts, letters, standard terms and conditions, etc., in the future, you will be able to leverage ODR and not be impacted by the Supreme Court of India’s decision in <i>Perkins Eastman v. HSCC</i>. The borrowers will also not be able to drag you to court.</p>

Webnyay's technology

While no enterprise wants to be dragged into a dispute, it is very much part and parcel of doing business. At Webnyay, our mission is to make it easy for you to be able to manage, track and resolve disputes (B2B and B2C) securely, speedily and cost-effectively as compared to a traditional courtroom procedure or ADR methods.

Webnyay's Online Dispute Resolution is a customisable one-stop shop for enterprises looking to resolve civil and commercial disputes through a custom dispute lifecycle for your enterprise. Some of the features of our platform are:

a. Legal Notices

- i. A state-of-the-art automation service that allows you to draft and send legal notices, letters, SMS, and WhatsApp messages at the click of a button.
- ii. We streamline the process - automation ensures that the notice is sent to the right recipient at the right time and in the right format.
- iii. We track the status like time of delivery, open and read receipts, collection date and time, etc., in accordance with the Evidence Act.

b. Draft legal notices and pleadings with AI and document automation technology

- i. The platform allows legal notices and pleadings in arbitration (like Statements of Claim, Defence and Counterclaim, Reply and Rejoinder, etc.) to be drafted automatically with a few clicks.
- ii. Users (third parties, borrowers, etc.) can also utilise our platform to draft their pleadings, defence, etc., without formally engaging a lawyer or advocate to represent them.
- iii. The platform creates a self-guided user journey for its users to be able to represent themselves in arbitration and mediation.

c. Secure Private Virtual Hearing and Breakout Rooms

- i. Our virtual hearing rooms are securely accessible, store all information securely and make it searchable and accessible to parties and their lawyers.
- ii. Parties can interact via text, audio, and video messages and exchange documents in all formats. The rooms have an in-built mechanism that records all actions of parties, creating a clear audit trail.
- iii. Our video conferencing facility is secure and private, utilising an in-house system hosted on a dedicated, secure server.
- iv. AI-enabled automatic English transcription is included, and real-time transcription can be provided.

d. Document Management System

- i. Each user has a dedicated drive for each dispute to store and access relevant files.
- ii. Users can process documents like paginate an OCR, all PDF files (on cloud), hyperlink across a document set, generate an index of documents with one-click and even search through the entire document set. We have the fastest and most advanced pagination, hyperlinking and OCR technology for lawyers in India.
- iii. The document management system allows real-time updates (similar to LinkedIn Home or Facebook Wall), where you can track updates on what documents have been shared/served with a user or deleted.

e. Integrations

- i. Webnyay is built upon the application programming interface (API) technology and can easily and seamlessly integrate with your IT systems, software, applications, or platforms.

f. Digital Signatures and Stamping

- i. Legal documents such as pleadings, applications, affidavits, orders, and awards can be signed and stamped at the click of a button on the platform.

g. Panel of neutrals and experts

- i. We offer a convenient and efficient solution for selecting arbitrators and mediators from our expert panel of pre-vetted and trained professionals. Our panel members are experienced in various fields and are able to handle disputes in a wide range of industries. We guarantee quick turnarounds and make all efforts to ensure that the arbitral award is legally enforceable.

h. Dashboards

- i. Our intelligent dashboard allows easy management and tracking of the progress of notices and cases. The dashboard is customisable and indicates the status and time taken for each case, enabling priority and focus on the high-margin cases. It provides a detailed view of the portfolio, including the status of recoveries, allowing you to make data-based decisions.

We will work with your teams and train your collections and legal team to enable them to use the platform and represent you in straightforward arbitration and mediation proceedings online, saving hours of time. This will also empower your team to handle disputes efficiently without the need to engage external lawyers. Our goal is to provide the collections and legal team with the tools and confidence to effectively represent themselves in arbitration and mediation proceedings.