

ODR Portal: Introduction of Online Dispute Resolution Portal (ODR Portal) in the Indian Securities Market

SEBI vide its Circular dated 31 July 2023 has announced the introduction of a common Online Dispute Resolution Portal ("ODR Portal"), whereby the existing dispute resolution mechanism in the Indian securities market is being streamlined under the aegis of Stock Exchanges and Depositories (collectively referred to as Market Infrastructure Institutions (MIIs)), by expanding their scope and by establishing a common ODR Portal which harnesses online conciliation and online arbitration for resolution of disputes arising in the Indian Securities Market.

All disputes between Investors/Clients and listed companies (including their Registrar and Share Transfer Agents) or any of the specified intermediaries / regulated entities in securities market arising out of latter's activities in the securities market, will be resolved in accordance with this Circular.

A common On-line ODR Portal, called the SMART ODR has been established for this purpose, the link to access the portal : <https://smartodr.in/login>

An Investor can lodge its complaint directly to the Company, escalating it further through SCORE system, before initiating dispute resolution through the ODR Portal or alternatively, can directly initiate dispute resolution through the ODR Portal, provided no complaint is pending at any level or with any court, tribunal, consumer forum or before any arbitral process or the Company is not under CIRP-IBC or winding up or liquidation.

However, all matters that are appealable before the Securities Appellate Tribunal in terms of Section 15T of SEBI Act, 1992 (other than matters escalated through SCOREs portal in accordance with SEBI SCOREs Circular), Sections 22A and 23L of Securities Contracts (Regulation) Act, 1956 and 23A of Depositories Act, 1996 shall be outside the purview of the ODR Portal.

Under ODR Portal, the complaint will first be routed through Conciliation process. In case of non-resolution through the Conciliation process or if the listed company or the investor desire, the matter can be escalated to Arbitration process. The entire process will be conducted in the on-line mode.

SEBI Circular's:

SEBI Circular dated 31 July 2023 regarding Online Resolution of Disputes in Securities Market.

SEBI Circular dated 04 August 2023 regarding Corrigendum Cum Amendment to SEBI Circular dated 31 July 2023.

SEBI Circular dated 20 September 2023 regarding Redressal of Investor Grievances through SEBI Complaint Redressal (Scores) Platform.