

**PEOPLE'S SATISFACTION FROM DISPUTE RESOLUTION COUNCIL (DRC) AS AN  
ECONOMICAL FORUM FOR DISPUTE RESOLUTION**

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**Abstract**

*The present study was conducted in Mardan District of Pakistan to find out people satisfaction from Alternate Dispute Resolution (ADR) through Dispute Resolution Council (DRC) in conflict resolution. A sample of three hundred and eleven (311) respondents was selected via Mwakaje (2013) formula through simple random sampling technique from the study area. Data was collected through interview schedule and analyzed in univariate and bivariate analysis. Further, chi-square test was used to measure the association between the dependent and independent variable. The study found significant association ( $P=0.003$ ) between people satisfaction and DRC as economical and less expensive forum for justice. Moreover, the economical aspect has significant relationship ( $P=0.009$ ) between the fee charged by DRC for documentation and people satisfaction. Similarly, the study found significant association ( $P=0.007$ ) between the bribes accepted by the members of DRC and people satisfaction. Findings of the study show that majority of the respondent were pleased from the DRC which provide economical and less expensive justice to them which save their money and resources.*

**Keywords:** ADR, DRC, Economical forum, People satisfaction, Citizen

**INTRODUCTION**

To ensure that proper justice and rights are given to common people, a legal institution is liable for it in the form of judiciary. Almost all countries in world have promised in their constitution to provide equal justice and the right of their citizen. However, some factors hinder the process of equal and easy justice to the masses. These factors including excessive stoppage, replication, too much expensive, difficult ways of policies, narrow chances for consensual agreements etc. (Alam & Shah, 2001). To ensure equal justice for the judiciary is possible in theory but practically it is very hard. Still, in the society people are suffering because of not getting justice (Naser & Mostafa, 2006).

Danuri et al. (2012) argued that efficiency of ADR, in its various signs is widely recognized and valued by the business and lawful communities. Khan (2004) stated that the formal and informal organizations of justice harmonize each other rather than being mutually exclusive. As it is argued in Pakistani society that Panchayats (a village council) or Jirga (council of elders) give decisions in the favor of the powerful and dominant people, but still these alternative dispute resolution mechanisms are supported because of economic aspects.

The main purpose of the Alternative Dispute Resolution is to facilitate settlement process that avoids the time wastages of litigation. As the legal system is very costly process as well as time consuming. ADR has speed up the process of justice and people receive justice as soon as possible. Both parties share the argument by itself where no third party like lawyer for argument is required. This is an informal process from which most of the people are very satisfied (Dauer, 1988).

Conflicts and disputes are the universal truth of the society. The conflicts and disputes take birth among the people because of the interests and competition. Humans used different methods and techniques to resolve their disputes and start litigations in courts, but both forums failed to give quick and economical justice to them. Then they adopted the alternate means for resolving their disputes like alternate dispute resolution (ADR) to get quick and economical justice.

### **REVIEW OF LITERATURE**

Warren (2010) expressed that talking in a comparative manner almost intercession via judges and juries, previous summaries for people in general, the issue essentially is one of entrance to equity. An effective intercession can keep away from a long, costly preliminary. Following this rationale, the general population anticipates that this administration should be given to them lacking budget when they participate in case. Numerous are shocked while they need to plunge into their very personal receptacle to compensation in lieu of pre-preliminary contest goals in connection to issues that appear to be fittingly inside the court's domain.

Henk (2010) stated that ADR procedures, for example, intervention directed by non-judge nonaligned, in any event, while court-associated have been reprimanded for their shortcoming in giving procedural equity. Consequently, judges might have a favorable position in verifying together procedural and substantive equity for prosecutor's condition the snags of suit multifaceted cost and nature are not very incredible.

According to Ahmad (2013) courts can't give such a discussion and condition. In the courts, a hotly anticipated choice where a great deal of time and cash have been utilized, doesn't really settle the ill will. Furthermore, another DRC part opened, when individuals go to the DRC, they encourage others to determine questions through the DRC as here they get fast and liberated from budget goals to their unimportant debates. On the off chance that the administration gives solid lawful spread, essential assets and thoughtfulness regarding DRC then it will boost the greater part of the weight from legal executive, police and courts managerial workplaces.

In order to speed up the process of litigation and reduce its cost attempts have been made at the start but the litigation remains time consuming and expensive way to resolve disputes. In order to overcome the issues encountered in the litigation, arbitration has been introduced but the same result has been obtained that it is time consuming and costly like litigation. With the passage of time, the judicial system of the world started reorganization. To deal with this situation one of the options is Alternate Dispute Resolution (Stone, 2004).

### **RESEARCH METHODOLOGY**

The current study was carried out in tehsil Katlang of District Mardan. The study was limited to those people who have registered/solved their disputes through Dispute Resolution Council. The study was cross-sectional in nature where through simple random sampling method, 311 respondents were selected. The data collected through interview schedule which was prepared in the light of objectives of the study. The data was coded and analyzed through SPSS (version 20). The statistical technique used for data analysis was chi-square test as given by Tai (1978).

$$x^2 = \sum_{i=1}^r \sum_{j=1}^c \frac{(O_{ij} - e_{ij})^2}{e_{ij}}$$

Where,

$x^2$  = Chi-square

$O_{ij}$  = Frequencies observed in the  $i$ th row and  $j$ th column

= expect frequencies corresponding to  $i$ th row and  $j$ th column

$r$  = number of total rows

$c$  = number of total columns

The predicted frequency was divided by the squared sum of the frequencies in each cell to get the chi-square value. To establish the significance of the connection, the estimated values were compared to tabulated chi-square values for relevant degrees of freedom at a specified probability level. The relevant degree of freedom was determined by the following formula:

$$df = (r - 1) (c - 1) \quad (\text{Tai, 1978})$$

$r$  = the number of total rows and

$c$  = the number of total columns.”

## RESULTS AND DISCUSSIONS

### Perception of respondents regarding economical aspects of DRC

Table 1 shows the frequency and percentage distribution of respondents based on their opinions on the economic elements of the DRC. Table 1 demonstrates that 59% of the respondents negated the statement that DRC is expensive forum for proper justice while 28% agreed with such statement. Most of the people were of the opinion that DRC is not an expensive forum of justice because it is economical and much efficient forum. According to Law No 187 (2015) people response to the DRC shows that there are limited number of judges in Pakistan, court need lawyer, money and time while DRC is not expensive forum for justice which shows the reliability of dispute resolution council (DRC). Furthermore, majority (46%) respondents disagreed that DRC members accept bribes in deciding conflicts cases, while 29% of the respondents agreed with such statement. It seems that majority of the peoples had faith in the sanctity in DRC and believed that DRC panel is not corrupt and take their decisions in the light of the justice and merit. People registered the cases in DRC rather than in the courts. These findings are in line with the study of (Tailum, 2018) who stated that DRC members are corruption free and provide full justice to the deprived one which is the positive aspect of the forum. Moreover, 72% of the respondents stated that DRC is less expensive and economical than the formal judicial system. It is clear for the data, that majority of the respondents were agreed that DRC is too economical from the judiciary, because it needs no charges for documentation, free of lawyer mechanism and quick delivery system of justice. As according to the Law commission (2007) DRC is less expensive than judicial system, because the formal judicial system needs judges, time and lawyer service which is too difficult for the poor people to afford them. Therefore, they knocked the door of dispute resolution council (DRC) to get proper justice and resolved their issues. Similarly, 44% of the respondents negate that DRC charge fee for documentation, while 39% were agreed with such statement. It was found during the interaction with the people that DRC does not charge fee for documentation, rather it provides free and equal justice to all. Therefore, people registered the cases in DRC. It is widely observed that DRC does not

charge fee for documentation unlike the courts which charge fee for proceeding of case in different parts of the world (Hasan, 2005).

**Table1: Perception of respondents regarding economical aspects of DRC**

Statements	Yes	No	Don't know	Total
Do you think that DRC is an expensive forum for proper justice	88 (28)	183 (59)	40 (13)	311 (100)
Do you think that members of DRC accept bribe while deciding conflicts	91(29)	144 (46)	76 (24)	311 (100)
Do you think that DRC charge fee to contact for justice	55(18)	227 (73)	29 (9)	311 (100)
Do you think that DRC is less expensive and economical for justice	235(76)	48 (18)	28 (5)	311 (100)
Do you think that DRC charged fee for case filing	122(39)	138 (45)	51 (12)	311 (100)

Table values represent frequencies, while parenthesis values are percentages of the respondents

**Bi-variate analysis**

Association between dependent variable (people satisfaction from DRC) and independent variables economical were worked out using cross tabulation technique discussed below.

**Association between economical aspect of DRC and people satisfaction**

Do you think that:	Categories	People Satisfaction from DRC			Chi-square value $\chi^2$	Total	Percent age	P-value
		Yes	No	Don't know				
DRC is expensive forum for proper justice	Yes	85	3	0	2.9909	88	28.29	0.002
	No	118	59	6		183	58.84	
	Don't know	0	0	40		40	12.86	
						311	100	
DRC members accept bribes while deciding conflicts	Yes	91	0	0	2.4526	91	29.26	0.007
	No	112	32	0		144	46.30	
	Don't know	0	30	46		76	24.43	
						311	100	
DRC charge fee for case filing	Yes	55	0	0	2.1072	55	17.68	0.003
	No	148	62	17		227	72.99	
	Don't know	0	0	29		29	9.32	
						311	100	
DRC is less expensive and economical for justice	Yes	203	20	0	4.6988	223	71.7	0.005
	No	0	42	3		45	14.46	
	Don't know	0	0	43		43	13.82	
						311	100	
DRC charged fee for documentation	Yes	122	0	0	3.4985	122	39.22	0.009
	No	81	57	0		148	47.58	
	Don't know	0	5	46		51	16.39	
						311	100	

**Association between economical aspect of DRC and people satisfaction**

From the table it is clear that 183 (59%) of the respondents negated that DRC is expensive forum for proper justice, while 88 (28%) respondents agreed to such statement. The relationship was proved significant as the P-value of chi-square (0.002) which is less than 0.05. It is deduced from the study that most people were of the opinion that DRC is not an expensive forum of justice, because it is economical and much efficient giving free of cost justice to the deprived one. These findings are similar to the study of Ahmad and Karim (2006) who concluded from their study that dispute resolution council (DRC) is neither expensive forum nor waste the time but give social and mental advantage to the disputants. Similarly, 144 (46%) of the respondents were not agreed that the members of DRC accept bribes, while 91 (29%) were agreed to such statement. The relationship was found significant ( $P=0.007$ ). It was found that DRC members are corruption free and provide full justice to the deprived one which is the positive aspect of the forum. DRC members provides their services free of cost to the community in order to bring peace in the locality for which they spend their precious time and resources without remuneration or take bribes from the disputants. These findings are similar to the study of Bhatt and Jitendra (2002) who found that the panel of DRC voluntarily worked and have the ambition to provide equity to both rich and poor people. Winkler (2010) argued that dispute resolution council is the cheap forum of justice for those who spend their pocket money or expenditure on the judiciary forum and cannot get justice on the time. The panel of DRC decides conflicts on the basis of merit. Furthermore, 227 (73%) of the respondents were not in favor that the party's paid money to contact and file case in DRC, while 55 (18%) were in favor of such statement. The relationship was found significant ( $P=0.003$ ). It shows that to approach DRC, there is no need of any processing fee or other documentation. The individuals or the parties can simply approach through an application without any fee. Mustafa (2005) declared the same argument that formal court means judiciary need much money to proceed the case, while the dispute resolution council (DRC) does not charge any fee. Rosa (2003) demonstrated that dispute resolution council did not charge any fee and help the judiciary to reduce pressure on them and provide fair justice to all. Moreover, 223 (72%) of the respondents were agreed that DRC is less expensive and economical than formal judicial system, while 45 (14%) negate such statement. The relationship was proved significant ( $P=0.005$ ). DRC charge no money to file case and inexpensive forum for justice, that's why people apply to dispute resolution council to resolve their issues quickly and cheaply inside the confidential forum. Law commission (2007) illustrated from the study that court and judges are not economical and cheap as compared to local alternate mechanism. This statement further elaborated by Zafar (2014) who dig out that the dispute resolution council not only decrease the pressure on the judicial forum, but also provide economical and less expensive justice to the disputants. Furthermore, 148 (48%) of the respondents were not in favor that DRC charge fee for documentation, while 122 (39%) were in favor of such statement. The relationship was significant as P-value of chi-square is 0.009 which is less than 0.05. The dispute resolution council (DRC) has no cost like judicial system as it does not any charges to precede the case or application. It is widely observed that DRC is charge fee for documentation while the courts charge cash for preceding the case in different parts of the world. These findings are in line with the study of Dwar et al. (2019) who found that there is no charge of the application submitted to the dispute resolution council (DRC) but provide free of cost facility to the disputants. Similarly, Rogers (1992) argued that alternate mechanism does not require the service of lawyer or to deposit any money for documentation, because here is face to face dialogue between the disputants to resolve their issues.

## CONCLUSIONS & RECOMMENDATIONS

Conflicts are found in every society. Without conflict resolution, there will be no peace and prosperity in society. There are various formal and informal mechanisms adopted by every society to resolve the issues among the people. In recent times when people realizes that formal judicial system is expensive taking long time for solution of disputes and also its process is much complicated which is not affordable by the common citizens, DRC is the alternate mechanism for dispute resolution found by the poor people. This is very simple, less time consuming and easily approachable. People understand the less expensive working mechanism of dispute resolution council (DRC) which provides free justice to everyone on their doorstep. The people should be aware through media about the working procedure of the DRC and the decisions of the DRC should be implemented like formal judicial system in order to make stronger this forum.

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