

CHAPTER-VI

**THE DISPUTES SETTLEMENT MACHINERIES -
VOLUNTARY ARBITRATION**

Introduction

Voluntary arbitration is a method of dispute settlement in which an independent third party considers the arguments of both sides and then takes a decision which is binding on the parties in dispute. It supplements collective bargaining. When collective bargaining fails and conciliation becomes fruitless, arbitration may prove to be a satisfactory and most enlightened method of resolving industrial disputes.¹ On the failure of conciliatory efforts on an industrial dispute of collective issues, in Bangladesh the law² encourages it to be settled through an arbitrator who should be a single person agreed upon by the parties concerned. Voluntary arbitration assumes significance because of the following reasons. It is (i) expected to take into consideration the realities of the situation; (ii) expected to meet the aspiration of the parties; (iii) based on voluntarism; (iv) without compromising the fundamental position of the parties and finally (v) it promotes mutual trust.³ Compulsory arbitration is a process which is

created 'government dependent' industrial actors, inhibited the development of voluntary/consensus collective bargaining.⁴

This chapter is primarily concerned with voluntary arbitration system both on structural and functional levels and also to determine how far the legal framework of voluntary arbitration needs further modification and to enquire into the functioning of voluntary arbitration system within the present legal set up. This chapter also analyses the factors inhibiting the effectiveness of voluntary arbitration and the way of overcoming them to make voluntary arbitration more effective.

6.1 Present Set-up of Voluntary Arbitration in Bangladesh

Section 31 of the Industrial Relations Ordinance, 1969 authorises the parties to make a reference to voluntary arbitration. The conciliator has to persuade the parties in a dispute to refer the same to arbitration instead of resorting to strike or lock-out. But, before the reference may be made to arbitrator some condition must be satisfied - (i) the industrial dispute must exist or be apprehended, (ii) the agreement must be in writing⁵, (iii) the reference must be made before a dispute has been referred to Labour Court⁶ and (iv) the name of arbitrator⁷ must be specified. As provided in the law, if the conciliation fails, the conciliator is supposed to endeavour to persuade the parties to agree to refer the dispute to an arbitrator. In case the parties agree, they make a joint request for reference of the dispute to an arbitrator agreed upon by them. The arbitrator to whom a dispute is referred to may be a person borne on a panel to be maintained by the Government or any other person agreed upon by the parties.

The arbitrator gives his award within a period of 30 days from the date which is agreed upon by the parties to the dispute.⁸ After he has made an award, the arbitrator forwards a copy thereof to the parties and to the Government who publishes it in the official gazette.⁹ The award of the arbitrator is final and no appeal lies against it. It is

valid for a period not exceeding two years or as may be fixed by the arbitrator.¹⁰

6.2 Effectiveness of Voluntary Arbitration.

To understand about the effectiveness of voluntary arbitration in Bangladesh, it is necessary to know about the working of this machinery.

6.2.1 Acceptance of Arbitration Machinery

The effectiveness of a particular dispute settlement machinery highly depends on its acceptance to the parties in dispute. Although from the emergence of Bangladesh the law provided arbitration machinery for dispute settlement, the machinery is still quiet unpopular. In practice, there has been hardly any case which was referred to arbitration. This provision of the law has not yet been in operation. In reply to a direct question on the appropriateness of arbitration machinery, 18% of trade union leaders, 40% of management personnel and only 23% of conciliators reported arbitration as an appropriate dispute settlement machinery, while, 56% of trade union leaders, 23% of management personnel and 41% of conciliator reported arbitration as an inappropriate settlement machinery (Table 6.1).

Table 6.1
Percentage Responses as to the Appropriateness of Arbitration

Responses	Trade union leaders	Management personnel	Conciliators
Quite appropriate	06.00	16.67	09.09
Appropriate	12.00	23.33	13.64
Average	26.00	36.67	36.36
Inappropriate	38.00	20.00	27.27
Quite inappropriate	18.00	03.33	13.64
Total :	100.00	100.00	100.00
Total No. of respondents:	50	30	22

The opinion of the respondents favouring arbitration, as a dispute settlement machinery, may be because of the following reasons: (i) through arbitration parties can get services from distinguished personalities, (ii) this process is close supplement to collective bargaining, (iii) it promotes mutual trust among the parties (iv) it is a time saving method as compared to adjudication through labour court or tribunal; (v) it can make possible unbiased settlement (Table 6.2).

Table 6.2

Distribution of Trade Union Leaders, Management Personnel and Conciliators Classified According to Their Opinion on Favouring Appropriate of Arbitration

Opinion	Trade union leaders		Management personnel		Conciliators	
	Number of responses	% of responses	Number of responses	% of responses	Number of responses	% of responses
1. Getting Services from distinguished personalities	4	18.18	4	12.90	3	21.43
2. Close supplement to collective bargaining.	6	27.27	7	22.58	4	28.57
3. It promote mutual trust	5	22.73	6	19.35	3	21.43
4. Time saving method rather than adjudication.	4	18.18	9	29.03	2	14.29
5. Unbiased Settlement	3	13.64	5	16.13	2	14.29
Total :	22	100.00	31	100.00	14	100.00
Total no. of respondents:	09		12		05	

Note : Multiple response allowed

The main causes behind the opinion that voluntary arbitration is an inappropriate method are : (i) the arbitrators decision being final and binding the parties; (ii) lack of distinguished personalities to be a arbitrator ; (iii) no confidence in arbitration by the parties ; (iv) the use of arbitration machinery being optional; (v) lack of agreement between the parties in selecting the arbitrators; and (vi) it is a unknown and unused system of dispute settlement in Bangladesh (Table 6.3).

Table 6.3

Distribution of Trade Union Leaders, Management Personnel and Conciliators Classified According to Their Opinion on Favouring Inappropriateness of Arbitration

Opinion	Trade union leaders		Management personnel		Conciliators	
	Number of responses	% of responses	Number of responses	% of responses	Number of responses	% of responses
1. The arbitrator's decision being final and binding the parties.	19	21.84	2	10.53	5	20.83
2. Lack of distinguished personalities to be arbitrators.	12	13.79	4	21.05	2	08.33
3. No confidence in arbitration by the parties.	17	19.54	3	15.79	6	25.00
4. The use of this machinery being optional.	15	17.24	2	10.53	4	16.67
5. Lack of agreement between the parties in selecting the arbitrator.	11	12.64	3	15.79	3	12.50
6. It is a unused system	13	14.94	5	26.32	4	16.67
Total :	87	100.00	19	100.00	24	100.00
Total No. of valid respondents.	28		07		09	

* Multiple answers permitted.

In reply to another direct question as how frequently they approached the arbitration machinery for the resolution of the disputes arising between them, 91% of all respondents (trade union leaders, management personnel and conciliators) reported to have never used this machinery. Others reported to have used only rarely (9%)

(Table 6.4). The analysis of the sample cases at the plant and conciliation levels revealed that not even a single dispute from the private and public sector industries was referred to an arbitrator.¹¹

Table 6.4
Percentage Distribution of the Trade Union Leaders, Management Personnel and Conciliators According to Their Views as to the Extent of the Use of Arbitration.

Extent of use	Trade Union	Management	Conciliators	Total
Always	-	-	-	-
Frequently	-	-	-	-
Sometimes	-	-	-	-
Rarely	8.00	06.67	09.09	8.82
Never	92.00	93.33	90.91	91.18
Total :	100.00	100.00	100.00	100.00
Total no. of respondents:	50	30	22	102

Most of the people involved in industrial disputes are not familiar with the functional aspects of the voluntary arbitration machinery and they are reluctant to refer dispute cases to this machinery.

6.2.2 Arbitrators panel

Non-availability of suitable arbitrators is an important inhibiting factor to effective arbitration in Bangladesh. Parties' willingness to refer disputes to the arbitration, depends to a large extent on arbitrators panel to be maintained by the Government. Although the Government needs to maintain an arbitrators panel from which the parties to an industrial dispute may choose an arbitrator, in practice upto now, Government feel no necessity to prepare the panel of arbitrators for this purpose.¹²

6.2.3 Time limit for Arbitration

The law does not specifically provide when the arbitrator should start intervention after the dispute has been referred to him. The law only provides a maximum time limit within which arbitrator should make his award. Section 31 of the Industrial Relations Ordinance, 1969, inter alia, provides that the reference to the arbitrator should be made at any time before the dispute has been referred under section 34 to a labour court or tribunal. Thus, the legislature has placed the arbitration on a lower footing than that of compulsory adjudication. The normal statutory period for arbitration, as applicable at present, is 30 days. If the arbitrator fails to settle a dispute within this normal period, he may raise time period by the consent of aggrieved parties.¹³ Is the time limit of arbitration adequate? The views of the parties are worth in this context.

The majority of the parties (50%) did not have any comment about the time limit of arbitration. They answered "Don't know" when they were asked as to the adequacy of the statutory time limit provided for the arbitration. 13.75% of the parties viewed that the present time limit are more than adequate and 30% of them reported 'Reasonably adequate'. Only 6% respondents viewed the time as less than adequate.¹⁴

6.2.4 Functioning of Arbitration

To examine the functioning of arbitration is rather very difficult, because information relating to arbitration was not available from the Labour Department as voluntary arbitration is a seldom used machinery. An analysis of the official statistics of 1973-94¹⁵ reveal that the number of dispute settled through voluntary arbitration may be said to be non-existent in Bangladesh. In 1980 only one case was settled through arbitration. In the context of Bangladesh 'voluntary arbitration' can be said to be a 'sleeping beauty' of dispute settlement machinery.

6.3 Reasons for not working voluntary arbitration in Bangladesh

From the above discussion, voluntary arbitration has not proved to be popular in Bangladesh. Employers and trade unions do not seem to be enthusiastic about it. Several factors may be accounted for the same. What barriers actually stood in the way of successful work of arbitration in industrial disputes? Various attempts were made in order to identify the important factors which inhibiting the working of the arbitration machinery in Bangladesh.

First, non-availability of suitable arbitrators who command confidence of parties.¹⁶ Second, parties particularly trade union are not willing to bear the cost of arbitration. Third, the arbitration process under the Industrial Relations Ordinance suffer from the same legal technicalities and cumbersome procedure which are involved in compulsory adjudication. Fourth, easy availability of adjudication machinery also does not promote voluntary arbitration. Fifth, neither the management and nor the trade union has much faith in voluntary arbitration. Sixth, the arbitration under the Industrial Relations Ordinance, 1969 is also time consuming. The remedy by way of writ and even of special level to appeal further causes delay and frustrate the very purpose of arbitration.¹⁷ Seventh, legal obstacles discourage voluntary arbitration, an award of the arbitrator is final and the failure to implement such award is made punishable which discourage parties to refer cases to arbitration.¹⁸ Lastly, absence of recognised trade union which could bind the workers to common agreement also affects voluntary arbitration.

In the next step, a list of 7 most probable factor was drawn up and the respondents were asked to rank any five factors in order of priority. The ranked results of the responses by trade union leaders, management personnel, conciliation officers and all categories combined together are presented in Appendix D.2, D.3, D.4 and Table 6.5 respectively.

Table 6.5
Ranking by the Respondent of all Categories (i.e. Trade Union leaders, Management Personnel and Conciliators) of the Factors Inhibiting the Effectiveness of Arbitration.

Inhibiting factors	Percentage obtained in the case of trade union	Percentage obtained in the case of management personnel	Percentage obtained in the case of conciliators.	Total percentage of all categories	Rank
1. Parties unwillingness to go to arbitrators.	13.68	13.33	20.68	47.69	II
2. Lack of faith and confidence in arbitrators decision.	14.46	13.33	15.25	43.04	V
3. Lack of agreement between the parties in selecting the arbitrator.	09.12	13.79	13.22	36.13	VI
4. Easy accessibility to adjudication.	14.94	13.33	18.64	46.91	III
5. Non-availability to suitable arbitrator.	19.05	17.93	12.88	49.86	I
6. No appeal is competent against arbitrator awards.	18.40	15.40	11.52	45.32	IV
7. Lack of sufficient awareness of the arbitrators about the condition of the industries.	10.38	12.87	07.80	31.05	VII

Source: Computed from Appendix D.2, D.3 & D.4

The five important factors as viewed by the management personnel according to their rank were (i) non-availability of suitable arbitrators; (ii) no appeal is competent against arbitrators' awards; (iii) lack of agreement between the parties in selecting the arbitrator; (iv) lack of faith and confidence in arbitrators decision and (v) lack of sufficient awareness of the arbitrators about the condition of the industries (Appendix D.2).

The same factors were given first, second, seventh, fourth and sixth rank

respectively by the trade union leaders (**Appendix D.3**). The conciliation officers gave first rank to the 'parties unwillingness to go to arbitrators'; second rank to the 'easy accessibility to adjudication'; third rank to the 'lack of faith and confidence in arbitration award' ; fourth and fifth ranks to the 'lack of agreement between the parties in selecting the arbitrator and 'non-availability of suitable arbitrators' (**Appendix D.4**).

From the combined ranking (**Table 6.5**) of all categories respondents reveals that the non working of voluntary arbitration machinery was attributed to the "non-availability of suitable arbitrators", "easy accessibility to adjudication", "no appeal is competent against arbitrators awards", and "lack of faith and confidence in arbitrators decision". These factors got the first, second, third, fourth and fifth rank respectively. The other factors viz. "lack of agreement between the parties in selecting the arbitrators", and "lack of sufficient awareness of the arbitrators about the condition of the industries" got low ranking.

Non-availability of suitable arbitrators is a main factor inhibiting the working of arbitration in Bangladesh. Because the Government does not prepare any panel of arbitrators for this purpose on the one hand and non-availability of impartial and mutually acceptable private person on the other. Arbitration machinery is a unknown and unused method of dispute settlement in Bangladesh. Parties are quite ignorant about arbitration and this made them unwilling to go to arbitration.

Easy accessibility to adjudication i.e. labour court and tribunal highly restricted the progress of arbitration in this country. Voluntary arbitration is a optional method and reference of disputes to it fully depend on parties. The parties are not under compulsion to go to the arbitrators and this optional nature of the system also acted as a constraints to arbitration. Practically, parties prefer adjudication than arbitration. As arbitration awards in final and such is binding on both the parties and the failure to

implement such award is made punishable, parties generally avoid arbitration. According to the opinion of conciliators the main causes behind the reluctant attitude of parties to arbitration were: (i) people have no confidence in arbitration (28.33%); (ii) the arbitrator's decision being final and binding on the parties (21.67%); (iii) no forum of arbitrators in vogue (16.67%) (**Appendix D.1**).

6.4 How to Make Arbitration More Effective

The arbitration machinery may play a very important role in industrial disputes settlement specially in the cases between conciliation and adjudication. But various constraints, which has been discussed above, adversely affect its effective functioning. Hence, measures must be taken to overcome the problems and increase the effectiveness of arbitration. For this purpose an open ended question was put to the parties (trade union leaders and management personnel) and the conciliators on what measures they could suggest, in the light of their experience, to improve the functioning of voluntary arbitration. The suggestions of the respondents are shown in **Table 6.6** and **Table 6.7**.

The suggestions offered by the parties were: Firstly, arbitrators award should not be made compulsory to the parties (50% of trade union respondents and 63% of the management respondents). Secondly, the Government should make up-to-date arbitrators panel with efficient and distinguished personalities (32% of trade union and 33% of management). Thirdly, arbitration machinery should be made compulsory for disputes settlement before referring dispute cases to adjudication (32% of trade union and 25% of management personnel). Fourthly, arbitrators should be impartial (26% of trade union and 21% of management) and finally, legal technicalities of arbitration should be reduced (16% of trade union leaders and 12% of management personnel) (**Table 6.6**).

Table 6.6
Distribution of Trade Union Leaders and Management Personnel According to Their Views on How to Improve the Effectiveness of Arbitration.

Suggested measures	Trade union leaders		Management personnel	
	Number of responses	%	Number of responses	%
1. Government should make arbitrators panel with efficient and distinguished personalities.	12	20.69	08	21.62
2. Arbitrators' award should not make compulsory to the parties.	19	32.76	15	40.52
3. Arbitration machinery make compulsory for dispute settlement before referred cases to adjudication.	11	18.97	06	16.21
4. Arbitrators should be impartial	10	17.24	05	13.51
5. Legal technicalities of arbitration should be reduced.	06	10.34	03	08.11
Total :	58	100.00	37	100.00
Total no. of valid respondents:	38		24	

* Multiple answer is allowed.

The conciliators offered a variety of suggestions some of which are similar to the parties. Firstly, about 61% of the conciliators' respondents suggested, conciliators should provides power to compel parties referring disputes to arbitration. Secondly, favourable attitude of the parties to the arbitration should be ensured (44% of the conciliators).

Thirdly, the Government should make up-to-date arbitrators' panel with efficient and distinguished personalities (50% of the conciliators). Fourthly, mutual agreement between the parties is necessary in selecting arbitrators (50% of the conciliators) and finally, 33% of the conciliators suggested, arbitration machinery should be made compulsory for disputes settlement before referring cases to adjudication.²⁸

Table 6.7
Distribution of Conciliators According to Their views on How to Improve the Effectiveness of Arbitration

Suggested measures	Number of Responses	Percentage
1. Government should make arbitrators panel with efficient and distinguished personalities.	9	20.93
2. Conciliators provide power to compel parties referring disputes to arbitration.	11	25.58
3. Favourable attitude of the parties to the arbitration is essential.	8	18.60
4. Mutual agreement between parties is necessary in selecting arbitrators.	9	20.93
5. Arbitration machinery make compulsory for disputes settlement before referred cases to adjudication.	6	13.95
Total :	43	100.00
Total number of valid respondents :	18	

* Multiple answer is allowed.

It cannot be expected that voluntary arbitration will become a common method for settling industrial disputes in the near future. There are a large number of difficulties which has been discussed in the previous section. The measures suggested by the parties and conciliators to overcome these difficulties can make voluntary

arbitration popular in this country as a dispute settlement machinery.

According to the statutory provision, conciliators only hold the right to persuade the parties to refer disputes to arbitration, but he has no power to compel parties to reference disputes to arbitration. So, legal provision is essential to giving power to the conciliators to compel parties to refer disputes to arbitration after conciliation effort had failed.

Scarcity of suitable arbitrators who command the confidence of both parties is a significant constraint of voluntary arbitration.¹⁹ The Government can fill-up this gap by making arbitrators panel with efficient and distinguished personalities which can popularise arbitration machinery. Voluntary arbitration cannot succeed unless a proper atmosphere is created and voluntarism is developed in the industrial relation system and that is why, favourable attitude of the parties to the arbitration is essential. Parties unwillingness to go for arbitration is also contributed by easy accessibility to adjudication. This inhibiting factor could be removed by making arbitration compulsory for disputes settlement after conciliation effort had failed.

If the above suggestions are properly implemented in this country, arbitration machinery will become a popular dispute settlement machinery.

Notes and References

1. Srivastava S.C., *Industrial Relations Machinery : Structure, Working and the Law*, Deep & Deep Publications, Delhi, 1983, p.107.
2. Section 31, The Industrial Relations Ordinance, 1969.
3. Srivastava, S.C. *Industrial Relation Machinery : Structure, Working and the Law*, op.cit. p.107. Also see, Manohar Lal, "Problems of Arbitration from Management point of view", *Arbitration News* 32, 1966.
4. Omaji P.O., 'The State and Industrial Relations : Background to the Adoption of Compulsory Arbitration Law in Australia and Nigeria', *British Journal of Industrial Relations*, Vol. 31, No.1, 1993, p.37.
5. Section 31(1), the IRO, 1969, op.cit.
6. Section 34 , Ibid
7. Section 31(2) Ibid
8. Section 31(3) Ibid
9. Section 31(4) Ibid
10. Section 31(5) Ibid
11. See, Appendix A.8, Bhattacharjee D. et.al. also have found no instance of refer ence of a industrial dispute to an arbitrator either from any private or public sector industry. See Bhattacharjee, D. et.al., *Dispute Settlement and Promotion of Industrial Peace*, Unpublished Research Monograph, ILO, 1982, p.93.
12. Bhattacharjee, D., "The Industrial Disputes Settlement System and its Opera tional Effectiveness in Bangladesh", *The Dhaka University Studies, Part-C*, vol.3, No.2, 1982, p.90.
13. Section 31(3), the IRO 1969, op.cit.
14. See, Appendix A.7
15. See, Appendix A.8

16. Srivastava S.C., *Industrial Relations Machinery : Structure, working and the Law*, op.cit. p.108.
17. Agarwal, S.L. *Labour Relations law in India*, The Macmillan Company of India Ltd., 1978, p.179.
18. Bhattacharjee, D., *The Industrial Disputes Settlement system and its Operational Effectiveness in Bangladesh*, op. cit. pp. 90-91.
19. Bhatia, S.K., *Collective bargaining : Theory and Practice of Effective Industrial Relation*, Deep & Deep Publications, Delhi, 1985, p.178.

APPENDIX D : TABLES RELATING TO VOLUNTARY ARBITRATION.**APPENDIX D.1****Distribution of the Conciliators Classified According to Their Report as to Why People are Very Reluctant to Refer Cases to Arbitration.**

Reasons for reluctance	No. of responses	% of responses
1. People have no confidence in arbitration.	17	28.33
2. People are not used to the system.	5	08.33
3. The arbitrator's decision being final and binding on the parties.	19	21.67
4. Lack of distinguished personalities.	6	10.00
5. No forum is there in vague.	10	16.67
6. Lack of agreement between the parties in selecting the arbitrator.	6	10.00
7. The use of the machinery being optional.	3	05.00
Total :	60	100.00
Total no. of respondents :	22	

*Multiple answers permitted.

APPENDIX D.2**Ranking by the Management Personnel on the Factors Inhibiting the Effectiveness of Arbitration**

Inhibiting factors	Frequency of priority (n = 30)					Total score	Rank
	1st	2nd	3rd	4th	5th		
1. Parties unwillingness to go to arbitrators	4	5	3	2	5	58 (13.33)	IV
2. Lack of faith and confidence in arbitrators decision.	2	5	5	4	5	58 (13.33)	IV
3. Lack of agreement between the parties in selecting the arbitrator.	5	3	5	5	3	60 (13.79)	III
4. Easy accessibility to adjudication.	3	5	2	4	5	58 (13.33)	IV
5. Non-availability to suitable arbitrators.	7	3	6	5	3	78 (17.93)	I
6. No appeal is competent against arbitrators' awards.	3	6	5	4	5	67 (15.40)	II
7. Lack of sufficient awareness of the arbitrators about the condition of the industries.	5	3	2	5	3	56 (12.87)	V

Notes :

1. The following Scale of scoring is adopted Ist Rank = 5,2nd = 4,3rd = 3,4th=2 and 5th = 1
2. Figure in the parenthesis indicate the percentage of each item to the total score.

APPENDIX D.3**Ranking by the Trade Union Leaders on the Factors Inhibiting the Effectiveness of Arbitration**

Inhibiting factors	Frequency of priority (n=50)					Total score	Rank
	1st	2nd	3rd	4th	5th		
1. Parties unwillingness to go to arbitrators.	7	5	5	6	5	87 (13.68)	V
2. Lack of faith and confidence in arbitrators decision.	7	3	5	10	10	92 (14.46)	IV
3. Lack of agreement between the parties in selecting the arbitrator.	3	5	2	4	5	58 (09.12)	VII
4. Easy accessibility to adjudication.	5	5	10	5	10	95 (14.94)	III
5. Non-availability of suitable arbitrators.	6	10	10	8	5	121 (19.05)	I
6. No appeal is competent against arbitrators' awards.	10	10	3	5	8	117 (18.40)	II
7. Lack of sufficient awareness of the arbitrators about the condition of the industries.	4	5	5	2	5	66 (10.38)	VI

Notes :

1. The following Scale of scoring is adopted 1st Rank = 5, 2nd = 4, 3rd = 3, 4th = 2 and 5th = 1
2. Figure in the parenthesis indicate the percentage of each item to the total score.

APPENDIX D.4**Ranking by the Conciliators on the Factors Inhibiting the Effectiveness of Arbitration.**

Inhibiting factors	Frequency of priority (n = 22)					Total score	Rank
	1st	2nd	3rd	4th	5th		
1. Parties unwillingness to go to arbitrators.	5	4	3	4	3	61(20.68)	I
2. Lack of faith and confidence in arbitrators decision.	3	4	2	3	2	45(15.25)	III
3. Lack of agreement between the parties in selecting the arbitrator.	3	2	2	3	4	39(13.22)	IV
4. Easy accessibility to adjudication.	4	4	3	3	4	55(18.64)	II
5. Non-availability to suitable arbitrator.	1	3	4	3	3	38(12.88)	V
6. No appeal is competent against arbitrator awards.	3	1	3	2	2	34(11.52)	VI
7. Lack of sufficient awareness of the arbitrators about the condition of the industries.	1	1	3	1	3	23(07.80)	VII

Notes :

1. The following Scale of scoring is adopted 1st Rank = 5, 2nd = 4, 3rd = 3, 4th=2 and 5th = 1
2. Figure in the parenthesis indicate the percentage of each item to the total score.