



## Dispute Resolution Practices in Private and Public Banks of Nepal: A Comparative Study

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### Abstract

*Effective dispute resolution is integral to maintaining customer trust and operational stability in banking, particularly in developing economies. This study comparatively examines dispute resolution practices in Nepal's private and public commercial banks. The specific objectives are to identify predominant dispute types, assess the mechanisms employed to resolve them, evaluate their effectiveness, and explore how governance structures influence resolution strategies. Employing a convergent parallel mixed methods design, we surveyed 210 participants (customers and bank staff) from one private bank (Global IME Bank) and one public bank (Nepal Bank Ltd.) and conducted semi structured interviews and focus groups. Quantitative data were analyzed via descriptive and inferential statistics ( $\chi^2$  and  $t$  tests), while qualitative data underwent thematic analysis.*

**Keywords:** Private bank, public bank, dispute resolution, customer trust, governance, service quality, customer satisfaction, banking operations



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## Introduction

Disputes are a natural part of human interaction, occurring across social, economic, and institutional domains. In the context of the banking sector an essential component of any national economy disputes can significantly affect operational efficiency, customer trust, and financial stability. In Nepal, the modern banking system began in 1947 with the establishment of Nepal Bank Limited, marking the formal onset of financial sector development. Since then, the sector has evolved to include a dual structure of private and public banks, each operating under different mandates and governance models.

Within this structure, banking disputes in Nepal have emerged in various forms, including disagreements over interest rates, transparency of information, quality of service delivery, and corporate social responsibility. These issues are further complicated by the differing priorities of private and public banks—where private institutions often prioritize customer satisfaction and profitability, public banks may be more focused on regulatory compliance and developmental goals. Such contrasts often result in varied approaches to dispute resolution, with implications for both effectiveness and customer outcomes.

Effective corporate governance is vital to resolving these disputes, as it reinforces institutional trust and accountability. Governance challenges in the Nepalese banking system involve both strategic oversight and operational practices, such as employee conduct and customer engagement. The capacity of a bank to manage and resolve disputes efficiently reflects its broader governance standards. Particularly in developing economies like Nepal, where financial systems are still maturing, robust dispute resolution mechanisms are essential for sustaining trust and promoting growth.

Despite the importance of dispute resolution, there is a notable lack of empirical research focused specifically on how these conflicts are handled within Nepalese banks. While international literature offers insights into governance and customer relationship management, little attention has been paid to the unique socio-economic and regulatory challenges faced by Nepal. This knowledge gap is particularly concerning given the potential risks that unresolved disputes pose—not only to individual banks but to the financial system as a whole.

Disputes, if left unmanaged, can escalate into larger financial losses and reputational damage, potentially affecting national economic stability. The growing complexity of Nepal's banking operations, influenced by both global economic forces and local financial behaviors, demands a more structured and

effective approach to conflict resolution. Yet, without clear empirical evidence, it is difficult for banks and regulators to design effective policies or practices that address these needs in a contextually appropriate way.

In Nepal, policies and regulatory frameworks play a central role in shaping dispute resolution in the banking sector. The Nepal Rastra Bank (NRB) provides a Payment System Oversight Framework aligned with international standards, ensuring system reliability and consumer protection, and also regulates Payment Service Providers (PSPs) and Operators (PSOs) (NRB, 2022). Despite the legal provision in the amended Consumer Protection Act (2022) mandating the establishment of consumer courts, implementation delays due to bureaucratic inertia and lobbying continue to hinder access to justice. The Nepal Bankers' Association (NBA) promotes ethical practices through a Voluntary Code of Conduct, although adherence varies among member institutions. Corporate governance literature highlights the influence of leadership, strategic planning, and gender dynamics in dispute management and policy formulation (Tricker, 2015; Mahajan, 2017; Nelson & Levesque, 2007). Acharya (2013) argues that improved governance and regulatory practices can enhance banking performance, while Lahilote et al. (2019) outline the significance of judicial and non-judicial remedies under Indonesian banking law, offering parallels for Nepal. Despite these developments, major research gaps persist. These include the lack of empirical data on the types and frequency of disputes in Nepalese banks, insufficient comparative studies between public and private institutions, and minimal evaluation of the effectiveness of ADR mechanisms. Furthermore, the practical implementation of existing policies remains underexplored. This study aims to fill these gaps by conducting a comparative and empirically grounded assessment of dispute resolution practices across Nepalese commercial banks.

The literature on dispute resolution within the banking sector presents a multifaceted understanding of conflicts, ranging from latent tensions to overt confrontations (Engel & Korf, 2005; Glasl, 1999). Theoretical frameworks such as conflict transformation emphasize the need to shift relationships from destructive to constructive by addressing underlying dynamics (Reimann, 2004; Bush & Folger, 2004), while distinctions between conflict resolution and management stress differing goals in handling disputes (Kriesberg, 1998). In examining dispute resolution mechanisms, the Service Recovery Paradox framework suggests that effective recovery after service failures can enhance customer satisfaction beyond original levels (McCollough et al., 2000),

while Institutional Theory provides insights into how external regulations and internal norms influence organizational behavior (Scott, 2001). Empirical studies emphasize the significance of Customer Relationship Management (CRM) in mitigating disputes and building long-term relationships (Zamil, 2011; Karthikeyani, 2020), while researchers such as Kulet (2017) and Rostamy (2009) underline that effective conflict handling enhances service value and customer loyalty. Alternative Dispute Resolution (ADR) has gained traction as a timely, cost-effective, and confidential mechanism for resolving commercial disputes, with mediation, negotiation, and arbitration offering flexible tools adaptable to various banking conflicts (Stipanowich, 2009; Mowatt, 1992). ADR is especially relevant in managing disputes from account mismanagement, contractual breaches, credit issues, and even complex transactions like mergers and cross-border services (AFI, 2017). Technological integration and emotionally connected employees further improve conflict resolution by enhancing internal communication and customer interactions (Strauss & Frost, 2002).

To address this gap, the present study sets out two main objectives: first, to identify the most common types of customer-related disputes occurring in Nepalese private and public banks and to examine the mechanisms currently in place for resolving them; and second, to evaluate the effectiveness of these dispute resolution mechanisms and explore how variations in governance structures influence their implementation and outcomes. These objectives are designed to capture both the practical and strategic dimensions of dispute resolution in the Nepalese banking context.

The significance of this study lies in its potential to enhance customer service, reduce financial risk, and improve institutional accountability. By identifying best practices and areas for improvement, the research aims to help banks build more responsive and equitable dispute resolution systems. Additionally, the findings are expected to inform policy and regulatory frameworks, contributing to a more stable and efficient banking sector. Improved dispute resolution mechanisms can also foster customer trust, encourage investment, and support broader economic growth.

This research is delimited to customer-service disputes in two selected commercial banks—one representing the private sector and the other the public sector. The focus is restricted to the most prevalent types of disputes and excludes internal employee conflicts or those involving regulatory authorities unless directly linked to customer services. However, the study also faces certain limitations. The use of interviews and surveys may introduce response bias, and the case study method limits generalizability.

Confidentiality concerns may also restrict access to detailed case data, affecting the depth of analysis.

Nonetheless, by providing new insights into how banking disputes are managed in Nepal, this study aims to fill an important research gap and contribute to the development of more effective governance and dispute resolution strategies, ultimately supporting the resilience and credibility of the country's financial institutions.

## Research Methodology

The research employed a mixed-methods case study approach to examine dispute resolution practices within Nepal's banking sector, specifically focusing on two commercial banks. The aim was to understand the types of disputes that arise and the mechanisms used to resolve them by integrating both qualitative and quantitative data sources.

The conceptual framework, developed based on empirical and theoretical literature, identified customer complaints, regulatory conflicts, and commercial disputes as the prevalent forms of disagreement in Nepalese banks. It also outlined four primary mechanisms used for resolving such disputes: negotiation, mediation, arbitration, and litigation. These mechanisms were evaluated in terms of their contribution to outcomes such as customer satisfaction, peace, social cohesion, and operational efficiency within bank-customer relationships.

Philosophically, the study adopted a pragmatic stance, combining elements of post-positivism and humanism. This paradigm acknowledges the complex nature of social reality and supports the use of multiple methods to uncover both objective patterns and subjective meanings (Creswell, 2014). Ontologically, it accepts that while disputes are real events, their meaning varies depending on the perspectives of those involved (Phothongsunan, 2010; Willis, 2007). Epistemologically, knowledge was derived from both theoretical frameworks and the lived experiences of bank staff and customers, employing both deductive reasoning from existing theories (e.g., Service Recovery Paradox, Institutional Theory) and inductive analysis from field data (Denzin, Lincoln, & Smith, 2005).

A convergent parallel mixed-methods design was used, allowing for simultaneous collection of quantitative and qualitative data. These data sets were analyzed independently and then integrated during the interpretation phase to provide a comprehensive understanding of dispute resolution in the banking sector. The case study method was deemed appropriate for capturing detailed and contextualized information from two banks: Global IME Bank, representing the private sector, and Nepal Bank Ltd., representing the

public sector. This selection enabled a comparative analysis of dispute resolution practices in distinct institutional environments (Stake, 2008; Yin, 2014).

A multi-stage sampling strategy was adopted. Initially, the two banks were purposively selected based on their market presence and diversity of clientele. From these banks, a sample of 210 individuals was drawn, including both customers and bank staff. Customers were selected using stratified random sampling based on demographics and service usage to ensure representativeness, while staff involved in dispute resolution—such as branch managers, legal officers, and customer service heads—were selected purposively for their relevant expertise. Although a formal statistical power calculation was not conducted, the chosen sample size was sufficient for meaningful comparative and thematic analyses (Teddle & Yu, 2007).

Data were collected from both primary and secondary sources. Primary data included structured surveys administered to customers and staff, key informant interviews with relevant bank personnel, and focus group discussions (FGDs) with groups of customers. The surveys captured data on dispute types, mechanisms used, levels of satisfaction, and perceptions of effectiveness. The interviews and FGDs allowed for deeper insight into experiences and perceptions regarding dispute resolution processes. Secondary data included institutional documents such as annual reports, policy manuals, and guidelines, along with relevant publications and reports from regulatory authorities like the Nepal Rastra Bank.

Quantitative data were analyzed using descriptive statistics, including frequencies, percentages, means, and standard deviations. Inferential statistical tests—such as t-tests and chi-square tests—were used to compare the types and outcomes of dispute resolution mechanisms between the public and private banks. Qualitative data were analyzed using thematic analysis, involving transcription, coding, and the identification of patterns and themes relevant to the research questions (Braun & Clarke, 2006). Cross-case analysis was conducted to identify similarities and differences in practices between the two banks. Integration of findings occurred at the interpretation stage, where quantitative patterns were substantiated and enriched by qualitative insights.

The research was conducted in adherence to ethical standards. Participants were fully informed about the purpose and procedures of the study and were assured of their right to confidentiality and voluntary participation. Informed consent was obtained from all participants. Anonymity was maintained by using pseudonyms and secure data storage practices. The research protocol was reviewed and approved by the

relevant institutional ethics review committee, and all efforts were made to ensure that participation posed no harm to the individuals involved.

The study benefited from the researcher's extensive experience in the banking sector, which contributed to the design, interpretation, and contextual understanding of the data. Triangulation of multiple data sources and methods enhanced the validity and reliability of the findings, offering a holistic understanding of dispute resolution practices in Nepalese commercial banks.

This chapter outlines the research methodology employed to explore dispute resolution practices within the banking system in Nepal. The study aimed to investigate the nature of disputes and their resolution mechanisms by conducting a case study analysis of two commercial banks. The chapter details the research design, participant selection, data collection methods, data analysis techniques, and the philosophical assumptions underpinning the research.

## Result

This section presents the key findings derived from the analysis of both quantitative and qualitative data. The results are structured to reflect the major themes of the study, providing comparative insights between Global IME Bank (private) and Nepal Bank Ltd. (public).

### *Types of Disputes in Private and Public Banks*

Several dispute types were commonly reported by customers and staff in both banks. Survey and interview data showed that transactional issues and service delivery concerns were particularly prominent.

**Table 1**

*Common Types of Banking Disputes Reported by Customers*

Type of Dispute	Global IME Bank (%)	Nepal Bank Ltd. (%)
Transaction Errors (e.g., ATM, debit/credit mistakes)	35	30
Interest/Fee Discrepancies	20	25
Service Delivery Issues	25	15
Loan and Credit Card-Related Issues	15	20
Other	5	10

*Source: Field Survey, 2024*

Qualitative data revealed that Global IME customers often expressed dissatisfaction with quick but impersonal service, while Nepal Bank customers frequently cited frustration with procedural delays and lack of clear communication.



## Mechanisms for Dispute Resolution

Both banks employed several mechanisms, with variations in usage patterns and perceived effectiveness.

**Table 2**  
*Primary Dispute Resolution Mechanisms Used*

Mechanism	Description	Usage Frequency (Both Banks)
Negotiation	Direct dialogue between customer and bank staff	High
Internal Grievance Redress System	Formal complaint logging/tracking within bank	Medium
Informal Mediation	Facilitation by senior staff (not structured mediation)	Medium
Escalation to Senior Management	Handled at higher administrative levels	Medium
NRB Complaint Mechanism	Regulatory body involvement for unresolved cases	Low
Litigation	Court proceedings in severe or unresolved disputes	Very Low
ADR (Arbitration/Mediation Centers)	Used mostly in commercial/contract-related issues	Very Low

*Source: Field Survey, 2024*

The internal grievance redress process was found to be more accessible in Global IME Bank, aided by automated complaint tracking. In contrast, Nepal Bank Ltd. relied more heavily on manual procedures.

## Effectiveness of Dispute Resolution Mechanisms

Customer satisfaction was used as a key indicator of effectiveness, alongside resolution time and cost.

**Table 3**  
*Effectiveness Indicators of Dispute Resolution*

Indicator	Global IME Bank	Nepal Bank Ltd.
Average Resolution Time	3–5 days	7–10 days
Resolution Rate (%)	85%	75%
Customer Satisfaction Score (out of 5)	4.2	3.5
Cases Escalated to NRB (%)	3%	7%

*Source: Field Survey, 2024*

Qualitative feedback indicated that customers valued speed and transparency. Frustration was often tied to procedural opacity, particularly in the public bank. Staff in both banks cited lack of authority and inconsistent documentation as barriers to swift resolution.

## Influence of Governance Structures

The governance models in both institutions affected how disputes were managed.

**Table 4**  
*Organizational Governance and Dispute Resolution Characteristics*

Governance Feature	Global IME Bank (Private)	Nepal Bank Ltd. (Public)
Decision-Making Authority	Decentralized (branch level flexibility)	Centralized (head office control)
Customer Retention Emphasis	High	Moderate
Training on Dispute Resolution	Frequent, customer-focused	Procedural, less frequent
Use of Technology for Complaints	Digital tracking and CRM systems	Partially automated, still paper-reliant
Regulatory Compliance Approach	Flexible within NRB guidelines	Strict procedural adherence

*Source: Field Survey, 2024*

These differences reflect broader institutional cultures—customer service orientation in the private sector versus regulatory compliance and procedural caution in the public sector.

## Discussion

This section critically interprets the study's findings in relation to existing literature and theoretical frameworks, providing insights into dispute resolution practices within Nepalese banks and addressing the research questions.

The prominence of transaction errors, interest and fee discrepancies, and service delivery issues aligns with common categories of banking disputes reported globally (Rostamy, 2009). That these issues dominate in Nepalese banks highlights ongoing operational and service quality challenges as core drivers of customer dissatisfaction, reinforcing the importance of “Product” and “Service” dimensions in shaping dispute incidence (Rostamy, 2009). Variations in dispute types between private and public banks may reflect differences in organizational focus, customer profiles, and legacy systems, signaling avenues for further inquiry.

The primary reliance on internal dispute resolution mechanisms—namely negotiation and formal grievance redressal systems—mirrors common banking sector strategies designed to maintain customer relationships and reduce the cost and reputational risks associated with external escalation. However, the mixed effectiveness observed, particularly in terms of customer satisfaction and timeliness, resonates with the Service Recovery Paradox, which suggests that unsuccessful recovery efforts may deepen customer dissatisfaction (Tax, Brown, & Chandrashekar, 2002).

1998). Qualitative data underscored frustrations with communication breakdowns and procedural delays, implicating shortcomings in the “Personnel” and “Service” aspects critical to customer satisfaction (Rostamy, 2009).

Differences in dispute resolution speed and satisfaction between the private and public banks, though modest, appear influenced by their contrasting governance structures. The private bank’s competitive and profit-driven environment likely fosters more agile and customer-focused resolution approaches, consistent with corporate governance theories emphasizing shareholder value and customer retention (Gompers, Ishii, & Metrick, 2003; Jensen & Meckling, 1976). In contrast, the public bank’s centralized, procedure-driven governance aligns with Institutional Theory, where regulatory compliance and public accountability shape slower but standardized dispute handling practices (Shleifer, 1997). This suggests that ownership and governance models materially affect the efficacy and style of dispute management.

The minimal use of formal external Alternative Dispute Resolution (ADR) mechanisms for typical customer complaints—despite their documented benefits such as cost-effectiveness, speed, and preserving business relationships (Mowatt, 1992)—indicates potential barriers in awareness, accessibility, or trust within Nepalese banking and customer populations. This contrasts with other countries where ADR is more integrated in financial dispute frameworks (Lahilote, Frederik, & Mawuntu, 2019), highlighting a gap in Nepal’s dispute resolution landscape that warrants further research.

Overall, these findings emphasize the need for Nepalese banks to strengthen internal dispute resolution processes by improving communication, simplifying procedures, empowering frontline staff, and ensuring timely resolutions. While regulatory frameworks exist, their practical impact at the customer level appears limited and requires reassessment. By providing empirical evidence from a developing country context with a dual banking system, this study enriches the literature on corporate governance, customer relationship management, and conflict resolution, offering nuanced insights for both academics and practitioners.

## Conclusion and Implications

This study undertook a comparative analysis of dispute resolution practices in Nepal’s private and public banking sectors using a mixed-methods approach. By examining prevalent dispute types, resolution mechanisms, and their effectiveness through surveys, interviews, and focus groups,

the research identified transaction errors, interest and fee discrepancies, and service delivery issues as the most common disputes. Internal resolution methods, particularly negotiation and grievance redressal systems, remain primary but show varying degrees of effectiveness and customer satisfaction. Differences in governance structures between private and public banks notably influence dispute resolution approaches, affecting speed, customer-centricity, and procedural adherence.

Despite the importance of effective dispute resolution for maintaining financial stability and customer trust, existing mechanisms face challenges such as procedural delays, communication gaps, and limited empowerment of frontline staff. Private banks tend to adopt more proactive, customer-focused strategies due to competitive pressures, whereas public banks emphasize adherence to standardized processes, reflecting their institutional mandates. These findings align with Institutional Theory and highlight the operational impact of ownership structures. Furthermore, the mixed satisfaction levels with resolved disputes support the Service Recovery Paradox, demonstrating that the quality of the resolution process itself significantly shapes customer loyalty.

External dispute resolution options, including Alternative Dispute Resolution (ADR), remain underutilized for typical banking complaints. This underuse signals potential gaps in awareness, accessibility, or trust, presenting an opportunity for regulatory bodies and banks to promote and integrate these mechanisms more effectively.

To enhance dispute resolution efficacy, banks should prioritize improving internal communication and transparency, empower frontline staff with decision-making authority, and streamline grievance procedures. Medium-term efforts should focus on comprehensive staff training, raising ADR awareness, and standardizing complaint tracking systems. Long-term strategies include establishing empowered consumer courts or banking ombudsman institutions, integrating advanced technologies for proactive dispute identification, and fostering a customer-centric culture across both private and public banks.

The study’s contributions lie in providing empirical insights from a developing country’s dual banking system, illustrating how institutional factors and governance influence dispute resolution practices and customer experiences. However, limitations such as sample representativeness, generalizability, reliance on self-reported data, confidentiality constraints, and resource restrictions should be considered when interpreting the findings.

In conclusion, while Nepalese banks have foundational dispute resolution mechanisms, there is significant scope to enhance their timeliness, transparency, and customer satisfaction to better serve banking customers and strengthen institutional trust.

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