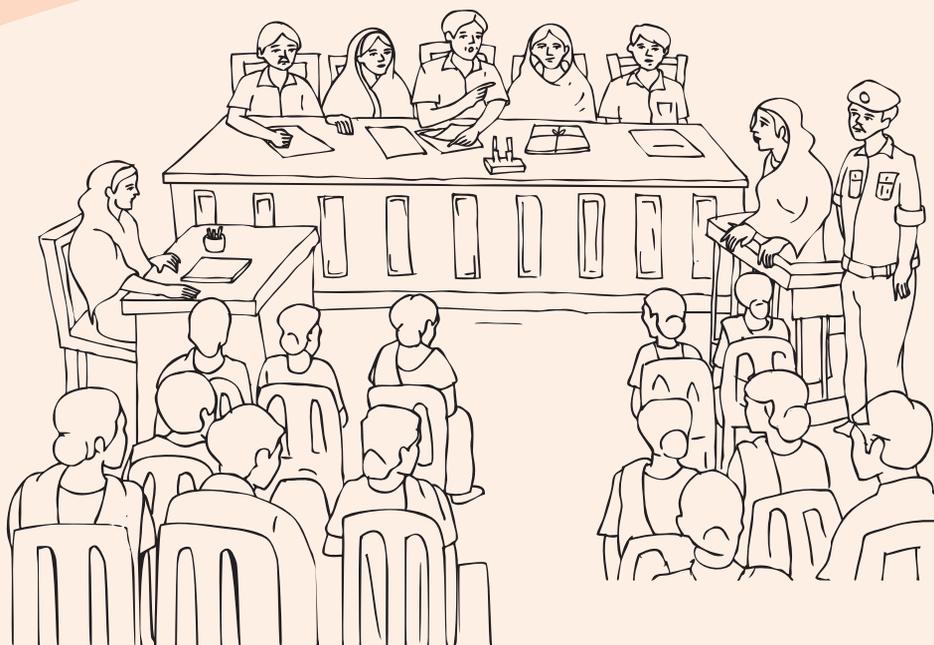




VILLAGE COURT

Reflections of Real Life Stories



European Union

Activating Village Courts in Bangladesh Project
Local Government Division

Ministry of Local Government, Rural Development and Cooperatives

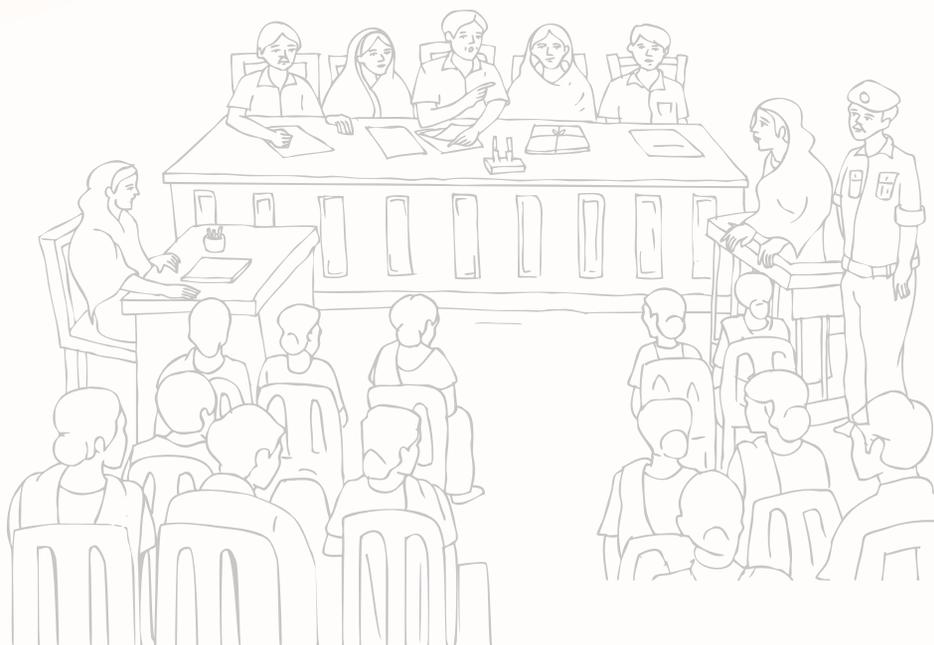


Empowered lives.
Resilient nations.



VILLAGE COURT

Reflections of Real Life Stories



European Union

Activating Village Courts in Bangladesh Project
Local Government Division

Ministry of Local Government, Rural Development and Cooperatives



Empowered lives.
Resilient nations.



VILLAGE COURT

Reflections of Real Life Stories

Activating Village Courts in Bangladesh Project

Published on

December 2013

Chief Editor

Sarder M Asaduzzaman

Project Manager, Activating Village Courts in Bangladesh Project, UNDP

Editorial Board

Md. Sirazul Haq, Monitoring and Evaluation Manager, Activating Village Courts in Bangladesh Project, UNDP

Muhammad Kamrul Hassan, Programme Specialist, Activating Village Courts in Bangladesh Project, UNDP

Sontosh Bikash Tripura, Programme Support Officer, Activating Village Courts in Bangladesh Project, UNDP

Published by

Activating Village Courts in Bangladesh Project

Local government Division

Ministry of Local Government, Rural Development & Cooperatives

We do acknowledge the hands received from Md. Mazbahul Azam, District Facilitator (Rangpur), Pabitra Chandra Das, District Facilitator (Rajbari), Syed Mohseenul Abedin, District Facilitator (Lalmonirhat), Uzzal Kumar Das Chowdhury, District Facilitator (Narail), Md. Abul Kalam Azad, District Facilitator (Kishorganj) and three partner NGOs (Madaripur Legal Aid Association engaged in Dhaka division, Eco-Social Development Organization in Rangpur and WAVE foundation in Khulna division) in collecting the stories.



European Union



Empowered lives.
Resilient nations.

Preface



K M Mozammel Hoq

National Project Director
Activating Village Courts in Bangladesh Project &
Additional Secretary
Local Government Division



Activating Village Courts in Bangladesh project (AVCB) is operating in full swing in the field covering 351 UPs of 57 upazila under 14 district of 6 divisions with the financial and technical assistance of EU and UNDP. The project is facilitating access to local justice services through activating village courts at the UP level, as per the pertinent legal framework, for the poor and disadvantaged community. This community-based home-grown justice system empowers community in taking part in justice process both at justice seeking and delivery end. It brings both UP representatives and community closer and restores the broken relationship among the disputant parties which eventually contributes in establishing community-based peace and harmony through peaceful coexistence.

The project has demonstrated a number of significant achievements during its implementation period. As of November 2013, a cumulative total of 43,593 cases are reported since 2010, of which 33,971 are resolved requiring only on an average 28 days per case. Of the resolved cases, 27,406 decisions are implemented. As of November 2013, 2,677 cases are transferred from District courts to Village Courts for settlements as per the law demonstrating village courts' positive contribution in reducing case backlogs in the upper courts. In total, BDT 89,858,300 (US\$ 1,163,214) recovered as compensation from respondents since 2010 and provided to the petitioners.

Printing of Case Story booklet portrays the successful accomplishments of any intervention and particularly it reflects the real life stories of the beneficiaries of the project. With this understanding, the AVCB Project published the first volume of successful Case Stories in 2012 and as of its continuity this compilation of human stories is initiated. This volume reflects how the poor, women and vulnerable communities were benefited in obtaining justice as well as in their broader social development. This is a form of qualitative result reflections which expresses their satisfaction on village courts services. It is also a testimony of the beneficiaries how comfortable and confident they feel in seeking justice services through village courts at their doorsteps with minimal cost in a quicker manner. They responded Union Parishad as a service delivery hub at their vicinity without any complexity.

I congratulate the project team for their dedication and the progress secured so far and at the same time I take the opportunity to acknowledge the technical and financial supports provided by EU and UNDP for this noble project. I hope the local justice practitioners, academics, development workers, UP representatives and development partners will find this publication useful.

K M Mozammel Hoq

Activating Village Courts in Bangladesh

Title of the Project	Activating Village Courts in Bangladesh
Implementing Agency	Government of Bangladesh
Implementing Partner	Local Government Division, Ministry of Local Government, Rural Development and Cooperatives
Development Partners	European Union and UNDP
Project Duration	January 2009 – December 2014
Project Budget	US \$15.05 Million
Working areas	351 UPs of 57 upazilas under 14 districts of 06 divisions
Project's Objective	To improve access to justice for disadvantaged and marginalised groups and enhance human rights systems and processes in Bangladesh.

KEY RESULT

- A cumulative total of 43,593 cases have been reported since 2010, of which 33,971 have been resolved taking only on an average 28 days per case. Of the resolved cases, 27,406 decisions have been implemented;
- As of November 2013, 2,677 cases have been transferred from District courts to Village Courts demonstrating that VC is contributing in reducing backlogs in the district courts;
- Project activities have targeted women to encourage in seeking remedy through Village Courts. As a result, in total 4,515 (32%) women obtained remedies through Village Courts. Representation of women in the VC decision making process has increased from 8% in 2012 to 11% in 2013;
- Overall, BDT 89,858,307 (US\$ 1,163,214) recovered as compensation from respondents since 2010 and are provided to the petitioners; and
- The Village Courts (amendment) Bill 2013 is enacted on 25 September 2013



Joint efforts of village court and Upazila Nirbahi Officer ensured justice

Though Bangladesh is fast urbanizing, it remains a predominantly rural country. Most of its people rely on agriculture for their livelihood, like Foyjora Begum and her husband subsistence farmers who live in Goeshpur village under Nagarkanda Upazila of Faridpur District.

Every day, before preparing the evening meal, Foyjora would set aside some uncooked rice. After several weeks, she had enough rice saved to sell back in the market and she used the money she made to buy some hens and ducks. She soon saved enough money by selling the eggs from the ducks and chickens to buy two goats. With the same thrift, Foyjora was able to accumulate several more goats and was able to augment her family income in this manner. Foyjora's neighbor Abdul Salam suggested that she sell some of her livestock in order to obtain a mortgage to buy some land. So her husband, Ismail Mollah, sold several of their animals. Soon after, Abdul Salam said he was facing a family emergency and asked Foyjora to lend him BDT 15,000 (USD 194.17), with the promise, made in front of three witnesses, to return the money within two months.

After two months, Foyjora asked Abdul Salam to repay her the loan but he made one excuse after another, and ten months later there was still no sign of the money. Foyjora wanted to take Abdul Salam to court to get her money back, but she was put off by the high costs of hiring a lawyer and the complex nature of legal procedures. During that period, however, a village courts field worker, Aysha Begum, conducted a courtyard meeting in Foyjora's neighbor's house. So Foyjora, having heard about the low costs and ease of village courts process, went to the Union Parishad to file her case.

On the same day that Foyjora submitted her petition to the UP, and paid her BDT 2 court fees, the Chairman issued a summon to the opponent and called on both parties to be present at the UP office two days later. Ten days later, the Chairman formed the five-member panel, with two members nominated by each party, and told Abdul Salam he had four days to file an objection statement, if any, and fixed the hearing for the same week.

Based on the testimony of the three witnesses, the panel found in a 4 to 0 decision (one panel member was unable to attend due to illness) the opponent guilty and ordered Abdul Salam to pay back the BDT 15,000 (USD 194.17), that he had borrowed from Foyjora. But Abdul Salam failed to return the money within the stipulated time, despite numerous notices from the UP chairman. After two months, a certificate case was filed with the Union Nirbahi Officer (UNO), who issued an arrest warrant for Abdul Salam. Following his arrest, Abdul Salam paid the BDT 15,000 (USD 194.17) to the UNO, who then sent the money to the UP chairman, who returned it to Foyjora. Foyjora used the money to buy a young buffalo, whose value is now three times what she paid for it.

Foyjora was happy with her experience with the village court. She expressed her gratitude to Aysha Begum, the fieldworker who held a courtyard meeting in the village and from whom Foyjora learnt about village courts. Even Abdul Salam, who was found guilty by the village court panel, acknowledged the important role the court can play and praised it as an effective tool for justice delivery at the local level and for its ability to give a fair judgment.



Courtyard meeting spreads awareness about village courts

The people of Bangladesh are known for their love of rice and fish, which are staples of their diet. Many of the country's fishermen come from the Malo caste, whose people have been fishing for generations.

Nirmala Rani Malo, a member of the Malo caste in Laskerdia Union Parishad of Faridpur district, has made her livelihood by making fishing nets. But in recent years the price of the raw materials needed to make the net has increased and Nirmala has had to take a loan on several occasions to buy her supplies. Nirmala gave BDT 20,000 (USD 258.90) in several installments to fellow villager Rabu Sheikh, who said he would use the money to arrange a larger line of credit for her. But Nirmala did not get a witness for all the financial transactions, only for one payment of BDT 6,000 (USD 77.67). And so, when Rabu Sheikh neither got her a larger loan, nor returned the money, there was no one to counter his claim that he never took the money from her. Fortunately, one of Nirmala's neighbors, Shewli, works for the village court in their area and she advised her friend to file a case.

On the same day that Nirmala submitted a petition to the Union Parishad, the Chairman reviewed it and a criminal case against Rabu was lodged. Three days later, both Nirmala and Rabu were summoned to the Union Parishad, where they were instructed to nominate two representatives each to form the Village Court panel for their case. Later that week, Rabu, the accused, was asked to submit an objection letter, if any, and the case hearing was fixed for four days later. The four nominated representatives were served a memo, summoning them to the Village Court for the case hearing one week later.

At the hearing, the plaintiff's two witnesses said under oath that Rabu had taken BDT 6,000 (USD 77.67), which was sufficient to convince the five-member panel of his guilt. The village court instructed Rabu to pay Nirmala BDT 6,000 (USD 77.67) within one month of the hearing; however, Rabu failed to respond to the Court's several notices, nor did he meet the deadline. As a result, the Union Parishad then sent the Case to the Upazila Nirbahi Officer to issue a case vide memo to Rabu in December. Within two days of receiving the case vide from the upazila authorities, Rabu deposited the BDT 6,000 (USD 77.67) with the Union Parishad Chairman.

Nirmala was pleased with her experience in the Village Court because she recognized that had she gone to the higher courts, the wait would have been much longer, costlier and more difficult. With the money returned to her, Nirmala was able to buy the supplies she needs to make nets.



Faster than the district court: justice delivered through the village court in only 10 days

Mohammed Sohraf Mollah was born and raised in Kalukhali upazila of Rajbari district, where he still lives today with his family. He supports his wife and four daughters by cultivating the small plot of land he owns, as well as pulling a rickshaw to supplement his income. Adjacent to Sohraf's home is a small family cemetery which he tends and looks after. In the plot next to him lives Sokir Sheikh, who is also a farmer. Sokir and his family often urinated beside the graveyard, which caused offense to Sohraf. One morning, after Sohraf saw Sokir relieving himself in the graveyard, he asked him to respect his family cemetery, which led to a confrontation between the two neighbors during which Sohraf was badly injured and was unable to work for four days.

Following the incident, Sohraf filed a criminal case in the district court in early February 2012. After four hearings and seven months later, the district court referred the case to Sohraf's Union Parishad (Modapur Union Parishad) to try it in the village court. Within ten days of the case being registered in the village court, the panel unanimously ordered Sokir to pay Sohraf BDT 2,500 (USD 32.36) as compensation for the income he lost when he was unable to work due to his injuries. Sokir paid the money to the Union Parishad two days after the hearing and Sohraf was able to get it on the same day.

Sohraf, relieved to have received the much needed compensation, was also glad to be free of the hassle of dealing with the district courts. In the seven months that his case was being heard, he had to attend court four times, along with his five witnesses, costing them all time and money. Apart from the lost income from missing a day's work, he had to spend BDT 11,800 (USD 152.75) including for his lawyer's fees, travel cost and other expenses. Similarly, the respondent Sokir also incurred travel and legal costs, as well lost productivity for the four working days he had to spend in the courts instead of the fields.

By resolving the case in the village courts, both the applicant and the respondent saved money and time, as well as avoided the bureaucratic difficulties of dealing with the higher courts.



Police station play important role in activating village courts

For children in rural Bangladesh, the countryside is their playground. There is open land to run around in, ponds to swim in, animals to play with and all the village children to be their playmates. With many of the dangers of city life – like traffic and pollution – far away, mothers often allow their children to play in the vicinity of the home without parental supervision.

Kahinoor Begum, who lives in Lahuria UP of Lohagora upazila under Narail district used to allow her daughter Antora to play with her neighbor's children Amina and Kana, while she was doing household chores. One day the girls were playing together in the garden when a quarrel broke out amongst them and Antora was injured by her two friends. Kahinoor went to speak with Amina and Kana's father Monsur Dhani, but rather than apologise for his daughters' behavior, he along with his family members hit Kahinoor, in the presence of two witnesses who intervened to save her.

After this distressing incident, for which Kahinoor required medical treatment, she and her husband went to the local police station, where the officer on duty received the application and filed the criminal case. But when the officer in charge reviewed the case he realized that the offence fell under the jurisdiction of village courts, and so he forwarded the case to the Lahuria Union on the very same day.

The case was heard in the village court and by a unanimous decision ordered Monsur to pay Kahinoor BDT 4,000 (USD 51.78) to cover her medical costs. Kahinoor was amazed at the speed and ease with which her case was resolved and was especially grateful for the help of the officer in charge at the local police station for forwarding her case to the village court. But Kahinoor was not alone in her satisfaction with village courts; Monsur too was pleased with his experience and recognized that had the case gone to the magistrate court, the punishment could have been more severe. Kahinoor was relieved to have her medical costs compensated and her relationship with her neighbor, which could have deteriorated further had the case been drawn out in the courts, was repaired.



Asma Begum gets her compensation through Village Court

Lalmonirhat is one of the poverty stricken districts in Bangladesh with seasonal food crisis. The petitioner Ms. Asma Begum, resides in the Kuchlibari Union of Patgram Upazila under Lalmonirhat district. She is poor and maintains family with her earning from serving as domestic aid in other households. In addition, she also leases the land and cultivates crops to meet her family expenditure. In 2010, Asma begum leased 50 decimal lands from her neighbor Mr. Mokther Hossain. Since then she has been cultivating the land without any disturbance. The dispute triggered when Mokther Hossain cultivated his land adjacent to the land of Asma Begum and damaged her crops by watering. While Asma Begum noticed this matter to Mokther Hossain he became furious and attacked on her. As a result Asma Begum got seriously injured and admitted to the hospital with the supports of her neighbor. In an attempt to get justice she filed a case at the district court on 24th July 2012 demanding compensation for damaging her crops including medical treatment but district court referred the case to Kuchlibari Union Parishad as the case fell under the jurisdiction of the Village Court.

Kuchlibari Union Parishad received and registered the case on 22nd May 2013. Following the procedures of Village Courts, UP chairman issued summons to the respondent and formed a Village Court with the representatives of each party. Hearing of the case had to reschedule three times due to absence of representatives of both parties and finally it held on 10th July 2013 in front of five panel members and both parties. Hearing the statement of parties and witness, the panel gave the decision in favor of the petitioner and ordered Mokther Hossain to pay BDT 2,000 (USD 25.89) to Asma Begum within 30 days. Accordingly, the defendant Mokther Hossain compensated BDT 2,000 (USD 25.89) to Asma Begum.

After receiving the justice Asma begum stated that *"In Village Courts I got fair justice quickly spending only BDT 2. Village court has ensured my justice within the short notice. I lost nine months while my case continued to the District court"*. The defendant also felt that he got relief from the possible hassle which he might face in the district court.



Female day labour Sonita Biswas secured her wages through Village Court

Despite of poverty many mothers in Bangladesh strongly believe that quality education is the key to combat poverty. With this understanding Ms. Sonita Biswas, a poor and landless woman living in Sheikhhati Union Parishad of Narail District, continues bearing the educational expenses for her only son. She being the only bread earner of a woman headed family lives with her only son since her husband left couple of years back. Since her husband left, Ms. Sonia started earning their livelihoods through day labour mostly in paddy fields. In case of a day off, her family would have starved due to food crisis. Despite of her hand to mouth income she continued her son's education dreaming one day her son, who already passed the Secondary School Certificate (SSC) examination in 2012, will steer the family.

Once Mr. Ashish Paul, a landlord of her village declined to pay her three days' wages amounting BDT 500 (USD 06.47). Finding no other means, Ms. Sonita sought helps from local elites but failed to obtain any fruitful remedy. One day she met with Ms. Madhuri Sen, a member of the Community Based Organization (CBO) formed under Activating Village Courts in Bangladesh project, and explained her deprivation while Ms. Sen briefed her about Village Courts and the procedures in getting justice. Accordingly, Ms. Biswas visited Sheikhhati Union Parishad and filed a criminal case with BDT 2 case filing fee against Mr. Ashish Paul on 18th July 2013 demanding her due payment.

The Union Parishad Chairman reviewed and accepted the case and proceeded with village court hearing as per the law and procedures. The hearing, in presence of full bench, held on 3rd August 2013. Following required hearing and counter argument the Village Courts panel declared the decision in an open court and ordered Ms. Ashish Paul to settle the unpaid wages of BDT 500 (USD 6.47) within 10 days. On 8th August, 2013 Ms. Sonita Biswas received all her dues from Mr. Ashish Paul.

With a glittering face Ms. Sonita Biswas expressed, she could not imagine that the issue could be resolved so rapidly and transparently within 20 days. She also stated, '*Village Courts has established an example of effective tool for justice delivery to the poor where they can get justice within a short time.*' She believes that Village Courts will contribute in reducing harassment to the poor and vulnerable by the landlords or any muscle man.



Physically disabled Subodh Boiragi secured his rights through Village Courts

Subodh Boiragi, a physically disabled father of one son and one daughter, lives on tailoring. Although, he was born like a normal baby but, at his eighteen years, became physically disabled due to high fever. Subodh, despite of being the single earner of his family, has been leading a happy but hardship livelihood with his wife and two children in Simulia village of Kalora Union under Narail Sadar Upazila, Narail district. Besides tailoring, he volunteers in various social activisms for community development.

Being very caring to others, Subodh Boiragi was always respectful to his neighbor Amorash Boiragi. Once, several branches and leaves of trees from Amorash's side extended on Subodh's roof and its surroundings was harming. Subodh very gently requested Amorash several times to removing the branches but his neighbor didn't pay single attention which led to a tensed relationship between them. In searching for remedy, Subodh knocked the doors of the local leaders who called for a Salish (mediation) but failed to reach any consensual decision due to Amorash's tenacious stand. Accordingly, Subodh Boiragi thought of filing a case in the district court but realizing the amount of required cost and hassle in chasing district court couldn't dare.

Finally, Subodh Boiragi being influenced by his son Amitav Boiragi filed the case to Kalora Union Parishad on 2nd May 2013 seeking justice through Village Court. Amitav Boiragi, 20 years old, received orientation about village courts and its services through a youth workshop in his locality organized by Activating Village Courts in Bangladesh project. Following the Village Courts procedures, the hearing took place on 25th May 2013 in presence of full bench of five members and two witnesses. According to a unanimous decision (5:0), the Village Courts announced the decision and ordered Amorash Boiragi to remove all branches and leaves spreaded over the roof of the petitioner within seven days. Accordingly, Amorash cut down all trees on 27th May, 2013 and apologized to Subodh Boiragi.

Subodh Boiragi, later on, became the spokesperson of Village Courts following the resolution of his dispute. He became confident about the power and strength of village courts in offering equal justice to all being experienced from his own case despite of his poverty and disability. At the same time, the respondent Amorash Boiragi also, expressed his satisfaction, stated that, would the case have been filed in the higher court, he could be harassed more.



Enable justice institutions to be responsive to claims: Contribution of UP Chair in strengthen local government institutions

Md. Nurul Huda, Chairman of Mohinando Union Parishad under the Sadar Upazila of Kishoreganj district was elected for the first time in 1988. During that time he came to know about Village Court but couldn't activate it properly due his lack of capacity and orientation on the full legal procedures. In fact, prior to 2011, when he is elected as Chairman once again, he had only superficial idea and knowledge about village courts but wasn't confident to run as per the law because no capacity building supports were in place to orient him institutionally. Soon after elected in 2011, he found the Activating Village Courts in Bangladesh project is up and running in his union and offered series of capacity building and awareness raising interventions for the elected UP representations. Md. Nurul Huda felt fortunate finding all his engagement with the project activities that enlightened him in running the village courts confidently which he desired since long back. He became equipped with necessary know how to run village courts together with his elected fellow members and community peoples. Initially, due to space scarcity he was a bit upset as couldn't install Ejlaz (court bench) although the project was ready with financial support for the same. Therefore, being highly motivated with the positive spirit of village courts and its noble cause, he renovated his tin-shed tiny complex from UP fund spending Tk. 100,000 (USD 1294.50) for refurbishing and electrification with Tk. 14,000 (USD 181.23) which allowed required space to install Ejlaz. Besides all these financial contribution from the UP funds, Nurul Huda attended various events like Day observation, Rally, CBO meeting, Courtyard session, sharing workshop etc. to enhance mass awareness on legal rights and justice service delivered through Union Parishad. He widely shared the success cases of village courts in different meetings and forums which also helped motivating peoples coming towards to village courts.

Soon after getting orientation on Village Courts and taking the charge as UP Chair in 2011, Nurul Huda started running Village Courts efficiently. Till date, he has settled a total of 172 cases (60 are civil and 112 criminal cases) out of 212 cases. A total of 30 cases were compromised by the both parties and most of decisions made by village courts were implemented in due time. He received 9 cases from upper courts which are duly resolved following the Village Court Act 2006. Of those, one case was received from upper court after eight years but he resolved that one through village court procedure amicably within 28 days which is significantly exceptional in compared to many other UPs under the project areas. With his dynamic leadership and pro activeness, a total of 344 families are directly benefited and total BDT 206,845 (USD 2677.61) are recovered while 32.25 decimals land worth BDT 825,000 (USD 10679.61) are recovered and handed over to the respective petitioners through functional village courts operations. Nurul Huda takes decision in village court with due process referring VC Act 2006 and prepared order sheets by his own. The community expressed high satisfaction about the dynamism and sincerity of Nurul Huda in running the village courts as per the legal frame.

Following his commendable role in activating village courts, several visitors have visited Nurul Huda and his UP for learning further and replicating in their own cases. His successful roles and contributions on village court were telecasted in the national electronic media named RTV last year. Mr. Nurul Huda is a committed people's representative to continue his performance in enabling justice institutions for rural dwellers.



Razia received her savings back through Village Courts

The socio-economic condition of Razia Akter, 38 years old widow, is no different from any other widows in Bangladesh. Razia Akter lives in Durgapur village under Chandpur Union of Kotiadi Upazila, Kishoreganj district and earns her livelihood through micro scale home-based poultry. She also occasionally serves as domestic aid to others household to supplement her limited income base. Despite of her tiny monthly income she saved BDT 10,000 (USD 129.45) dreaming to fighting the poverty through something productive with the savings.

Once, in May 2009, on a verbal agreement and in presence of other villagers, Razia from her petty savings, lent BDT 8,000 (USD 103.55) to her neighbor Maleka Begum for meeting Maleka's emergency with a commitment of repaying the money within eight months. In response to Maleka's appeal, at the end of eight months, Razia extended the time with another six months. Since then, despite of Razia's repeated reminders, Maleka didn't respond with a single penny and around three years elapsed meanwhile. Being helpless Razia appealed to local *shalish* (informal mediation) in May 2012 which couldn't produce any fruit at all. All in a sudden, she met Ruhul Amin, one UP member who briefing Razia about village courts and its services encouraged her seeking remedy there. Accordingly, Razia lodged a complaint against Maleka Begum at Chandpur union parishad on 1st July 2012 and the Village Court Assistant recorded the application as a criminal case. The Village Court proceeded as per the procedure but the respondent Maleka Begum did not nominate anyone in the panel. However, the hearing of the case held on 22nd August 2012 where both parties attended and the hearing continued with only 3 panel members - petitioner's nominated two members and the Village Courts Chair- but the respondent did not raise any objection against complain. Finding the complaint justified the village courts announced a decision instructing Maleka Begum to repay the money within 30 days. Despite of Court's instruction for repaying BDT 8,000 (USD 103.55), considering Maleka's request and her financial vulnerability, the petitioner Razia waived BDT 2,000 (USD 25.88). Accordingly, the respondent paid BDT 6,000 (USD 77.67) back to the petitioner.

Receiving the money through village courts, Razia expressed her deep satisfaction in getting justice from village courts within very short time. She also opined that without Village Court she would not be able to recover the money and could not invest in her income generation. Nevertheless, she also felt village court service did not only help her in recovering the money but also helped in restoring the broken relationship with her neighbor Maleka Begum.



Joynal Bepary got justice by Village Courts

Joynal Bepary, 48 years old, son of Jotu Bepary, lives in Tenapocha village of Debogram Union under Goalanda Upazila of Rajbari District together with his family members. His family consists of his wife and two sons while his four daughters are living with their husbands separately. He possesses one acre of cultivable land where he produces rice and vegetable. Similar to many other poor rural dwellers Joynal works as day laborer in providing breads to his family members. His accumulated average monthly income was around BDT 7,000 (USD 90.61). The opponent of the case, Md. Shahadat Mollah (20), son of Bokker Mollah, lives in the same village and passed Higher Secondary Certificate examination from a local College. On 17 May 2013, Shahadat Mollah, while driving motorcycle, crushed Joynal's calf through a road accident and the calf died on the spot. Hence, Joynal Bepary and the adjacent villagers asked Shahadat to compensate worth BDT 15,000 (USD 194.181) on the spot but Shahadat refused. Given this circumstance, the local leaders organized a *Shalish* (informal mediation) to resolve the dispute on that evening but Shahadat simply denied again. However, Joynal learnt about Village Courts previously through courtyard meeting organized by 'Activating Village Courts in Bangladesh Project' in his village. Being unsuccessful twice in getting the compensation, Joynal filed a complaint about this matter to Debogram Union Parishad (UP) on 18th May 2013. Following all due procedures, the Chairman formed the Court on 22nd May 2013 and hearing took place on June 1, 2013. With the presence of full bench together with witnesses, the panel reached to a consensual decision (5:0) and ordered Shahadat Mollah to compensate Joynal Bepary with BDT 10,000 (USD 129.45) within 15 days. Shahadat Mollah was able to deposit BDT 5,000 (USD 64.72) by 20 June, 2013 and the rest BDT 5,000 (USD 64.72) on 1st July, 2013 which, as per decision of village court, was handed over to the applicant. After getting such a proper remedy Joynal was happy as he would be able to utilize the amount for brighter future of his family.



Pabitra Bala secured her belongings through Village Courts

Pabitra Bala, a typically poor widow in rural Bangladesh, lives in a small fenced house in the Debinagor village under the Nakole Union of Sreepur Upazila, Magura district. She belongs to very little assets like one bicycle, two rickshaw-vans and fishing net which barely supported her family in absence of husband since last 28 years. Although she lives with her two sons but due to physical disabilities they could not contribute to Pabitra Bala. Being the only bread-earner she had to struggle for three-member family. On 13th August 2012, her neighbor Subrata Kumar Mondol trespassed and stole Pabitra's fishing net, bicycle and rickshaw-vans. Although Pabitra was absent at that time but his disable son Nikhil witnessed the incidence but could do nothing. Pabitra, hearing the narratives from Nikhil, immediately rushed to Subarta Kumar and requested to return her belongings. Denying all the blame Subrata insulted Pabitra and threatened her.

Pabitra got scared and with broken heart fell into a great anxiety to recover her belongings. Despite of several neighbors' suggestion for going to *Salish* (informal mediation) or nearby police station she didn't dare. As a usual ill-fated widow, Pabitra Bala couldn't feel herself confident going either *Salish* (informal mediation) or Police Station. She feels little trust on *Salish* (informal mediation) as Subrata is influential which might not ensure impartial justice to her. Being poor she didn't feel confident to approach the Police Station either. Later on, she met one local UP member Mr. Sushanta Kumar Biswas and learning about village court services Pabitra Bala submitted a written complaint against Subarta Kumar Mondol in Nakole union parishad with BDT 2 court fee on 17th August 2012 claiming BDT 19,000 (USD 245.95) as compensation. Following the due procedure, the Village Courts session took the hearing on 29th August 2012 and openly declared its decision instructing Subrata Mondol to pay BDT 16,000 (USD 207.11) to the petitioner Pabitra Bala within 30 days. The respondent deposited BDT 16,000 (USD 207.11) within 04 days to Village Court for handing over to the applicant Pabitra Bala.

In expression, Pabitra Bala stated, it was almost impossible for her going to the police station for filing and running a case. Since the Village Court is at her doorstep, it became easier going there for seeking justice. She felt happy with the quick decision and its execution. In addition, Pabitra Bala secured attention from the UP chairman and other elected representatives while they enlisted her as a beneficiary of the government allowances under the scheme of Widow and Distressed Women Allowance Programme. Pabitra Bala now feels very happy and highly satisfied on village court service in relieving her sufferings. At the same time, the opponent Subrata Kumar Mondol also expressed his satisfaction and told, had the case been filed in the police station or higher court, he would have been harassed more.



Nurjahan Begum repaired her broken relationship with brother

Nurjahan Begum, wife of Motiar Rahman, is a housewife, lives in Muraripur village under Khafrikhal union of Mithapukur upazila, Rangpur district. She was passing a very hardship livelihood with limited income from her husband who is a Madrasa teacher. Apart from her husband's monthly earning BDT 8,000 (USD 103.56) Nurjahan's family belongs 10 decimal homestead lands and 25 decimal agricultural lands. This story is about realizing the money Nurjahan lent to her brother in his crisis.

Once Nurjahan Begum went to meet her brother Abul Hossain at the prison who was arrested by police against a case. Finding his sister at the jail gate, Abul Hossain requested Nurjahan to lend him BDT 5,000 (USD 64.72) committing to refund soon after his release from the jail. Upon returning home and with the consent of her husband, she arranged BDT 5,000 (USD 64.72) from others and gave to Abul. With the money Abul managed to process bail and got released on 5th February 2013. Later on Abul Hossain reconfirmed his commitment and sought some extended time from Nurjahan to repay the money. Despite of Nurjahan's continuous reminder in the last three month Abul neither put any attention nor communicated for any further time extension. Being upset Nurjahan went to Abul's house on 29th May, 2013 to renew her repayment request. Upon seeing Nurjahan at his house, Abul became aggravated, rebuked with abusive words and at one stage assaulted her. Being highly shocked and apparently disappointed by the non-responsiveness and cruelty of her brother, Nurjahan became dismayed. She started exploring options how to get money back and also reprisal of misbehavior of her brother. Meanwhile, she came to know about Village Courts from a local UP member Mst. Maksuma while sharing the matter. Being not fully sure about the procedures and expenses required for village courts process Nurjahan didn't feel much confident to file the case. However, knowing further details that it takes only two taka court fee in filing the case, Nurjahan finally decided to lodge the case to Village Court instead of police station or any other places.

Nurjahan Begum submitted application on 2nd June 2013 at Khafrikhal Union claiming a compensation worth BDT 25,000 (USD 323.62) which exaggerated the case including the money and her valuable ornaments missed at her brother's house. Following the procedure as per the law, the Village Courts had its hearing on 24th June 2013 and the panel reached to a consensual decision (in 5:0 vote) and asked the opponent paying BDT 5,000 (USD 64.72) to the applicant by 24th July 2013. The panel also warned the petitioner for fabricating the cases with heightened value incorporating ornament lose which wasn't correct. The respondent Abul prayed for extended time to the Village Courts and it was accepted as 20th September 2013. As per the VC decision, the respondent reimbursed BDT 5,000 (USD 64.72) on 18th September 2013 to the petitioner through village court. Following the decision, Nurjahan Begum expressed his deep satisfaction and apologized for fabricating the case which ultimately an amicable coexistence with her brother.



European Union



Empowered lives.
Resilient nations.

Activating Village Courts in Bangladesh Project

Local Government Division
Ministry of Local Government, Rural Development and Co-operation

2009-2014

Project Intervention Area





European Union

Activating Village Courts in Bangladesh Project **Local Government Division**

Ministry of Local Government, Rural Development and Cooperatives
Project Office

House 10, Road 110, Gulshan-2, Dhaka-1212, Bangladesh. Phone: +88 02 9889994, 9887602
Fax: 88 02 9886571, E-mail: info@villagecourts.org, Website: www.villagecourts.org



*Empowered lives.
Resilient nations.*