



# Baseline Survey Report on Village Courts in Bangladesh

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**Activating Village Courts in Bangladesh Project**

Local Government Division

Ministry of Local Government, Rural Development & Cooperatives  
Government of the People's Republic of Bangladesh



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'Activating Village Courts in Bangladesh Project' is being implemented by Local Government Division, Ministry of Local Government, Rural Development and Cooperatives, supported by UNDP Bangladesh and European Union (EU), which strives in strengthening the local justice system through activating Village Courts in selected 500 Union Parishads (UP) in Bangladesh.

## Baseline Survey Report on Village Courts in Bangladesh

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#### Activating Village Courts in Bangladesh Project

Local Government Division

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Government of the People's Republic of Bangladesh

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Local Government Division, Ministry of Local Government, Rural Development and Cooperatives hereby extends special gratitude to UNDP Bangladesh and European Union for their continuous technical and financial supports in finalizing this document through the project titled "Activating Village Courts in Bangladesh".



European Union



Bangladesh



## Message



### **Syed Ashraful Islam**

Minister

Ministry of Local Government, Rural Development and Cooperatives  
Government of the People's Republic of Bangladesh

I am delighted to know that the Activating Village Courts in Bangladesh Project of the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives is going to publish the Report on Baseline Survey on Village Courts in Bangladesh. Activating Village Courts in Bangladesh Project has been launched to ensure justice for grass root level people, particularly for women, children and disadvantaged groups by making the village courts functional and thereby improving the human rights situation in Bangladesh. The majority people live in the rural area of Bangladesh particularly women and children are marginalized and more vulnerable. In order to provide access to justice to these groups it is a *sine qua non* that the venue of village courts (VC) is being used effectively. Since 1919 the rural justice system has been administered through Union Council/Parishad in different names under different legal frameworks. But the jurisdiction of such courts was almost same in the past as it is now and such courts remained inactive all along like now. This is a land mark decision of the present democratic government to activate village courts initially in 500 UPs of Bangladesh. This Baseline Survey Report would be a bench mark for the project endeavour in making the village courts functional in all 500 Union Parishads of the intervention area.

The report identified the areas where specific attention should be given in order to activate the village courts. The nature of disputes usually arise in the rural area and usual mode of resolution of such disputes, the level of people's confidence on village courts, why people avail the venue of village courts and why they don't, the level of people's knowledge on village courts etc. issues have been explored and analyzed meticulously in the report.

I commend project officials in editing and publishing the report which would be beneficial to the policy makers, researchers, planners and development practitioners apart from the use of the report in the overall project activities. I also appreciate UNDP Bangladesh and European Union in providing technical and financial assistance to the project.

Syed Ashraful Islam



## Message

**Jahangir Kabir Nanok, M.P.**

State Minister

Ministry of Local Government, Rural Development & Cooperatives

Government of the People's Republic of Bangladesh



It's my pleasure to say a few words on the occasion of publication of the Report on the Baseline Survey on the Village Courts of Bangladesh by the Activating Village Courts in Bangladesh Project. The Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives has undertaken the project with the financial and technical assistance of the European Union and UNDP Bangladesh to strengthen local justice system in 500 Union Parishads in 77 Upazila, 17 Districts of 6 Divisions through village courts. It intends to improve access to justice for disadvantaged and marginalized groups and enhance human right system and process in Bangladesh.

We know our formal justice system is overburdened with pending cases. A statistics of the Supreme Court of Bangladesh revealed the fact that by the year end of 2008 total pending cases in all courts and tribunals were 1,834,965. Such a huge backlog of cases shattered the access to justice for common people substantially. In order to get rid of the situation activating village courts could be a very effective option.

Accordingly the present government with the benevolent leadership of **Hon'ble Prime Minister Jononetri, Deshratna Sheikh Hasina** has taken keen interest on this intervention as an important step to ensure human rights and access to justice for all towards achieving the Vision 2021. The village courts will also be equipped with ICT facilities so that it can be aligned with mission of establishing 'Digital Bangladesh'. The baseline survey report would play a very vital role in achieving the overall objectives of the project. This is a bench mark of the overall situation prevailing in the local justice system such as people's knowledge on village court, their confidence on village courts, why the venue of village court is neglected and how such courts can be activated.

One of the major specific objectives of the Activating Village Courts in Bangladesh project is to empower citizens to resolve their disputes at the local level in an expeditious, transparent and affordable manner. The baseline survey report revealed the fact about the nature of disputes spiraling in the rural area and the manner of disposal of such disputes, the efficacy of the village court and shalish and how people can be motivated in bringing their disputes to village courts to get relief expeditiously with a minimal affordable cost.

I must appreciate the project officials for preparing the report ready for publication. I hope such report would be very helpful for the researchers on local justice system, academicians, development partners as well the project itself. I must thank the EU and UNDP Bangladesh for extending their financial and technical assistance to this pilot project.

Joy Bangla, Joy Bangabandhu  
Bangladesh may live forever.



Jahangir Kabir Nanok, MP



## Message

**Manzur Hossain**

Secretary  
Local Govt. Division  
Ministry of Local Government  
Rural Development and Cooperatives  
Government of the People's Republic of Bangladesh

I am very pleased to learn that the Activating Village Courts in Bangladesh Project, being implemented by the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives, with the technical and financial assistance by European Union and UNDP Bangladesh is going to publish the baseline Survey Report on Village Courts in Bangladesh. This is the first report of its nature which would remain as a milestone in local justice sector in Bangladesh.

As a 5 year long (2009-2013) pilot intervention this project has been launched in five hundred union parishads under seventeen districts in seventy seven upazillas covering six divisions of the country. I believe this project will be expanded all over the country following its success and lessons in coming days with support from developments partners.

The Local Government Division, MoLGRD&C has undertaken this project as a crucial consideration to strengthen the overall union parishads in Bangladesh. It will eventually contribute to the empowerment of local government particularly at the grassroots level. This project will extend necessary supports and technical know how to bridge the gap for lessening people's sufferings and setting an example of delivering efficient local justice services to the rural poor through a strong and capable village courts system.

The baseline survey accumulates benchmark information of different aspects of access to justice and human rights situation in rural Bangladesh. The report covered five stages of the access to justice: Legal Protection, Legal Awareness, Legal Aid and Counsel, Adjudication, and Enforcement and Oversight.

Apart from using for this project and measuring pertinent indicators, I believe this report would have several other important benefits. I express my heartfelt thanks to UNDP Bangladesh and European Union for providing technical and financial assistance in implementing the project. I wish success of his project.



Manzur Hossain



## Message

**Syed Mahboob Hasan**

Additional Secretary, Local Government Division  
Ministry of Local Government, Rural Development and Cooperatives  
Government of the People's Republic of Bangladesh  
and  
National Project Director  
Activating Village Courts in Bangladesh Project

This is an immense pleasure for the Project BGD/07/007- Activating Village Courts in Bangladesh to publish the Baseline Survey Report on Village Courts in Bangladesh. At the very outset of the project it was a major task to perform. Baseline information is very crucial for every development intervention to learn the actual status prevailing in the project area as well as the country perspective. This survey on "Village Courts in Bangladesh" would be the land mark for the policy makers, researchers, think tanks, civil society, NGOs and other relevant stakeholders to use the baseline information for further study and design activity. The report particularly will be enormously beneficial for this project to undertake activities, fixing the milestone and indicators to be achieved and measuring the subsequent impacts.

The Local Government Division of Ministry of Local Government, Rural Development & Cooperatives is implementing this 5-year long (2009-2013) project with technical and financial supports from UNDP Bangladesh and European Union. The overall objective reveals strengthening local justice system in 500 Union Parishads through village courts.

The Union Courts were established at field level to deliver justice services at grass root level in 1919 which had limited power to deal with minor offences and civil disputes. The Conciliation Courts were established in 1961 and the Village Courts were established in 1976 in Bangladesh. Subsequently the Village Courts Act, 2006 was enacted with a significant amendment of enhanced pecuniary jurisdiction from Tk 5,000 to Tk. 25,000. Activating Village Courts in Bangladesh project is one of the major steps undertaken by the present democratic government to strengthen union parishads.

Both the qualitative and quantitative techniques are adopted for this survey. The report mentions only 23% people know about village courts while a very lower percentage of the respondents have clear knowledge about the jurisdiction of the courts.

I must pay regards to the honorable Secretary, Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives Mr. Manzur Hossain for his valued guidance in smooth functioning of the project activities. I also acknowledge the project team members' relentless supports and cooperation in improving the draft report incorporating necessary amendments for forming it publication-worthy. I am also thankful to UNDP Bangladesh and European Union for providing technical and financial assistance in this noble endeavour.

  
Syed Mahboob Hasan





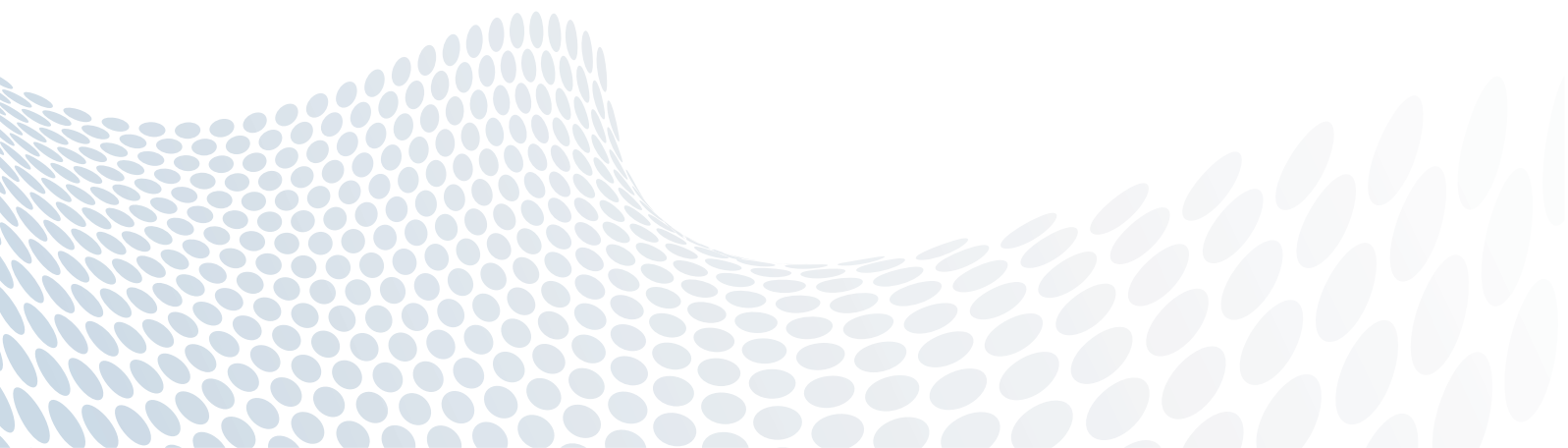
## Acknowledgements

The 'Baseline Survey Report on Village Courts in Bangladesh' has been prepared by the Local Government Division, Ministry of Local Government, Rural Development and Cooperatives with the financial and technical support of UNDP Bangladesh and European Union. The baseline report for the first time attempts in analyzing the village courts scenarios of Bangladesh brought out the salient features from all aspects of village courts in the country.

The survey has been conducted by the srg,b- a pioneer research firm and finalized through a highly participatory and consultative process along with incorporating the feedbacks, comments generated by the consultation with the stakeholders and experts inputs from UNDP Bangladesh and project concerns.

Mr. Jahangir Kabir Nanok, MP, the Honorable State Minister, Ministry of Local Government, Rural Development and Cooperatives and Mr. Stefan Priesner, Country Director, UNDP Bangladesh attended and delivered their thoughtful and guiding speeches on the national roundtable discussion on the draft baseline report which is a milestone for this study as the participants from different strata e.g. village court officials, judicial officers, academicians, members of civil society, police officers, NGO workers and gender specialist were very keen to provide their thoughtful and constructive ideas for further improvement of the report. The National Project Director of the Project and Additional Secretary of LGD, MoLGRD&C Mr. Syed Mahboob Hasan performed a commendable task by presenting the draft report in the roundtable discussion. The role of the Honorable Secretary of the Local Government Division Mr. Manzur Hossain should be recalled here for his overall guidance to accomplish the study.

We here also extend the humble gratitude to UNDP Bangladesh and European Union for their valued and continuous support in publishing this important document through the project titled 'Activating Village Courts in Bangladesh'.





## Abbreviations

ADR	Alternative Dispute Resolution
AJAG	Asho Jati Gori
ASA	Association for Social Advancement
CARE	Cooperative for Assistance and Relief Everywhere, Inc. USA
CBO	Community Based organizations
CCO	Conciliation Courts Ordinance
CS	Case Study
EC	European Commission
EU	European Union
F2F	Face to Face Interview
FGD	Focus Group Discussion
GD	General Dairy
GOB	Government of Bangladesh
ICT	Information & Communication Technology
IDI	In-Depth Interview
KII	Key Informant Interview
LGD	Local Government Division
MFLO	Muslim Family Laws Ordinance
MoLGRD&C	Ministry of Local Government, Rural Development and Co-operatives
NGO	Non Government Organization
NRTD	National Roundtable Discussion
PD	Process Documentation
RDRS	Rangpur Dinajpur Rural Services
SDO	Sub-Divisional Officer
SPSS	Statistical Packages for Social Science
UNDP	United Nations Development Program
UNO	Upazila Nirbahi Officer
UP	Union Parishad
UZ	Upazilla
VAW	Violence Against Women
VC	Village Court

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## Baseline Survey Report on Village Courts in Bangladesh Executive Summary

This publication is a knowledge product which will be used as a benchmark to assess the overall objectives and outputs of "Activating Village Courts in Bangladesh" project. The Activating Village Courts in Bangladesh Project seeks to provide support to the local justice system throughout Bangladesh, by reinvigorating and activating village courts in 500 selected Union Parishads (UP). It is implemented by the Local Government Division, Ministry of Local Government, Rural Development & Cooperatives. United Nations Development Programme (UNDP) extends both technical and financial cooperations while the European Union is providing major financial assistance with a contribution of Government of Bangladesh to the Project.

The Project's expected outcomes centre on improved access to justice, and enhanced human rights systems and processes in Bangladesh. The expected outputs are Village Courts in the selected UPs activated and functioning. The Project also intends to develop the capacity of Village Court members, elected representatives and support staffs. The Project will carry out a motivation program which will seek to sensitize all concerned on the role and functions of Village Courts and their positive impact on the overall justice system in Bangladesh. At the same time it will address the challenges to justice service delivery, particularly to marginalized and disadvantaged groups.

In order to achieve the above stated objectives of the Village Court Project, it is imperative to solidify dimensions and degrees of various activities of the Village Courts. To this end, various baseline scenarios were identified and assessed and this Baseline Survey was conducted in the November-December period of 2009. The survey utilized both quantitative and qualitative methodologies, including face-to-face interviews of 10,016 respondents at the household level, 22 Focus Group Discussions (FGD), 111 Key Informant Interviews (KII), 222 In Depth Interviews (IDI), 26 Case Studies (CS) and a National Roundtable Discussions (NRTD). In addition, 20 Process Documentations (PD) covering all the 6 Administrative divisions of Bangladesh were carried out.

This Baseline Survey report is divided into five sections. The salient features of the survey findings and the sections of the Report, useful for policy makers, are presented as follows:

**Section 1** is the background of the study and deals with the objectives of the study, the scope of work, and the conceptual framework, methodologies of the study, and response rates and limitations of the study.

The overall objective of the baseline survey is to accumulate baseline information of different aspects of the access to justice and human rights situation in rural Bangladesh. This survey will serve the project in the following way:

- (a) It will help to understand the state of access to justice and access to justice needs.
- (b) It will help to understand how much of these needs may be fulfilled by the Activating Village Courts Project.
- (c) It will help to assess the strengths and weaknesses of the legal framework for Village Courts in light of the access to justice needs of rural people, particularly the needs of disadvantaged and marginalized people.
- (d) It will help project management to understand and formulate the scope of work and activities that will achieve the project objectives; and
- (e) Finally, it will work as a benchmark to assess the impacts of the project at a later stage.

There are various conceptions of both the concept of 'access' and 'justice'. So, there are various conceptions of access to justice also. However, in this survey the UNDP accepted concept of access to justice is used. UNDP defines access to justice as follows:

*'The ability of the people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards'. However, when we speak about ensuring access to justice, we generally mean to access to a legal process that 'enables people to claim and obtain justice remedies, whenever conflicts of interests or particular grievances put their well-being at risk'.*

The key issues considered in the Baseline Survey are legal protection, legal awareness, legal aid and counsel, adjudication, enforcement and oversight and perceptions and attitude.

The conceptual framework of 'access to justice', is an umbrella concept which covers multiple issues and concerns related to the data collected in the baseline survey. The concept also helps to analyse what data is required to achieve the aims of the Project. In other word, it helps define the scope of work of the baseline survey.

To collect the data for the survey, both secondary and primary research methods were used covering literature review, and quantitative and qualitative methods, including questionnaire-based surveying through F2Fs, FGDs, CSs, PDs, IDIs, and KII.

Allowing for a 10% margin of error, the individual response rate was 90%. Due to misconceptions about Village Courts, a variety of inaccurate information was given by respondents which created problems when analysing much of the data regarding aspects of rural justice system.

**Section 2** looks at justice system in Bangladesh and contains a brief review of the judicial system of Bangladesh, a brief review of the rural justice system in Bangladesh, some historical background to the rural justice system in Bangladesh and scope for increasing access to the rural justice system.

The rural justice systems in Bangladesh are divided into two broad categories. One category comprises of State-led rural justice systems, and the other relates to non-state rural justice systems. The classification is based on the legal status of the justice forums. While there are specific bodies of law for State-led rural justice systems to follow, for non-state rural justice systems there are no such specific laws with which to comply. It is for this reason that non-state justice systems are also described as informal justice systems, following local customs, traditions or religious dicta, and often pass decision based more upon circumstance than legal doctrine.

The State-led rural justice system is the Village Court, constituted under the provisions of the Village Courts Act, 2006. The non-state justice system typically refers to the traditional, and quite ancient, justice system in Bangladesh called the 'Shalish' system. The recent practice of NGO-organised alternative dispute resolution (ADR), which began in Bangladesh a few years ago, also falls under the non-state rural justice system.

The Shalish is the oldest dispute resolution practice in rural Bangladesh. However, such a practice is not unique to Bangladesh only and is an ancient practice and prevalent throughout much of the world. This type of local informal dispute resolution system was the base for administering rural justice in the Indian subcontinent from the ancient times. Called by different names, these local rural justice systems' main characteristics were more or less same, that is, informal and localized. There were no State-led rural justice institutions in rural Bengal under the British Raj and in 1919, the Bengal Village Self Government Act was passed through which two rural justice institutions were established namely, the Union Bench and the Union Courts. The Union Bench was a local Government body like the present day Union Parishad and also functioned as a Union Court to deal with petty criminal and civil cases. The Sub-Divisional Officer (SDO) or District Magistrate was the controlling authority, responsible for imparting training to the adjudicating officials, and also for supervising and monitoring their performance. During the Pakistan period, two ordinances were promulgated, namely the Muslim Family Laws Ordinance, 1961 (MFLO) and the Conciliation Courts Ordinance, 1961 (Ordinance No. XLIV of 1961), among which later is now stands repealed. The Muslim Family Laws Ordinance made provisions for the constitution of the Arbitration Council, a dispute resolution body which works in both urban and rural areas deals with the matters related to family disputes as per the Ordinance. The Conciliation Courts Ordinance dealt with minor criminal offences and civil disputes.

After the independence of Bangladesh in 1971, the Government decided to continue with the systems of both the Arbitration Council and the Conciliation Court, but in 1976 repealed the Conciliation Courts Ordinance. It promulgated a new legislation named the Village Courts Ordinance, 1976 by which the Village Courts were established to deal with petty criminal and civil disputes in rural Bangladesh. In 2006, the Government repealed the Village Courts Ordinance, 1976 and the Parliament enacted new legislation called "The Village Courts Act, 2006" to deal with Village Court's affairs. This Act is now operational.

**Section 3** details the access to justice arrangements under the Village Court system, which include legal protection, adjudication and enforcement and oversight.

A Village Court can deal with both criminal cases and civil disputes. The Village Courts Act, 2006 contains a Schedule with two parts, which specifies the cases and disputes a Village Court can deal with. Criminal offences which can be tried by a Village Court are briefly as follows:

Under the provisions of the Penal Code, 1860.

1. Voluntarily causing hurt to any person which may also be on provocation
2. Mischief (causing damage to others property of any kind)
3. Criminal Trespass
4. Unlawful assembly and rioting
5. Affray (causing disturbance through force)
6. Wrongful restraint and/or confinement of person and property
7. Assault
8. Insult with intent to provoke breach of peace
9. Criminal intimidation
10. Act caused by inducing persons to believe that he will be rendered an object of the Divine pleasure
11. Wrong and gesture to insult modesty of women
12. Misconduct in public by drunken person
13. Theft- normal, of the master's property or in dwelling house
14. Dishonest misappropriation of property
15. Criminal breach of trust
16. Cheating

The above also includes attempts to commit or the abetment of the commission of the above offences.

Under the provisions of Cattle Trespass Act, 1871, anyone either obstructs, or forcefully releases cattle from custody (khoar); causing damage to harvest by pig; and negligence of the custodian of khoar.

The value of property or punishment must not exceed Taka 25,000.00.

The civil disputes that can be brought for settlement before a Village Court under the provisions of Part II of the Schedule are -

1. Suits for the recovery of money due on contracts, receipts or other documents.
2. Suits for the recovery of movable property, or for the value thereof.
3. Suits for the recovery of possession of immovable property within one year of dispossession.
4. Suits for compensation for wrongfully taking or damaging movable property.
5. Suits for damages by cattle trespass.
6. Suits for recovery of wages and compensation payable to an agricultural labourer.

The amount claimed, or the price of the moveable property or the value of the immovable property involved with the offence, should not exceed Tk 25,000. In this section, discussion centres on the filing of applications by an aggrieved party to the Union Parishad Chairman for constituting a Village Court; the procedure of the constitution of a Village Court; trial of cases by a Village Court; and decisions of the Village Court etc. The implementation or enforcement procedure of decisions of a Village Court, and the monitoring mechanisms of Village Courts are also discussed in this section.



**Section 4** deals with the present state of rural justice in Bangladesh and contains the findings of the qualitative and quantitative surveys.

A total of 10,016 respondents participated in the survey. Among these, 29% were from Dhaka Division, 27% from Rajshahi, 13% from Khulna, 11% from Barisal, 11% from Sylhet and 9% from Chittagong. Gender disaggregation was properly maintained during data collection.

### **Legal Protection and Awareness**

Regarding occurrences of common disputes and offences of the overall data, 47% respondents mentioned land related disputes, 44% thefts, 41% quarrel, 21% family conflict and 16% mentioned robbery as the major offences occurring locally. A decidedly smaller proportion nominated other offences, such as child marriage (3.3%), hijacking (5.4%), dowry (6.6%), drug business (3.5%), conflict between husband & wife (4.0%) and crops/cattle related conflict (1.6%). Similar kinds of offences as mentioned here are found across the divisions where the study has been conducted.

Rural public awareness about Village Courts was found to be very low, with only 23% knowing about VCs. This finding was also revealed in the qualitative survey, where not many people appear to be well aware of VCs and their functions. Although VAW does not directly fall under VC jurisdiction, it was mentioned by a substantial portion of respondents as the main case dealt with by VC. This would seem to indicate that there is a need for awareness-raising programs on VCs and their functions, so that people may better harness the benefits.

During the survey respondents who did not know about VCs were briefed, and then asked whether they would like a VC in their area. Encouragingly over 91% (n=7,667) respondents answered in favour.

Respondents already aware of VCs (n=2,349) were asked whether they had ever approached a VC to settle any dispute. Approximately 45% said 'yes' to this query and of these, 32% were 'Happy', and 33% were 'Very Happy' with the result.

Rural people perceived that fair justice and stringent administration would create a more congenial situation for enforcing VC decisions. Of the 8% (n=2349), who thought that VC decisions cannot be enforced, 36% blame 'unfair judgment', and 24% blame 'weak administration' as the root cause of failure to enforce VC decisions.

### **Adjudication**

Although a majority of those who approached VCs to settle disputes were found to be happy in quantitative survey. However, of the 30% who consider VC s to be 'active' in their UP, 74% recorded usually going to the VC to settle disputes. Out of such respondents, 31% (n=2,203) considered 'low cost'; 30% considered 'fair justice'; 24% considered 'easy to approach'; and 20% considered 'less time' as reasons why rural people usually go to VC for seeking justice.

### **Legal Aid and Counseling**

A very small percentage (19%) of the total respondents (n=10,016) confirmed about availability of legal aid services in their areas. But majority of respondents (66%) mentioned about absence of such services in their areas. Those who mentioned about the existence of legal aid service (n=1,904), mostly mentioned about BRAC (26%), UP representatives (21%), teachers/religious leaders (12%) are the main sources of legal aids.

Nearly half (42%) of the total respondents (n=10,016) think that people need legal aid and counseling to seek justice from VC. About 36% of them (n=4,191) consider legal help and supports needed for facilitating access to VC, 22% consider the need for awareness rising.

### **Enforcement and Oversight**

Majority of the respondents (78%) out of 2,349 think that VC is 'able to enforce its decisions'. But the respondents who say VC cannot enforce its decision, 36% think 'unfair judgment' and 24% think 'weak administrative capacity' do not allow VC decisions to be implemented. However, respondents extended their suggestions regarding ways to ensure enforcement of VC decisions. Among such suggestions noteworthy ones are 'fair judgment' (22%), (n=2,349) 'sensitize people' (9%), need 'every one's participation' (5%) and 'resist grouping and nepotism' (4%).



## Attitudes and Perceptions

The majority (80%) of survey respondents reported that they had never faced any incidence of disputes/conflicts in their personal life. However, out of 19% (n=1,885) who has faced incidences, 43% had faced land litigation, 17% had faced family conflict, 6% had faced disputes between couples, 7% had faced quarrels with neighbors, 4.4% had faced theft/robbery, and 5% had faced divorce/dowry problems. On the other hand only 45% (n=2,349) respondents approached VC for setting their disputes. But it is good to know that 74% of them are satisfied to have fair judgement. In this connection, 44% (n=2,349) of the respondents told that their relatives or known persons approached VC and around 82% of them claimed to have fair judgement from VC. Furthermore, 97% (n=2,349) respondents considered VC is useful. Also they mentioned 'speeding settlement within locality', 65% (n=2,268), 70% 'easily approachable' and 81% 'lesser cost' as reasons behind usefulness.

## Respondents' Suggestions for Improvement of VC

Most respondents believe that close and effective control and monitoring of VC activities must be ensured to make VC effective and acceptable to local rural people. This feeling is almost uniform across the divisions. Both service providers and recipients identified the desire for regular monitoring, supervision and reporting to strengthen VCs. 44% respondents wanted supervision and monitoring from the Government Level, and clearly suggest that administrative supervision could be done by the UNO. The Union Parishads have to interact with the Upazila level administration for different purposes which justifies the administrative supervision of the Village Courts by the UNO while the concerned judicial officers have been provided with the judicial supervision over the Village Courts by the Village Courts Act, 2006 itself and thus the claim of judicial supervision over the Village Courts is aptly justified (qualitative information).

Responding decision making process, 33% respondents suggested that decisions should be 'quick and proper', and 18% suggested for 'proper verification'.

The accountability of VC's is of great concern for most respondents. In every Division, respondents strongly emphasized the importance of 'accountability' of VCs. A still-higher number placed emphasis on 'proper investigation' of cases. Over 66% of respondents felt that VC decisions should be taken by a committee that includes female members of the community.

Several other good suggestions have also been put forth by the respondents. For example, educated people should be involved in VC activities, VC should be free from political influence, awareness and capacity building initiatives should be taken and most importantly pecuniary jurisdiction of VC should be enhanced.

## Key findings of the qualitative survey are presented below:

- UP Chairmen and Members have confused knowledge and understanding of the legal jurisdiction of VCs. As per The Village Courts Act, 2006, cases of VAW do not fall under the jurisdiction of Village Courts, yet the qualitative findings indicate that in many places 'violence against women' and 'dowry related subjugation' is being settled by Village Courts quite regularly.
- Most rural people still depend on informal 'Shalish' which is regulated by local "Matbar" (community leaders) and influential persons in the locality.
- Most respondents do not know about the actual composition of Village Courts, with many wrongly identifying 'Shalish' with Village Courts.
- Village Courts are being run without any budget, which according to their view, is a major constraint on the proper functioning of VC.
- Approximately 81% of UP Chairmen and Members noted that they don't get any honoraria or salary for working in VCs, and suggested that the provision for honorarium would work as incentive.
- There is no training program for the Union Parishad Chairman and Members for orientation on Village Courts.

- There is lack of proper monitoring of the activities of Village Courts.
- Gender 'discrimination' is prevalent in Village Courts, and the appeals of poor women are 'neglected'.
- UPs need human resources and logistics (computer, court room etc.) for proper Village Court functioning.
- Whatever programmes are designed for VC, sustainability must be considered. The survey found that some NGO-supported projects on Village Courts had stumbled following the withdrawal of their NGO support.

**Section 5** deals with recommendations and policy implications.

Most of the problems and challenges faced by Village Courts can be overcome through some strategic policy decisions. Based upon the Baseline Survey findings, the following are key recommendations, the implementation of which would increase the functioning and activation of Village Courts:

1. A comprehensive program aimed at developing the legal policy framework should be undertaken, which should be tasked with the responsibility of reviewing and reforming the entire Village Court system in the context of present needs of the rural population.
2. A program that strengthens Village Courts through capacity development of Village Court officials should be considered, focusing on imparting appropriate legal training and providing necessary logistical support. Special importance should be given to securing quasi formal rural judicial services for rural people in this way.
3. A well-coordinated monitoring and reporting mechanism for Village Court activities should be undertaken which would preferably be led by a panel of the experts who are highly knowledgeable of the legal system of Bangladesh, and who would work under the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives.
4. A well-planned and designed communication policy should be adopted to raise the awareness of the beneficiaries, relevant stakeholders, such as arbitrator, judgment solicitors, and social activists, on the proper functioning and activation of Village Courts.
5. A 'gender responsive policy planning' was identified as an important priority in the baseline survey report, and should be followed up.

Overall, the baseline survey suggests that it is only if people have accurate knowledge about the functions of Village Courts, its jurisdiction, and composition, will they be motivated to approach Village Courts to seek local level justice. Many areas remain unclear to rural people, including the financial jurisdiction of VCs, or VC formation. This Baseline Survey illustrates the lack of understanding and awareness on these and other issues, such as how a decision is made by a VC. Such survey findings underscore the importance of making people aware about how VC decisions are made, and how VCs operate in general. The survey results suggest that if such key issues are clear to the people, they will have confidence on VC.

The below table highlights the key findings of the baseline survey, and contains brief recommendations relating to these issues.

## Recommendations against Key Findings of the Survey

Key intervention Area		Key Findings	Recommendation
1.	<b>Legal Protection and Awareness</b>	<ul style="list-style-type: none"> <li>• Various offences/disputes, such as land disputes, theft, robbery, family conflict, dowry, VAW, child marriage, false cases, etc takes place.</li> <li>• Compensation awarding power of VC is very low compared with the prevailing price structure.</li> <li>• Rural people typically resolve disputes through 'Shalish'.</li> <li>• Public levels of awareness about VC is 'very poor'.</li> <li>• Even among those relatively well-aware, common knowledge about VC composition and jurisdiction are confused, and often mixed-up with understandings of 'Shalish'.</li> <li>• Even members of VCs (UP Chairmen/Members) display levels of knowledge about VC functions, composition and jurisdiction that are very low and confusing, and often mixed-up with 'Shalish'.</li> </ul>	<ul style="list-style-type: none"> <li>• The types of offences/disputes currently handled by VCs need to be extended with more pecuniary jurisdiction, and the power of awarding compensation .</li> <li>• Specific provisions for mediation/ ADR should be incorporated in the Village Courts Act, 2006 and the Village Courts Rules, 1976.</li> <li>• VC and its functions, composition, jurisdiction, etc should be made well-known to rural people through mass media, local leaders, NGOs and other social bodies.</li> <li>• Well written guidelines/manuals/ handbooks on VCs need to be developed in Bangla and distributed/circulated widely among UP officials, community leaders, NGOs and other social bodies.</li> <li>• Provision of training to UP officials, community leaders, NGOs and other social bodies' officials.</li> </ul>
2.	<b>Adjudication</b>	<ul style="list-style-type: none"> <li>• VC is not active in most areas.</li> <li>• Bias, nepotism, bribing, political influence, and misjudgment are identified as common impediments in most VCs which are active.</li> <li>• Conspiracy, bias and poor administration exist in the majority VCs which are active.</li> </ul>	<ul style="list-style-type: none"> <li>• To make VCs operational, people must be motivated to secure 'fairness &amp; transparency' in their functioning</li> <li>• Strong and regular Control &amp; Monitoring of the VC activities can solve this problem.</li> </ul>
3.	<b>Legal Aid &amp; Counseling</b>	<ul style="list-style-type: none"> <li>• Sources of legal aid and counseling are 'very poor and improper', with local elites, teachers, imams and political leaders generally acting as sources.</li> <li>• People feel strongly the need for 'legal aid &amp; counseling'.</li> <li>• The VC Act Bars a Lawyer Presence in a VC Proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>• Some specific agencies can be set for legal aid and awareness of the beneficiaries.</li> <li>• GO &amp; NGO bodies may be employed for such purpose.</li> <li>• Legal Aid should be given free of cost.</li> </ul>
4.	<b>Enforcement &amp; Oversight</b>	<ul style="list-style-type: none"> <li>• VC decisions, in some cases cannot be implemented due to multiple reasons, including non-cooperation from influential quarters and police.</li> <li>• Conspiracy, bias and poor administration widely exist.</li> <li>• No agencies/bodies regularly monitoring the activities of VCs.</li> </ul>	<ul style="list-style-type: none"> <li>• Proper &amp; fair judgment will ensure implementation of VC decisions.</li> <li>• Stringent administration can improve the situation.</li> <li>• A well-coordinated and strong M&amp;E system should be implemented.</li> </ul>
5	<b>Infrastructural, manpower and logistic facility</b>	<ul style="list-style-type: none"> <li>• There is no specific room for holding the trial of cases of a Village Court.</li> <li>• There is no assistant to maintain and update the record of VC.</li> </ul>	<ul style="list-style-type: none"> <li>• Each Union Parishad should have a separate court room for VC.</li> <li>• Each Union Parishad should have at least one court assistant.</li> </ul>

		<ul style="list-style-type: none"> <li>There is no IT facility for VCs.</li> </ul>	<ul style="list-style-type: none"> <li>Each UP should have at least one computer with internet facility for VC.</li> </ul>
6.	<b>Attitude &amp; Perception</b>	<ul style="list-style-type: none"> <li>Approach rate to VC is very poor</li> <li>Types of disputes within the jurisdiction of VC are unknown to many people.</li> <li>Gender discrimination widely prevailing.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate strategy for awareness building on VC should be undertaken.</li> <li>GO &amp; NGO bodies/activist can create awareness.</li> <li>Gender responsive policy planning essential to address gender discrimination.</li> </ul>

## Survey Findings at a Glance

Quantitative Survey Indicators			Percentage of Respondents (%)			Sample Size (n)
			Total	Male	Female	
Profile of the respondents						
1	Gender			49.6	50.4	10,016
2	Average Age		38 yrs	41 yrs	36 yrs	
3	Education	Somewhat or less than primary	39.6	35.9	43.3	
		Primary	18.5	16.7	20.2	
		Somewhat secondary	20.9	21	20.7	
		Secondary	10.8	13.2	8.4	
		Above secondary	8.6	11.8	5.4	
4	Profession	Housewife			75	10,016
		Cultivation/Farmer	21.4	41.6	1.4	
		Business	19.6	28.9	10.4	
		Student	4.0	4.3	3.7	
		Others	16.8	24.9	8.7	
Legal Protection and Awareness						
5	Disputes and Offences Occur Generally in Locality	Land dispute	46.9	51.5	42.4	10,016
		Stealing/theft	44.3	45.1	43.5	
		Fight with each other/Quarrel	41.0	39.8	42.2	
		Family conflict	21.0	20.4	21.6	
		Persecution of a women	17.8	17.5	18.1	
		Dowry	6.6	6.1	7.0	
6	Places for Shalish	Go to Village Leaders (Matbar, etc.)	77.6	76.8	78.3	7,667
		Go to UP Chairman/Member	68.5	70.2	67.2	
		Go to Local Political Leader	12.3	13.2	11.6	
		Go to School Teachers	9.7	10.2	9.4	
		Go to Religious Leaders (Imam, etc.)	7.7	7.9	7.6	
7	Got justice from Shalish	Yes	85.9	85.1	86.5	7,667
		No	11.3	12.2	10.6	
8	Know about Village Court		23.45	30.6	16.4	10,016
9	Don't know about Village Court		76.45	69.3	83.5	
10	Village Court Useful		91.5	90.8	92.2	7,667
11	Sources of Knowledge of VC	UP Chairman/Member	77.0	80.6	70.4	2,349
		Friends/Peers	25.7	26.2	24.8	
		TV	19.8	19.1	21.2	
		NGO	13.5	12.9	14.8	
		Radio	12.3	11.9	13.1	
Adjudication						
12	Village Court is Active		29.9	35.8	24.1	10,016
13	People usually go to Village Court	Yes	73.5	76.1	69.8	2,996
		No	22.1	20.1	24.9	

## Survey Findings at a Glance

Quantitative Survey Indicators			Percentage of Respondents (%)			Sample Size (n)
			Total	Male	Female	
14	Advantages of VC	Can get Justice at a low cost	30.7	31.7	29.0	2,203
		Can get fair Justice	30.3	29.8	31.1	
		Can solve easily	24.2	23.7	25.0	
		Need less time	20.0	20.0	20.0	
15	Why Don't go to VC	No fair justice ensured	43.2	40.8	46.1	662
		Lack of neutrality	15.4	13.1	9.2	
		Take bribe	11.3	9.5	7.6	
16	Ways to Make People Prefer to go to VC	Should ensure a fair justice	40.6	42.7	38.2	662
		Should take awareness building activities on VC	12.4	10.9	14.1	
		Need to avoid discrimination	10.7	12.3	8.9	
		Should be free from political influence	6.6	6.7	6.6	
17	Advantages of Formal Court	Fair Justice	29.6	31.8	27.5	10,016
		Prompt judgment	4.7	5.2	4.2	
		Less expensive	3.1	3.7	2.6	
18	Disadvantages of Formal Court	Need excessive money	24.6	27.3	21.9	10,016
		Need excess time	13.6	15.5	11.7	
		Face unnecessary hassle	7.3	7.8	6.8	
19	Advantages of Informal Court	Getting swift justice	31.7	31.8	31.6	10,016
		Less expensive	26.1	27.2	25.0	
		Fair judgment take place	16.3	16.2	16.3	
20	Disadvantages of Informal Court	Proper judgment not taking place	24.6	23.6	25.5	10,016
		Lack of neutrality	23.2	24.0	22.3	
		Misuse of power	17.3	17.8	16.7	
		Arbitrators are taking bribe	14.4	14.4	14.4	
Legal Aid and Counseling						
21	Person/Organization providing Legal Aid	No	66.2	65.6	66.7	10,016
		Yes	19	21.5	16.6	
22	Names of person/organization providing Legal Aid	BRAC	26.2	26.3	25.9	
		Chairman/Member	20.8	20.7	20.9	
		Teacher/ Imam	12.2	12.2	12.2	
Enforcement and Oversight						
23	Needs for VC to Enforce Decision	Should ensure proper judgment	22.3	23.1	20.8	2,349
		Sensitize the people about village court	9.0	9.1	8.7	
		Should accept the verdict/judgment	6.0	5.3	7.3	
		Elect honest people as Chairmen & Members	5.1	4.8	5.7	
		Need everybody's participation	4.9	4.8	5.0	
Attitudes and Perception						
24	Crime Faced: Personally	No	80.0	76.5	83.5	10,016
		Yes	18.8	22.4	15.3	
25	Approached a VC		45.0	46.4	41.8	2,349
26	Reasons for Fair Decisions from VC	Got fair judgment	52.5	50.4	58.0	12.0
		Cooperation from Chairman	20.1	23.3	17.9	
		Recovering damage	9.5	10.1	8.0	
27	Feeling about Getting Justice at VC	Very Happy	33.5	33.3	33.6	251
		Happy	31.9	31.7	32.4	
		Unhappy	13.5	14.4	11.3	
		Very Unhappy	2.4	1.7	4.2	

## Survey Findings at a Glance

Quantitative Survey Indicators			Percentage of Respondents (%)			Sample Size (n)
			Total	Male	Female	
28	Usefulness of VC	Yes	96.6	97.4	94.9	2,349
29	Reasons (Usefulness)	Less expensive	81.1	82.3	78.7	2,268
		Easily approachable	69.9	70.7	68.3	
		Speedy settlement of cases	64.9	66.6	61.7	
		Less formal	30.6	32.0	28.0	
		Brings social pace and harmony	22.5	21.9	23.7	
Suggestions for improvement of VC						
30	Offenses/Disputes to be Handled	Stealing/Thefts	46.0	44.4	48.9	2,349
		Quarrelling	39.1	37.1	42.7	
		Land related conflict	33.5	34.7	31.3	
		Violence against women (VAW)	26.0	24.6	28.5	
		Robbery	16.6	16.0	17.7	
31	Decision Making Process	Quick and proper decision should be taken	32.6	31.5	34.7	2,349
		All concern’s opinion should be taken in to account	23.9	25.3	21.4	
		Decision should be taken through investigation	18.1	18.9	16.6	
32	Controlling and Monitoring of VC Activities	Monitoring should be made timely by Chairman	6.0	5.9	6.2	2,349
		UNO/TNO should monitor the VC activities	44.3	45.6	41.7	
		VC activities should be monitored by a neutral person	7.7	8.1	7.0	
33	Accountability	Need proper accountability	54.8	56.1	52.5	2,349
		To the administration	11.7	11.5	12.0	
		To the neutral person	3.4	3.2	3.6	
34	Investigation of Cases	Investigation should be in proper way	51.4	52	50.3	2,349
		Chairman should be neutral	1.7	1.5	2.2	
		Should investigate the root causes	1.5	1.4	1.7	
35	Gender Dimension	Male-Female consensus should be maintained/should be gender balance	65.9	65.2	67.1	2,349
36	Others (suggestion)	Awareness regarding the VC should be made	2.4	2.6	2.2	2,349
		Educated people should be appointed in the VC	1.5	1.7	1.2	

# Baseline Survey on Village Courts in Bangladesh

## 1.0 Background of the Study

### 1.1 Introduction

The Local Government Division (LGD), Ministry of Local Government, Rural Development and Cooperatives, Govt. of Bangladesh, UNDP and the European Commission jointly have undertaken a project titled '**Activating Village Courts in Bangladesh**' with the goal to improve access to justice for disadvantaged and marginalized groups and enhance human rights systems and processes in rural Bangladesh. It intends to achieve this goal through strengthening local justice system by activating the Village Courts in 500 selected Union Parishads. It also intends to develop the capacity of the village court members, elected representatives and support staffs. Motivation program will be carried out in order to sensitize all concerned, on the role and functions of village courts and their benefits on the overall justice system.

The Village Courts are semi formal courts to be administered by the Union Parishads and to be constituted under the legal framework named The Village Courts Act of 2006. The Key objectives of the project are to empower women, the poor and disadvantaged groups to seek remedies for injustices, and to enable justice institutions to be responsive to claims; to promote and protect human rights security through a human rights-based approach to development in programming and delivery; to empower citizens to resolve their disputes at the local level in an expeditious, transparent and affordable manner; and to strengthen local government institutions to be responsive to local needs and offer appropriate legal service through well functioning of Village Courts.

The objective of this baseline survey on the Village Courts is to create a benchmark to assess the possible scope for and impacts of the project in Bangladesh. This baseline survey on the Village Courts was assigned to and conducted by SRG Bangladesh (SRGB), a leading research and consulting firm of Bangladesh with technical support from UNDP Bangladesh. This report provides the survey results accompanied by analysis of the findings.

### 1.2 Objective of the Study

The overall objective of the baseline survey is to accumulate baseline information of different aspects of access to justice and human rights situation in rural Bangladesh. This survey will serve the project in the following way:

- (a) This will help understand the state of access to justice and the access to justice needs.
- (b) This will help understand how much of the needs can be fulfilled by activating the Village Courts.
- (c) This will help assess the strengths and weaknesses of the legal framework for the Village Courts in light of the access to justice needs of the rural people, particularly needs of the disadvantaged and marginalized people.
- (d) This will help the project management to understand and formulate the scope of work and activities to achieve its objectives; and
- (e) Finally, this will create benchmark information to facilitate proper monitoring & evaluation.

### 1.3 Scope of Work

In view of the objectives of the baseline survey, following are the different issues and concerns that this baseline survey had considered.



## **Legal Protection**

- Types of offences and disputes occur in rural levels
- Types of justice systems to deal with the disputes and offences
- The advantages and disadvantages of those variety of justice forums
- The historical background of all those different types of rural justice forums
- The offences and disputes that a Village Court can deal with under the existing legal framework
- how much legal protection a Village Court can provide
- legal protection from gender perspective

## **Legal Awareness**

- The level of awareness of the people and justice provider as to the extent of legal protection in the Village Courts and in other justice forums
- Level of knowledge about the different legal and operational aspects of the Village Courts
- The ways and means of their knowledge and awareness.

## **Legal Aid and Counsel**

- Whether there is any arrangement for legal aid and counsel for the victims in the rural areas
- The people or organizations or institution, if any, to provide legal aid and counsel.
- Whether people need legal aid and counsel to deal with the cases in the Village Court (only applicable where the Village Courts are active).

## **Adjudication**

- The adjudication process, that is, strength and weakness of the legal provision relating to the composition, decision making process, appeal against a decision, financial jurisdiction, type of crime/disputes it can handle, etc.
- The operational aspects such as (i) human resources, such as Village Court's adjudicators and support staff; and (ii) material resources such as supply of legal information and stationary; salary and honorariums for the Village Court's judges and officials, training for technical and legal skills.
- The institutional capacity and confidence level of the Union Parishad to deal with Village Courts

## **Enforcement and Oversight**

- The existing enforcement and oversight mechanisms for informal justice systems
- The existing enforcement and oversight mechanisms for Village Courts system
- The strengths and weakness of the enforcement and oversight mechanisms for both informal and Village Court system.

## **Perceptions and Attitude**

- Personal experiences of the people to deal with any formal and informal justice bodies
- Personal experience of the adjudicators in informal forums and the Village Courts
- The level of satisfaction of the clients and the status of victims in terms of access to justice in the Village Courts.

## **1.4 Conceptual Framework**

This section discusses the conceptual framework of 'access to justice' as it is an umbrella concept which covers all the issues and concerns related to which the baseline survey collected data. It also helps analyses what data are needed to achieve the aims of the baseline survey. In other word, it helps define the scope of work of the baseline survey.

There are various conceptions of both the concept of 'access' and 'justice'. So, there are various conceptions of access to justice also. However, in this survey we will use that concept of access to justice that is given by UNDP. UNDP defines access to justice as follows:

'The ability of the people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards'. However, when we speak about ensuring access to justice, we generally mean to access to a legal process that 'enables people to claim and obtain justice remedies, whenever conflicts of interests or particular grievances put their well-being at risk'.

Access to justice is also seen as a process. The access to justice process can be divided into different stages, starting from the moment a grievance occurs or a dispute arises to the moment the grievance is redressed or the dispute is settled or resolved. These different stages involve a variety of strengths or capacities the people needs as a justice seeker and the system as justice provider. The UNDP has divided the process into five stages. For UNDP, these five stages mean five different areas of access to justice where UNDP provides its support to improve the process. For collecting data on access to justice in rural areas, this survey also used the **UNDP's Access to Justice Framework** and collected data from those five stages. Those five stages of the access to justice process are:

1. Legal Protection
2. Legal Awareness
3. Legal Aid and Counsel
4. Adjudication
5. Enforcement and Oversight

UNDP describes these five areas of access to justice as follows:

### **Legal Protection**

Legal protection means the provision of legal standing in formal or in traditional law, or both. It ensures that people's rights are recognized within the scope of justice systems, thus giving entitlement to remedies either through formal or traditional mechanisms. Legal protection determines the legal basis for all other stages in the access to the justice process. Legal protection can be enhanced through: (a) treaty ratification and implementation in domestic law, (b) constitutional law, (c) national legislation, (d) implementing rules, regulations and administrative orders, and (e) traditional and customary law.

The key actors in different level in the process of legal protection are the parliament, ministries of foreign affairs, ministries of law and justice, national human rights commissions, law reform/legislative commissions, legal drafting cells of relevant ministries, local officials involved in legal drafting, judges, particularly of courts whose decisions are binding on lower courts or, under the law, are able to influence courts in other jurisdictions, traditional councils, community leaders (chiefs, religious leaders), and the civil society organizations.

### **Legal Awareness**

Legal awareness refers to the degree of people's knowledge of the possibility of seeking redress through the justice system, whom to demand it from, and how to start a formal or traditional justice process.

The key actors in the field of legal awareness are the ministry of justice, ministry of education, national human rights institutions, legal aid providers, quasi-judicial bodies (human rights, anti-corruption and electoral commissions), local government bodies, non-governmental organizations (NGOs).

### **Legal Aid and Counsel**

Legal aid and counsel includes capacities (from technical expertise to representation) that people need to initiate and pursue justice procedures. Legal aid and counsel can involve professional lawyers (such as in the case of public defence systems and pro bono layering), laypersons with legal knowledge, who are often members of the community they serve (paralegals) or both.

The key actors in this area are the ministries of justice and state-funded legal aid programmes, public attorneys, bar associations, court system (e.g. to deal with court fees), police and the prison system, local governments, non-governmental organizations (NGOs), law clinics (often linked to university faculties of law).

### **Adjudication**

Adjudication describes the process of determining the most adequate type of redress or compensation. Means of adjudication can be regulated by formal law, as in the case of courts and other quasi-judicial and administrative bodies, or by traditional legal systems. The process of adjudication includes a series of stages such as (i) investigation, (ii) prosecution, and (iii) decision.

The key actors here are the courts, the prosecution, national human rights institutions, alternative dispute resolution (ADR) mechanisms attached to the court system, or to administrative bodies, and traditional ADR mechanisms.

## **Enforcement and Oversight**

Enforcement relates to the implementation of orders, decisions, and settlements emerging from formal or traditional adjudication. Enforcement systems are keys to ensure accountability and minimize impunity, thus preventing further injustices. The key actors in this area are the prosecution, formal institutions of police and prisons, administrative enforcement system, and traditional systems of enforcement.

Oversight includes watchdog and monitoring functions that ensure overall accountability within the systems. The key actors are the oversight bodies in the system, NGOs working on monitoring and advocacy, media, parliamentary select and permanent committees.

### **1.5 Methodology of the Study**

For collection of data for the survey both secondary and primary research methods had been used including literature review, quantitative and qualitative methods, which include Questionnaire based survey (F2F), Focus Group Discussion (FGD), National Roundtable Discussion (NRTD) Case Study (CS), Process Documentation (PD), In-depth Interview (IDI), and Key Informant Interview (KII).

The achieved sample sizes were as follows.

1. Questionnaire (F2F): 10,016 (5,008 HH)
2. Focus Group Discussion (FGD): 22
3. National Roundtable Discussion (NRTD): 1
4. Case Study (CS): 26
5. Process Documentation (PD): 20
6. In-depth Interview (IDI): 222
7. Key Informant Interview (KII): 111

The detailed approach and Methodology and Methods Report placed in Annex IV & V respectively.

### **1.6 Non-Response**

In any social survey two types of non-response may occur, namely, individual non-response and item non-response. For the present survey the former is much less compared to the later. Over 99% individual non-responses could be attained. However, item non-responses have occurred on few issues due to refusal. With such coverage we can be sure about 5.02% margin of error at 95% confidence level. Detail calculation of non-response rate may be seen in Methods Report at Annex V.

### **1.7 Limitations of the Study**

It is difficult to make such an extensive study within such a span of time. Along with the methodologies used in this survey, observation of the Village Courts' proceeding, an ethnographic research method, could be very useful for extracting more accurate and gross field data on the functioning of the Village Courts and the state of access to justice through the courts. But the method of 'observation of the Village Court proceedings' is time consuming, which would require of observation of a some specific Village Courts throughout the country. Hence, this method could not be used in this survey. Of course, the qualitative methods, namely the FGDs, Case Studies, and the Process Documentation, have brought out huge insights about the Village Courts and rural justice system. But because of the lack of awareness, the common people as well as the Union Parishad functionaries have given such information that might seem apparently contradictory, but a close analysis would make things clear. For example, many village people used the 'Village Courts' and 'Union Parishad-led Shalish' interchangeably. This created problems to analyse much of the data regarding various aspects of rural justice system. However, these things have been discussed in the analysis of the Case Studies and Process documentation. 20 out of 26 Case Studies and process documentation are outlined in this report.

## 2.0 Justice Systems in Bangladesh - Historical Background

### 2.1 Bangladesh Judicial System: A Brief Overview

The Judiciary of Bangladesh comprises the Supreme Court, the Subordinate Courts and the Administrative Tribunals constituted under the provisions of the Constitution. The courts are constituted under the provisions of Part VI of the Constitution.

#### Supreme Court

The Supreme Court is the highest judicial institution of Bangladesh, which is comprised of two divisions, namely, the Appellate Division and the High Court Division. The Supreme Court consists of the Chief Justice, known as the 'Chief Justice of Bangladesh', and of such number of other judges as the President thinks necessary to appoint in each division.

The Appellate Division has various jurisdictions and functions. Among other functions, it hears and determines appeals from judgments, decrees, orders or sentences of the High Court Division. It has power to review any judgment pronounced or order made by it.

The High Court Division hears appeal against the judgment and orders of the subordinate courts. It has some original jurisdictions, which are constitutional matters, company matters, contempt of the court, admiralty matters, appeals from the subordinate judiciary, review and revision.

A decision of either division of the Supreme Court has the force of law and it is binding on all courts subordinate to it. Similarly the decision of the Appellate Division is binding on the High Court Division. Decision of the Appellate Division is final on any matter and there is no other forum to sit over it.

#### Subordinate Courts

The subordinate courts can be divided into two broad categories: civil courts and criminal courts. There are five classes of civil courts, namely, (a) the Court of the District Judge; (b) the Court of the Additional District Judge; (c) the Court of the Joint District Judge; (d) the Court of the Senior Assistant Judge; and (e) the Court of the Assistant Judge. The Court of the District Judge exists at the top of the subordinate civil courts. District Judges are helped by such number of Additional District Judges as are sanctioned by the government in accordance with workload of a district. Immediate below the Court of District Judge is the Court of the Joint District Judge. Then there are Senior Assistant Judges who exercise higher pecuniary jurisdiction. In the lowest ebb is the Court of Assistant Judge.

The jurisdiction of a District Judge or Joint District Judge extends, subject to the provisions of section 15 of the Code of Civil Procedure, 1908 to all original suits cognizable by Civil Courts. The jurisdiction of a Senior Assistant Judge and an Assistant Judge extends to all suits of which the value does not exceed four lac Taka and two lac Taka respectively.

An appeal from a decree or order of a District Judge or Additional District Judge lies to the High Court Division. However, an appeal shall not lie to the High Court Division from a decree or order of an Additional District Judge in any case in which, if the decree or order had been made by the District Judge, an appeal would not lie to that Court.

An appeal from a decree or order of a Joint District Judge lies to the District Judge where the value of the original suit in which or in any proceeding arising out of which the decree or order was made did not exceed five lac Taka and to the High Court Division in any other case. An appeal from a decree or order of a Senior Assistant Judge or an Assistant Judge lies to the District Judge.

Every suit is valued in terms of money having regard to its subject matter and the relief claimed according to the provisions of the law called Suits Valuation Act of 1887.

The subordinate criminal courts are mainly the creation of the Code of Criminal Procedure, 1898 (the Code). According to the Code basically there are two classes of Criminal Courts in Bangladesh, namely, (a) Courts of Sessions; and (b) Courts of Magistrates. Again there are two classes of Magistrate, namely, (a) Judicial Magistrate and (b) Executive Magistrate.

There are four classes of judicial Magistrate, namely, (a) Chief Metropolitan Magistrate in Metropolitan Area and Chief judicial Magistrate to other areas; (b) Magistrate of the first class, who shall in Metropolitan Area, is known as Metropolitan Magistrate; (c) Magistrate of the second class; and (d) Magistrate of the third class.

### **Court of Session**

There is a Court of Session for every session division, the Metropolitan Court of Session for each metropolitan area. There may be Additional Sessions Judges and Joint Sessions Judges to exercise jurisdiction in one or more such Courts.

### **Executive Magistrate**

In every district and in every Metropolitan Area, the Government shall appoint as many persons as it thinks fit to be Executive Magistrates and shall appoint one of them to be the District Magistrate. The Government may also appoint any Executive Magistrate to be an Additional District Magistrate, and such Additional District Magistrate shall have all or any of the powers of a District Magistrate under this Code or under any other law for the time being in force, as the Government may direct.

### **Judicial Magistrate**

In every district outside a Metropolitan Area, there may be the Chief Judicial Magistrates, Additional Chief Judicial Magistrate and other Judicial Magistrates. An Additional Chief Judicial Magistrate shall have all or any of the powers of the Chief Judicial Magistrate under this Code or any other law for the time being in force, as the Government may direct.

### **Subordination of Magistrates and Benches to District Magistrate**

All Executive Magistrates are subordinate to the District Magistrate who may, from time to time, give special order consistent with the Code of Criminal Procedure, 1898 as to the distribution of business among such Magistrates.

All Judicial Magistrates are subordinate to the Chief Judicial Magistrate who may, from time to time give special orders consistent with the Code and rules made by the Government under section 16 of the Code as to the distribution of business among Magistrates.

All Metropolitan Magistrates including Additional Chief Metropolitan Magistrate, and Special Metropolitan Magistrate appointed under section 12 (5) of the Code and Benches constituted under section 19, shall be subordinate to the chief Metropolitan Magistrate, who may, from time to time, give special orders consistent with the Code and rules made by the Government under section 16 as to the distribution of business among such Magistrates and Benches.

All Judicial Magistrates including the Chief Judicial Magistrate shall be subordinate to the Sessions Judge and all Metropolitan Magistrates including the Chief Metropolitan Magistrate shall be subordinate to the Metropolitan Sessions Judge.

### **Subordination of Joint Sessions Judges**

All Joint Sessions Judges shall be subordinate to the Sessions Judge in whose Court they exercise jurisdiction, and the Sessions Judge may, from time to time, make rules or give special orders consistent with the Code as to the distribution of business among such joint Sessions Judges.

The Sessions Judge may also, when he himself is unavoidably absent or incapable of acting, make provision for the disposal of any urgent application by an Additional or Joint Sessions Judge and such Judge shall have jurisdiction to deal with any such application

Moreover, there are some special courts in Bangladesh, such as the Family Courts, the Artha Rin Adalat, Labour Courts, Court of Settlement, Nari-O-Shishu Nirjaton Domon Tribunal, etc. These are the creation of various special statues. Usually the judges of the above mentioned civil and criminal courts are appointed to run these special courts and tribunals. For example, the Assistant Judges are appointed to run the Family Courts and the District and Sessions judges are appointed to run the Nari-O-Shishu Nirjaton Domon Tribunals (Repression on Women and Children Prevention Tribunal).



## **Administrative Tribunals**

The Constitution of Bangladesh provides for the establishment of the Administrative Tribunals to deal with the terms and conditions of persons in the service of the Republic. The Administrative Tribunals Act, 1980 deals with the establishment and functions of the tribunals including the Appellate Tribunals.

The flow chart in the following page portrays the judicial structure in Bangladesh in brief.

## **2.2 Rural Justice System in Bangladesh**

The rural justice systems in Bangladesh are divided into two broad categories. A category comprises the State-led rural justice system and the other non-state rural justice system. The classification is based on the legal status of the justice forums. There are specific bodies of law for the State-led rural justice system to follow. But for the non-state rural justice system there is no such specific law to comply with. That is why the non-state justice system is also described as informal justice system. Such informal justice system may follow local customs, traditions or religious dicta, or may decide upon the circumstances.

The State-led rural justice system is the Village Court constituted under the provisions of the Village Court Act, 2006. The non-state justice system commonly refers to the traditional justice system in Bangladesh called 'Shalish' system, which is quite ancient. The recent practice of NGO-organised ADR, which has started in Bangladesh few years ago, also falls under the non-state rural justice system.

### **2.2.1 State-led Rural Justice System**

The State-led rural justice system namely the Village Court is quasi-judicial or quasi-informal in nature. The Village Courts are constituted under the provisions of the Village Courts Act of 2006. A Village Court has jurisdictions to try specific nature of disputes either civil, or criminal.

The State-led rural justice system is legally required to follow less formal procedure for adjudication of disputes. There are some formalities like filing application for constitution of VC, application fees and case registration, notice to the parties for nomination of members of the VC, issuance of summons, recording decision, and implementation of the decision.

Village Courts function under the institutional control of the Union Parishads. A Union Parishad (Council) is the lowest tier local government's administrative body constituted through direct franchise of the people of the Union. Union is territorial limit whilst its administrative body is called the Union Parishad. Local Government (Union Parishads) Act, 2009 is the basic statute through which the administrative and others functions of a Union is governed. There are about 4,500 Unions in Bangladesh. A Union comprises of ten to twelve villages on an average.

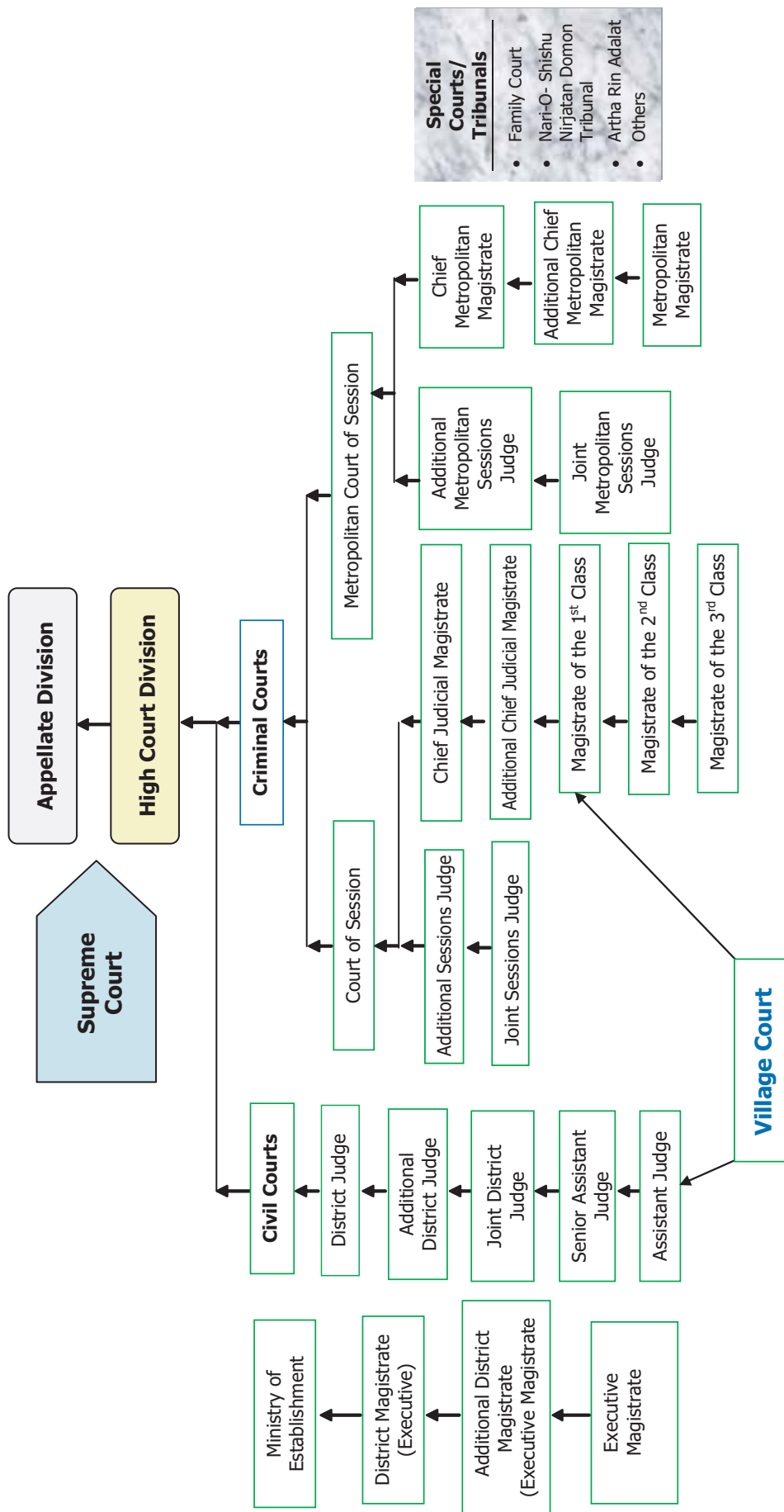
As a local government administrative unit, a Union Parishad has numerous duties and responsibilities. The Act has clearly specified 39 functions which include civic functions, police and defence functions, revenue and general administrative functions, and development functions. These are laid down in the Local Government (Union Parishads) Act, 2009, the basic legal framework for the Union Parishads. Along with all these functions, the Union Parishads have been entrusted with the responsibilities to run the Village Courts by the Village Courts Act, 2006.

### **2.2.2 Non-state Rural Justice System**

Among the non-State rural justice systems, the Shalish system is dominant and overwhelming. It is a completely informal mechanism. It is basically a practice of gathering village elders and concerned parties to settle any local or family disputes. The people who conduct Shalish proceedings are called Shalishkar (adjudicator). In most cases the Shalishkars are male. A Shalishkar may be selected because of his seniority, experience, wisdom, or because of his economic, religious or political status.

A Shalish has no fixed dimension and its size and structure depend entirely on the nature and gravity of the problem at hand. Usually a Shalish takes place in a crowded school room, in the union Parishad premises, in the yards of the Members or Chairman of the local Union Parishad, or other local elites, or in other public spaces. The number of participants and observers may range from a few dozen to well over one hundred.

# Judicial Structure in Bangladesh





## Judicial Scenario of Bangladesh

Statistics on the Institution and Disposal of Cases in the Appellate Division of the Supreme Court during the Year of 2007 (Consolidated)

Number of cases Pending from last Year 1	Number of cases instituted during the Year 2	Total (columns 1+2) 3	Disposed of 4	Pending for disposal 5
9124	4093	13217	4220	8997

Source: Annual Report on The Judiciary, 2007, Supreme Court of Bangladesh

Statistics on the Institution and Disposal of Cases in the High Court Division of the Supreme Court during the Year of 2007 (Consolidated= Civil, Writ, Original and Criminal)

Number of cases Pending 1	Number of cases instituted during the Year 2	Total Restored Cases 3	Total (columns 1+2) 4	Total Disposal of cases 5	Total Pending at he end of the year [Column 4-5]
240483	47061	494	288038	25689	262349

Source: Annual Report on the Judiciary, 2007 Supreme court of Bangladesh

Statistics on the Institution and Disposal of Civil Cases in the District Courts during the Years of 2002-2006

Year 1	Number of cases pending at the beginning of the year 2	Number of cases instituted during the year 3	Total (column 4=2+3) 4	Disposed 5	Transferred 6	Pending at the end of the year [7=4-(5+6)] 7
2002	440541	171750	61229	159570	32401	420320
2003	420320	167187	587507	150100	38354	399053
2004	399053	171231	570284	151247	4254	414783
2005	414783	183825	598608	158255	2257	438096
2006	438096	178963	617059	148563	1805	466691

Source: Annual Report on the Judiciary, 2007, Supreme Court of Bangladesh

Statistics on the Institution and Disposal of Criminal Cases in the Sessions Courts during the Years 2002-2006

Year 1	Number of cases pending at the beginning of the year 2	Number of cases instituted during the year 3	Total (column 4=2+3) 4	Disposed 5	Transferred 6	Pending at the end of the year [7=4-(5+6)] 7
2002	108527	110451	218978	87860	10854	120264
2003	120264	126320	246584	90217	11369	144998
2004	144998	120658	265656	99453	7517	158686
2005	158686	123837	282523	100123	11284	171116
2006	171116	147731	318847	104575	9061	205211

Source: Annual Report on the Judiciary, 2007, Supreme Court of Bangladesh

Statistics on the Institution and Disposal of Criminal Cases in the Judicial Magistracy

Month and Year	Pending on 1 <sup>st</sup> day of month	Filing and received	Total	Disposal	Pending for next month
November'2007	563344	34131	597475	33104	564371
December'2007	564371	87789	652160	49987	602173
Total		121920		83091	

Source: Annual Report on the Judiciary, 2007, Supreme Court of Bangladesh

According to Law Commission, Bangladesh as stated in its ADR Implementation Related Report, 2010 as on January 1, 2010 there are 19,13,633 cases pending in Bangladesh

A *Shalish* addresses almost all types of disputes- civil, criminal or family. Usually a general *Shalish* is called upon when the issue in dispute goes beyond the limit of privacy of a family. Either it involves a criminal act which concerns the society or it is a civil or family dispute that impacts upon social peace and harmony. Otherwise, clan or family based settlement is very common.

Clan/family based dispute settlement process is an old practice of settling family or other civil and criminal disputes among the members of a large family, or among the families with close tie of kinship or among families of a clan (*gusthi*). However, it does not have much distinguishing characters by which it can be differentiated from *Shalish*. However, there are not enough distinguishing factors with it that can identify it as a separate rural justice forum. Rather it can be termed as a 'private *Shalish* or *Shalish* in camera'. When a disputed matter involves a family or clan prestige, the disputant parties even do not want to disclose the issue to members of other families or clans. Hence, they arrange a private meeting to come to a settlement. In such a meeting only the senior close relatives or clan leaders remain present. Children or other junior members may not get access unless they are required to settle the issue.

The NGO-organised ADR system started working in Bangladesh few decades ago. A number of human rights NGOs of the country have been working in this field. It works both in urban and rural area. Usually the trained up and knowledgeable and experienced people conduct ADR in the NGO organised ADR systems. ADR system is also informal, but the system performs some paperwork like a formatted application for dispute settlement and keeping the records of decisions and compliances. In fact, this is a modified form of traditional *Shalish* system. However, The NGO organised ADR system puts emphasis on the application of state-laws. But its endeavour is mostly surrounded to come to an equitable as well as friendly solution. Like *Shalish* system, this system also deals with all types of disputes.

### 2.3 Historical Background of the Rural Justice System

The *Shalish* is the oldest form of dispute processing practice in rural Bangladesh. However, such a practice is not unique to Bangladesh only; rather it is an ancient practice and prevalent almost all over the world. This type of local informal justice system was the base for administering rural justice in the Indian subcontinent from the ancient time. These local rural justice systems were called in different names, but their main characteristics were more or less same, that is, informal and localized.

*Shalish* as an informal rural justice forum was active in that part of ancient eastern India which was called Bangla, Bangala or Bengal, which comprised the present day's Bangladesh. As the Indian history depicts, the rural justice forums, such as *shalish* or *panchayat* enjoyed substantial independence in their working. The king and rulers had proper knowledge and support for these local justice bodies. Usually the kings and rulers did not interfere in their activities, unless the gravity of the cases required severe punishment and intervention from them. In such cases the local bodies sent the matters to the king or king's high officials, or they could implement their decisions with the help of king's authority.

The Muslim rulers in India introduced a new judicial system which was different from the traditional dispute settlement systems. But they used to administer their judicial functions in the district and city level. As a result, that system did not influence the rural traditional *Shalish* system so much. However, the Muslim rulers at that time were well aware of such *Shalish* system, and they supported it considering its role in administration of rural justice and maintaining rule and order.

The traditional justice system in Bengal began to weaken from the East India Company's takeover of Bengal administration after the Battle of Plassey in 1757. The company's administration introduced new administrative policy, land revenue system, and judicial arrangement that resulted in a big decline in the authority and independence of the traditional justice systems. However, the traditional justice systems were still continuing to function to deal with some family and social issues like marriage, divorce, caste and petty community disputes. The colonial administration did not bar the functions of traditional justice systems in these jurisdictions realizing its efficacy.

British Emperor took over the governance of India from East India Company in 1858 and in few decades the British rulers gradually replaced Indian traditional civil and criminal law and codified them, except the laws related to family, inheritance, caste and religions. Hindus and Muslims were allowed to be governed according to their personal laws, customs and traditions, which gave the traditional justice systems a way to exist to some extent.

There were no State-led rural justice institutions in rural Bengal under the British Raj and in the year 1919, the Bengal Village Self Government Act was passed through which two rural justice institutions namely, the Union Bench and the Union Courts were set up. The Union Bench was a local government body like the present day Union Parishad which also functioned as a Union Court to deal with petty criminal and civil cases. The Sub-Divisional Officer (SDO) or District Magistrate was the controlling authority of such institutions, who was responsible for imparting training to the adjudicating officials and also for supervising and monitoring their performance.

These rural justice organizations continued to function in Bangladesh (then East Pakistan) even after the independence from the colonial rulers in 1947. During the Pakistan period, Bangladesh got two pieces of legislation namely the Muslim Family Laws Ordinance, 1961 (MFLO) and the Conciliation Courts Ordinance, 1961 (CCO) which is now stands repealed. The Muslim Family Laws Ordinance made provisions for constitution of the Arbitration Council, a dispute resolution body which was to work both in urban and rural areas. It could deal with the matters related to family disputes as per Ordinance. The Conciliation Courts Ordinance dealt with minor criminal offences and civil disputes.

After independence of Bangladesh in 1971, the government decided to continue with the systems of both the Arbitration Council and the Conciliation Court. But in 1976 the Conciliation Courts Ordinance, 1961 was repealed by the promulgation of the Village Courts Ordinance, 1976 which introduced the Village Courts to deal with petty criminal and civil disputes in rural Bangladesh. In 2006, the government repealed the Village Courts Ordinance, 1976 and the parliament enacted a new legislation called "The Village Courts Act, 2006" to deal with the Village Courts' affairs. This Act is now operational.

## **2.4 Scope of getting Access to Rural Justice System**

The majority people living in rural Bangladesh live below poverty line and getting access to formal justice system is not only expensive but also too cumbersome. People need to incur two types of costs for litigation in such courts, i.e. expenses for frequent travelling to places where courts are situated and expenses for conducting case. The fees for lawyer are so high that sometimes it is more than the value of the disputed matter. Legal aid is very rarely available to the rural people although some NGOs and government provide some legal aid which is not sufficient comparing to the need. If the number of pending litigations are taken into account, a form of alternative dispute settlement system is also required, which will deal with small matters in informal manner. Village Court is the best alternative where rural people would get justice in a very nominal expense and in a cordial and informal atmosphere. Apart from that the long standing vendettas are also mitigated whilst the dispute is resolved in their presence without too much legal jargons to play part during the process. Many grievances which are never accessed to formal justice system due to its formalities and for the cause of expense can be resolved through Village Courts and that would contribute substantially in establishing rule of law.

## **3.0 Access to Justice Arrangements under the Village Court System**

The basic legal framework for the "Village Courts" is the Village Courts Act, 2006 (Act No. XIX of 2006). The other legal frameworks concerned with the Village Court system are the Village Courts Rules, 1976, the Code of Criminal Procedure, 1898 (Act No. V of 1898), the Code of Civil Procedure, 1908 (Act No. V of 1908), the Evidence Act, 1872 (Act No. I of 1872), the Oaths Act, 1873 (Act No. X of 1873), the Cattle-trespass Act, 1871 (Act No. I of 1871), the Agricultural Labour (Minimum Wages) (Ord. No. XVII of 1984), and the Penal Code (Act No. XLV of 1860). In this chapter these legal instruments are analysed to see the access to justice arrangement under the Village Court system. Three aspects have been discussed here, (a) the legal protection or legal remedies available through the systems, (b) the adjudication process, and (c) the arrangements for enforcement and oversight.

### **3.1 Legal Protection**

A Village Court can deal with both criminal cases and civil disputes. The Village Courts Act, 2006 contains a Schedule with two parts, which specifies the nature of cases and disputes a Village Court can deal with.

#### **Criminal Cases**

Criminal Offences which can be tried by a Village Court under the Part I of the Schedule of the Village Courts Act, 2006, are:

#### Offences Under the Penal Code, 1860:

1. Voluntarily causing hurt to any person which may also be on provocation
2. Mischief (causing damage to others property of any kind)
3. Criminal Trespass
4. Unlawful assembly and rioting
5. Affray (causing disturbance through force)
6. Wrongful restraint and/or confinement of person and property
7. Assault
8. Insult with intent to provoke breach of peace
9. Criminal intimidation
10. Act caused by inducing persons to believe that he will be rendered an object of the Divine pleasure
11. Wrong and gesture to insult modesty of women
12. Misconduct in public by drunken person
13. Theft- normal, of the master's property or in dwelling house
14. Dishonest misappropriation of property
15. Criminal breach of trust
16. Cheating
17. Attempts to commit or the abetment of the commission of any of the above offences.

The value of property or amount in respect of which the offence is committed must not exceed Taka 25,000.00.

#### Offences under the Cattle-trespass Act, 1871:

Under the provisions of Cattle-trespass Act, 1871, anyone either forcibly opposes the seizure of cattle liable to be seized and whoever rescues the same after seizure either from pound or from any person taking them to pound; causing damage to harvest by pig; and negligence of the custodian of pound.

#### Civil Suits

The civil disputes that can be brought for settlement before a "Village Court" under the provisions of Part II of the Schedule are -

1. Suits for the recovery of money due on contracts, receipts or other documents.
2. Suit for the recovery of movable property, or for the value thereof.
3. Suit for the recovery of possession of immovable property within one year of dispossession.
4. Suit for compensation for wrongfully taking or damaging movable property.
5. Suit for damages by cattle trespass.
6. Suit for recovery of wages and compensation payable to an agricultural labourer.

The amount claimed or the price of the moveable property or the value of the immovable property involved should not exceed twenty five thousand taka.

#### Limitation of Jurisdiction

Section 3 of the Village Courts Act imposes some limitations on the jurisdiction given in the Schedule mentioned above. It says that any civil dispute or offence that is provided either in civil procedure, or penal code as a criminal offence, if that also falls within the jurisdiction of a Village Court that shall only be tried by the Village Court. In the following cases the jurisdiction of Village Courts is ousted:

1. If the accused has been previously convicted of a cognizable offence in a case related to part I of the schedule;
2. A case relating to any matter specified in part II of the schedule If-
  - i. provision of arbitration has been made in a contract between the parties to the dispute;
  - ii. the Government or a local authority or a public servant acting in the discharge of his duty is a party to the dispute;
  - iii. it is either for delivery of possession, or for recovery of possession for which a Village Court already has given its verdict.
  - iv. the interest of a minor is involved in a suit;

### 3.2 Adjudication

#### Constitution and Territorial Jurisdiction of a Village Court

Section 4 and 5 of the Village Courts Act provides for the constitution and composition of a Village Court. Section 4, says that - when a case is, under this Act, triable by a Village Court, any party to the dispute may, in the prescribed manner and on payment of the prescribed fee, apply to the Chairman of the Union Parishad concerned for the constitution of a Village Court for the trial of the case. If the Chairman rejects the application, he shall record the reason in writing and the person aggrieved by the order of rejection for constitution of a Village Court may, on the ground that the order is mala fide or substantially unjust, submit application against the order to the Assistant Judge having jurisdiction. The manner and period of limitation for filing such application is prescribed in the Village Courts Rules, 1976.

Section 5 says about the composition of a Village Court and it says that - a Village Court shall consist of a Chairman and two members to be nominated by each of the parties to the dispute and amongst the two members to be nominated by each party one should be a member of the concerned Union Parishad.

The Chairman of the Union Parishad shall be the Chairman of the Village Court, but where he is, for any reason, unable to act as Chairman or his impartiality is challenged by any party to the dispute, any member of the Union Parishad other than those mentioned under sub-section (1) of section 5 appointed in the prescribed manner, shall be the Chairman of the Village Court.

If either party to the dispute consists of more than one person, the Chairman shall call upon the persons constituting that party to nominate two members on their behalf, and if they fail to do so, the Chairman shall authorise any one of them to nominate such members.

With permission of the Chairman, any party to dispute may nominate any person other than the members of the Union Parishad as members of the Village Court. If the members cannot be nominated within the prescribed time, the Village Court shall be deemed to have been validly constituted without such members, and it shall be legally competent to continue with the proceedings.

According to Section 6 of the Village Courts Act 2006, a Village Court shall be constituted and shall have the jurisdiction to try a case when the parties to the dispute ordinarily reside within the limits of the union in which the offence has been committed or the cause of action has arisen. However, where one of the parties to the dispute ordinarily resides, and the offence has been committed or the cause of action has arisen, within the jurisdiction of one union and the other party ordinarily resides within the jurisdiction of another union, the Village Court may be constituted in the union in which offence has been committed, or as the case may be, the cause of action arisen, but each party shall have the right to nominate, if it so chooses, its representative from its own union.

#### Powers of the Village Courts

According to Section 7, a Village Court shall have power only to pass order to pay compensation of taka not exceeding twenty five thousand in respect of the offences specified in Part I of the Schedule of the Act.

In a suit relating to matter specified in Part II (civil disputes) of the Schedule of the Act; the Village Court shall have power to order payment of money up to the amount mentioned there in respect of such matter of delivery of property or possession to the actual owner thereof.

Like a formal court, a Village Court does also have power to summon witnesses. Section 10 of the Village Courts Act says that - a Village Court may issue summons to any person to appear and give evidence, or to produce or cause the production of any document, however, (a) no person who is exempted from personal appearance in court under the provisions of Code of Civil Procedure shall be required to appear in person. And a Village Court may refuse to summon a witness or to enforce a summons already issued against a witness when in the opinion of the Court the attendance of the witness cannot be produced without such delay, expense or inconvenience as in the circumstances would be unreasonable.

A Village Court shall not require any person living beyond its jurisdiction to give evidence or to produce or cause the production of a document unless such sum of money is deposited for payment to him as the Court would think sufficient for meeting his travelling and other expenses and a Village Court shall not require any person to produce any secret document or unpublished official record relating to any affairs of the State, or permit any



person to give any evidence derived from such secret document or unpublished official record except with the permission of the officer at the head of the department concerned.

If any person to whom a Village Court has issued summons to appear and give evidence or to production of any document before it wilfully disobeys such summons, the court may take cognizance of such disobedience, and after giving such person an opportunity to explain, sentence him to a fine not exceeding Taka five hundred.

According to section 11, a Village Court does have power to fine for any contempt of a Village Court. As the section details that a person shall be guilty of contempt of a Village Court if he, without lawful excuse-

- a) offers any insult to the court or any member thereof while the court is functioning as such;
- b) causes any interruption in the work of the court; or
- c) fails to produce or deliver a document when ordered by the court to do so; or
- d) refuses to answer any question of the court which he is bound to answer; or
- e) refuses to take oath to state the truth or to sign any statement made by him when required by the Court to do so."

For a contempt of court, a Village Court may sentence the offender to a fine not exceeding five hundred taka.

### **Procedure of a Village Court**

Section 13 of the Act says about the Procedure. Accordingly, the procedure is largely informal. It says, except some cases provided by this Act, the provisions of the Evidence Act, 1872 (Act No. I of 1872), the Code of Criminal Procedure and the Code of Civil Procedure, shall not apply to the proceedings before any Village Court. However, section 8, 9, 10 and 11 of the Oaths Act, 1873 (Act No. X of 1873) shall apply to all proceedings before Village Courts.

This section also says that for the prosecution of a public servant for an offence triable under this Act, previous sanction of the appointing authority shall be required if the public servant raises plea that the offence alleged to have been committed by him was committed while acting or purporting to act in the discharge of his official duties.

Section 14 of the Act clearly says that no party shall be permitted to engage any legal practitioner to conduct his case before any Village Court.

According to Rule 3 of the Village Courts Rules, 1976, the process of adjudication begins only after the Chairman of the Union Parishad receives an application by a petitioner for constitution of a Village Court. What the application should contain is also described in the Rule. The application should accompany a fee of Taka two if the case relates to Part I and by a fee of Taka four if it relates to Part II of the schedule of the Act.

After registration of the application, a date and time is fixed and the responded is summoned to present on the specified day and time as per Rules 7 and 8. As per Rule 10, with the summons, the parties are asked to nominate their members within seven days to constitute the Village Court. According to Rule 14, a Village Court, thus, shall try the case on the day so fixed, and shall hear both the parties, and may hold local inquiry in respect of any matter in dispute between the parties.

Rule 18 says that every decision of the Village Court shall be pronounced in "open court" by the Chairman of the Village Court, and the decision of the Village Court shall be recorded by the Chairman of the Court in the register as per Rule 17. This record should indicate whether such decision is unanimous, and if not, the ratio of the majority by which it has been arrived at.

### **Appeal against a decision of a Village Court**

Section 8 of the Village Courts Act says about the finality of the decision of Village Courts and appeal against any decision. It provides that- if the decision of a Village Court is unanimous or by a majority of four to one (4:1), or by a majority of three to one (3:1) in presence of four members, the decision shall be binding on the parties and shall be enforceable in accordance with the provisions of this Act. And when the decision of a Village Court is by a majority of three to two (3:2) any party aggrieved may, within thirty days of the decision, may prefer appeal. The appeals lie in the following manner-

- i. if the case relates to an offence specified in Part I of the Schedule of the Act, to the Magistrate, first class having jurisdiction; and

- ii. if the case relates to a matter specified in Part II of the Schedule of the Act, to the Assistant Judge having jurisdiction.

The Magistrate or the Assistant Judge, if satisfied that there has been failure of justice, may set aside or modify the decision, or direct that the dispute be referred back to the Village Court for reconsideration.

Once a dispute or offence is decided by a Village Court, the same shall not be tried by any other court.

### 3.3 Enforcement and Oversight

Section 9 and 12 of the Village Courts Act, 2006 speak about enforcement of decisions of a Village Court and section 9 provides that - when a Village Court decides to award compensation to a person or orders for delivery of property or to handover possession, it shall pass a decree in prescribed form and manner and shall enter the particulars thereof in the prescribed register. If any money is paid or any property or possession is delivered in the presence of the Village Court in satisfaction of the decree, it shall enter the fact of payment or delivery, as the case may be, in the aforesaid register. A Village Court may, if it thinks fit, direct that the amount of compensation be paid in such instalments as it may fix.

Where the decree relates to payment of compensation and the decretal amount is not paid within the prescribed time, the Chairman of the Village Court shall forward the same to the Union Parishad concerned which shall proceed to recover it in the same manner as arrear tax of the Union Parishad under the Public Demands Recovery Act, 1913 (Act No. III of 1913) and shall be paid to the decree-holder.

Where the satisfaction of a decree can be done otherwise than by payment of compensation, the decree may be presented for execution to the Court of the Assistant Judge having jurisdiction and such court shall thereupon proceed to execute the decree as if it were a decree passed by it.

Section 12 of the Act embodied about the recovery of fine and the law stands as- where a Village Court imposes a fine either against a witness for disobedience to the Court's order, or against contempt of Court, and the fine is not immediately paid, it shall record an order stating the amount of fine imposed and the fact that it has not been paid, and shall forward the same to the Magistrate having jurisdiction with the request for recovery.

The Magistrate upon receipt of the request shall proceed to recover the same under the provision of the Code of Criminal Procedure as if such fine were imposed by him and in default of payment of such fine he may award sentence to the person concerned to imprisonment. And the all fines under section 10, 11 (either against a witness for disobedience to the Court's order, or against contempt of Court) shall form part of funds of the Union Parishad.

There are some direct and indirect oversight and monitoring mechanism of the Village Courts provided in the Village Courts Act and Rules. Among these provisions Rule 31 of the Village Court Rules is noteworthy. It provides that "The Chairman of the Union Parishad shall, before the first day of February and the first day of August in each year, send to the Sub-divisional Officer a return in Form X of the work of the Village Courts during the preceding half-year ending on the 31st December and the 30th June, respectively." The judicial oversight of the Village Courts has been ensured in section 4 where provision for revision has been provided against an order of rejection by the Union Parishad Chairman to constitute a Village Court on an application of an aggrieved party. Section 8 provides for appeal from a decision of a Village Court by three to two (3:2). Rule 17 (1) provides that the decision of the Village Court shall be recorded by the Chairman of the Village Court in the register in form no. I. Rule 18 provides that every decision of the Village Courts shall be pronounced in open court by the Chairman of the Village Court and such provisions are helpful to ensure the oversight of Village Courts by the people of the locality and field level administration. Rule 20 provides that after the decision of every case a decree shall be drawn in Form IV which shall be signed by the Chairman of the Village Court and this provision is helpful to ensure the monitoring mechanism of the Village Courts. Rule 25 (2) provides that all fines and fees received under these rules shall be entered in a register in form VII. Such provision is helpful to ensure financial monitoring of the Village Courts. Rule 28 provides that all records of the village Court including registers shall be deposited in the office of the Union Parishad and shall be preserved for a period of ten years in the case of registers and three years in the case of other records. Such provisions definitely ensure the oversight and proper



monitoring and evaluation of the Village Courts.

## 4.0 Present State of Rural Justice in Bangladesh

### A. Findings of the Quantitative Survey

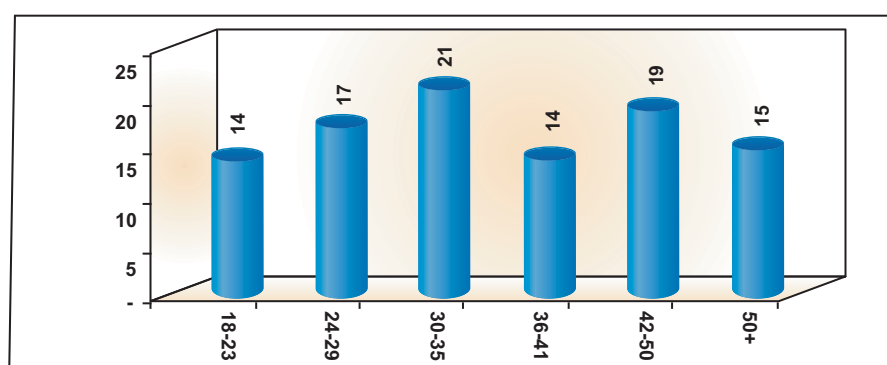
Survey outcome reveals interesting points pertaining to the Village Court (VC). In a nutshell, it can be asserted that respondents (people) in general appear to be in favor of Village Court and its functions. Respondents not aware of VC (77%, n=10016) were briefed first and then were asked about usefulness of such courts. In response, around 92% of those respondents consider VC to be useful. On the other hand, out of those respondents 23% (n=10016) who knows about VC previously through different sources, 97% think VC is useful. However, at first we present personal profile of respondents followed by their knowledge, perceptions, awareness and attitudes towards Village Court and its role to the society. On every issue we present survey findings nationwide, division-wise and gender-wise followed by Analysis.

### 4.1 Profiles of the Respondents

#### Nationwide Scenario

From the entire country, 10,016 respondents were selected for face to face interview based on a semi-structured questionnaire. Average age of all the respondents was 38 years with modal age group of 30-41 years, which makes 35% of the total respondents. Figure 4.1 below shows this picture and Table A.2 placed in Annex I provides the details. Male (49.6%) and female (50.4%) ratio of the respondents are almost equal in number.

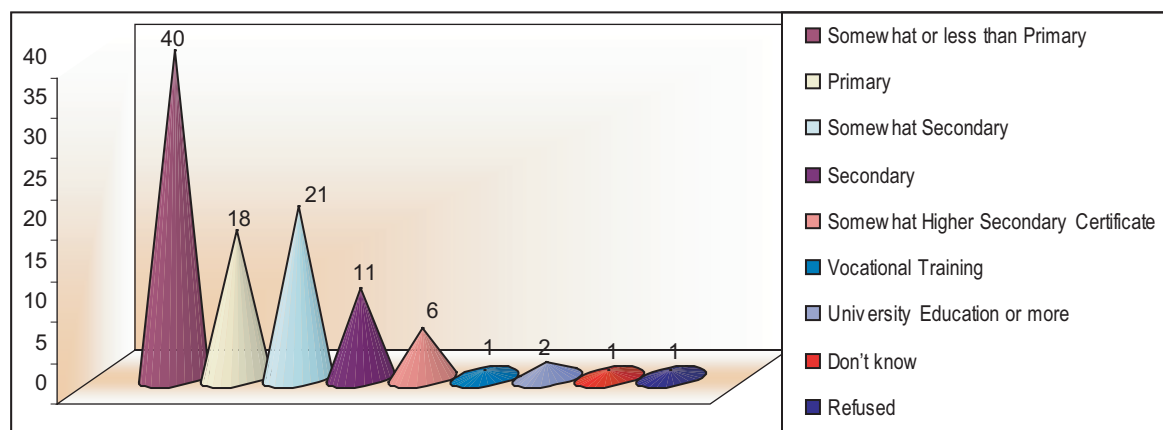
Figure 4.1: Respondents Age



Source: Village Courts in Bangladesh Baseline Survey, 2009

In terms of education, majority respondents (59%) have Primary or above level of education and little below 40% have somewhat or less than primary education. Figure 4.2 below shows the education status of the respondents and detail may be seen in Table A.3 placed in Annex I.

**Figure 4.2: Respondents Educational Qualification**



Source: Village Courts in Bangladesh Baseline Survey, 2009

Over 21% farmers and 20% are 'businessmen'. About 8% respondents are from various professional groups including 4% students, 2% teachers and little over 2% are in Govt. services.

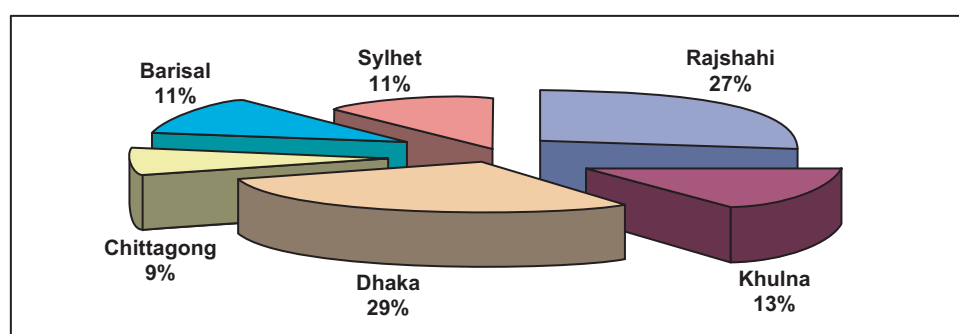
Most of the respondents are from 'low income' group. For example, 35% respondents have monthly income less than 5,000 Taka. A significant no. of female respondent has no income (81%) which is justified by large no. profession of housewife (77%).

Detail figure on profession and income level of the respondents may be seen in Table A.4 and Table A.5 placed in Annex I.

#### Division-wise Scenario

Out of 10,016 respondents, highest number of respondents were from Dhaka Division (29%), followed by Rajshahi Division (27%). While respondents of Khulna (13%), Barisal (11%), and Sylhet (11%) are almost same, the least were from Chittagong Division (9%). Again among the respondents, 49.6% were male and 50.4% were female.

**Figure 4.3: Division-wise Sample Size Distribution**

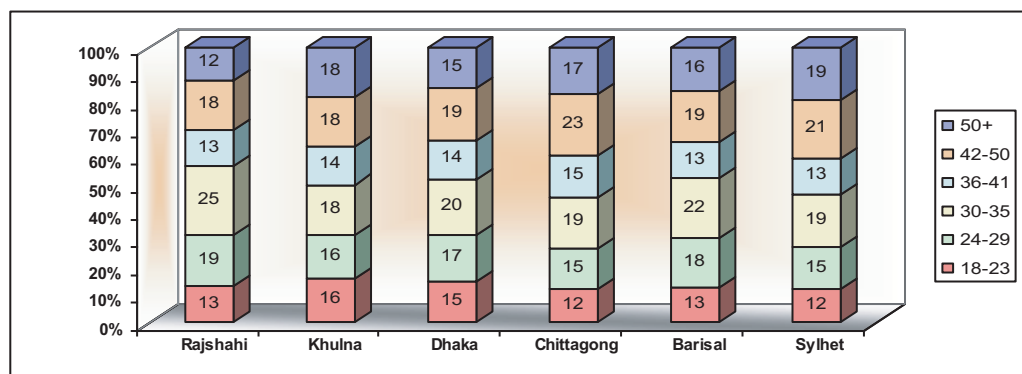


Source: Village Courts in Bangladesh Baseline Survey, 2009

Division-wise, there are noticeable differences in age-profile of the respondents. While for Rajshahi, Khulna, Dhaka and Barisal Divisions, the modal age group is 30-35 years, for Chittagong and Sylhet Divisions it is 42-50 years (Ref. Table A.2 in Annex I).

Division-wise distribution of respondents by age group is shown in Figure 4.4 below.

**Figure 4.4: Respondent Age by Division**



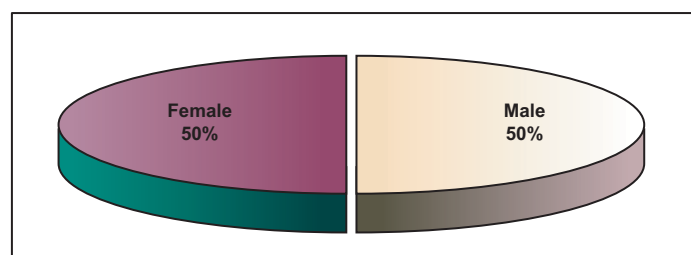
Source: Village Courts in Bangladesh Baseline Survey, 2009

Considering University education or more, respondents from Barisal (2.6%), Chittagong (2.1%) and Dhaka (1.9%) are better-off (greater than the overall percentage, 1.7). Respondent from Chittagong (14.8%) and Barisal (12.9%) are better among others in terms of secondary education. In case of primary education, respondents from Barisal (22.1%), Dhaka (20.1%), Chittagong (19.0%) and Sylhet (18.7%) are slightly above the overall percentage (18.5%). But if we consider the education from somewhat secondary to University education and above, respondents from Khulna (45.2%) and Chittagong (45.8%) are better-off (Ref. Table A.3 in Annex I).

### Gender Scenario

Male and female respondents are almost equal in number as shown in Figure 4.5. Most of the male respondents are of higher age group and 59% of them are above 35 years (Table A.2 in Annex I). To the contrary, majority of female respondents (62%) are aged 35 years or younger. In terms of education, male respondents have higher stand compared to their female counterparts except primary education. While 53% male respondents have education at Primary or below, more than 63% females fall under that limit. However respondents of both categories have quite good educational standing (Table A.3 in Annex I).

**Figure 4.5: Respondents by Gender Distribution**

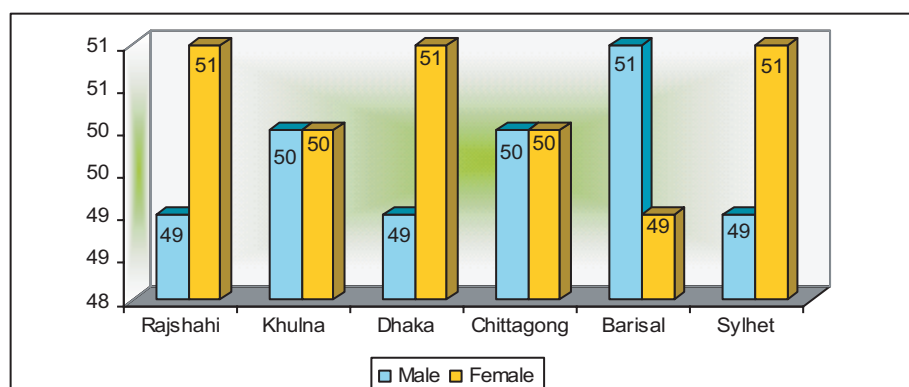


Source: Village Courts in Bangladesh Baseline Survey, 2009

However, male-female ratio of the respondents is a little different across Divisions.

Figure 4.6 below shows the Division-wise distribution of the respondents by gender.

**Figure 4.6: Division-wise Respondent by Gender**



Source: Village Courts in Bangladesh Baseline Survey, 2009

### Analysis

Although there are differences in age distribution of respondents across Divisions as well as by gender, on the whole, respondents were sufficiently matured. Over 69% respondents are above 30 years of age. Many of the respondents (around 60%) can be considered literate (primary or above). So, we can reasonably assume that survey findings obtained have come from experienced, sensible and matured people.

## 4.2 Legal Protection and Awareness

### 4.2.1 Occurrences of Offences/Disputes

#### Nationwide Scenario

Regarding occurrences of general disputes and offences, 47% of 10,016 respondents mentioned 'land related disputes', 18% mentioned 'persecution of women', 44% mentioned 'theft', 41% mentioned 'quarrel', 21% mentioned 'family conflict' and 16% mentioned 'robbery' as the general offences occurring locally. Although quite a thin proportion mentioned about other types of offences and of those offences mentionable are 'child marriage' (3.3%), 'hijacking' (5.4%), 'dowry' (6.6%), 'political propaganda' (4.0%), 'drugs business' (3.5%), 'conflict between husband & wife' (4.0%), 'divorce' (3.5%), 'crops/cattle related conflict' (1.6%), etc. Table 4.1 placed in the following page, shows the data related to mostly occurrences disputes. (Ref. Table B.1 in Annex I).

#### Division-wise Scenario

Nationwide most reported dispute and offence is 'land related' which is also reflected in division wise data, except Rajshahi, Dhaka and Sylhet. Land related disputes are most in Barisal (66%), then in Chittagong (58%) and Khulna (51%). For the other three divisions most offences are reported 'Stealing' in Rajshahi (47%) & Dhaka (50%) and 'Quarrel' in Sylhet (37%).

Second most occurrences are 'personal quarrel' (44%) in Rajshahi, 'Stealing' (41%) in Khulna and Chittagong (56%) Division. Family conflict is also cited by substantial number of respondents of every Division, ranging from 15% in Dhaka to highest 32% in Sylhet. Other types of offences are also cited in every Division such as Robbery (highest in Chittagong 27%), Dowry (highest in Rajshahi 10%), 'Persecution of Women' was found highest also in Rajshahi (25%) and 'Killing' (2.5%) in Khulna. Table 4.1 shows detail picture across Divisions.

**Table 4.1: Type of Disputes/Offences mostly Occurs**

*Figure in Percentage (%)*

SI No.	Indicator	Divisional						National		
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	M	F	Total
1	Land disputes	65.7	57.6	44.2	51.1	41.5	34.2	51.5	42.4	46.9
2	Quarrel bet husband & wife	3.8	13.2	4.6	2.3	2.5	0.9	3.4	4.5	4.0
3	Persecution of a women	17.8	11.6	18.1	15.0	25.3	6.1	17.5	18.1	17.8
4	Fighting/quarreling	39.2	36.9	42.1	38.6	44.4	37.4	39.8	42.2	41.0
5	Theft/stealing	32.4	56.1	50.5	41.1	47.1	27.2	45.1	43.5	44.3
6	Family conflicts	19.1	23.2	14.6	25.0	21.4	32.5	20.4	21.6	21.0
7	Hijacking/toll collection	2.2	12.4	6.4	4.8	4.4	4.0	5.6	5.3	5.4
8	Dowry	2.4	1.0	8.3	7.3	10.0	0.9	6.1	7.0	6.6
9	Killing	1.3	0.1	0.9	2.5	2.0	0.8	1.3	1.4	1.4
10	Divorce	5.8	1.2	2.2	7.3	2.8	3.4	3.5	3.4	3.5
11	Loan	4.0	0.1	0.0	0.2	0.0	0.6	0.7	0.5	0.6
12	Child marriage	6.6	0.8	2.8	3.1	4.5	0.6	3.6	3.0	3.3
13	Robbery	15.0	26.9	19.2	13.3	16.1	7.4	17.6	15.5	16.5
14	Adulterated goods	0.5	0.0	0.2	0.1	0.1	0.0	0.2	0.1	0.1
15	Extra-marital affairs	0.9	0.1	0.3	0.2	0.2	0.0	0.2	0.4	0.3
16	Political propaganda	6.3	3.6	3.8	7.4	1.6	4.4	4.7	3.3	4.0
17	Drug business/gambling	3.3	5.1	5.0	2.0	3.3	0.8	3.9	3.1	3.5
18	Disturbance by the Mastan	2.8	1.7	0.7	0.1	0.3	0.1	0.8	0.8	0.8
19	Corruption	0.3	0.7	0.3	0.3	0.5	0.0	0.4	0.3	0.4
20	Child molestation	0.1	0.0	0.1	0.1	0.1	0.0	0.1	0.0	0.1
21	Related to crops/cattle	2.5	0.0	2.6	0.8	1.5	0.4	1.7	1.5	1.6
22	Conflict about money	0.7	1.0	2.2	0.4	1.6	1.5	1.8	1.1	1.4
23	Acid throwing	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0
24	Multi-marriage	0.1	3.0	0.3	0.2	0.3	0.3	0.6	0.4	0.5
25	Don't know	0.8	0.0	0.2	0.1	0.2	0.3	0.2	0.3	0.3
26	Refused	1.5	0.7	3.4	3.3	3.2	10.2	3.2	4.0	3.6

Source: Village Courts in Bangladesh Baseline Survey, 2009

### Gender-wise Scenario

Although male and female respondents almost equally cited different occurrences, a little more of female respondents mentioned some specific incidences. For example 42% female reported 'quarrel with each other' and it is reported by 40% males. Similarly, 7% female reported about 'dowry' and it is reported by 6% males. In contrary, male respondents are more (52%) than females (42%) in case of land related disputes. Otherwise, male and female respondents are 'at par' in reporting offences occurring locally.

### Analysis

In terms of disputes and offences occurring locally, there are very small differences across Divisions. Land related dispute is very much common across Divisions. Second most occurrences are 'quarrel and stealing'. Family related disputes is highest in Sylhet and lowest is in Dhaka. Disputes on dowry, robbery, persecution of women, child marriage are also of great concern. Family conflicts & persecution of women also have noticeable incidences. Male and female respondents are more or less same mentioning the disputes and offences occurs locally except land related disputes.

## 4.2.2 Means of Settling the Disputes/Offences by Rural People

### 4.2.2.1 Seeking Shalish

#### Nationwide Scenario

Those who were not aware of Village Court were asked how people usually settle disputes and 78% (n=7,667) reported that people usually go to village leaders for settling their disputes. While 68% opined that people go to UP Chairman/Member for settling disputes, 12% mentioned that people go to political leaders for such purpose. Almost equal percentages, 10% & 8% respectively, say that people go to school teachers and religious leaders for settling their disputes. However, respondents also mentioned some other sources of settling disputes. For example, 69% (n=55) mentioned that people often settle disputes through mother & father in-laws and 16% mentioned Gram Sarkar (Table B.2 in Annex I).

Irrespective to whom, peoples gone for shalish to settle their disputes opined that they are satisfied and happy with the justice system of it. About 86% (n=7667) respondents expressed their satisfaction in this regard.

#### Division-wise Scenario

In Khulna (n=991) and Chittagong (n= 646) over 85% respondents mentioned 'local village leaders' with whom people settle disputes and in other Divisions it ranges from 71% in Rajshahi to 79% in Dhaka. In every Division, next opinion is about 'UP Chairmen/Members'. It is highest in Barisal (81%) and lowest in Sylhet (46%). In every Division, about 83-88% seems to be 'Happy with Shalish' decisions (Table B.3 in Annex I).

#### Gender Scenario

Male and female respondents have very much the same opinions on where people go to settle disputes. In case of village leaders females (78.3%) are slightly higher than males (76.8%) but the reverse scenario found in case of UP Chairman/member and political leaders. In those cases males (13.2%) are slightly higher than females (11.6%) (Table B2 in Annex I).

### 4.2.2.2 Other Means of Resolving Disputes

People also asserted that besides Shalish, there are other ways and means which they use for resolving their petty disputes.

#### Nationwide Scenario

Out of those respondents who told about settling disputes through other means, 37% reported that disputes are settled 'within family'. Over 23% mentioned 'filling cases in Thana', while 20% said that people 'file cases in court'. Community leaders have also been mentioned in this regard by 10% respondents (Table B.2 in Annex I).

#### Division-wise Scenario

A common practice for settling disputes in every Division is to arrange Shalish among relatives. But of those who are settling their disputed by other means, reported mostly by family members, which is ranges from 26% in Barisal to 47% in Sylhet. In case of 'filling case in Thana' respondents from Khulna is highest (34%) and lowest in Chittagong (15%). Others are ranges within 17% to 27%.

#### Gender-wise Scenario

Male and female respondents are almost same in mentioning the other means of resolving cases. There are 39% of women mentioned they settled disputes within family while 35% male respondents mentioned the same. The reverse situation observed in case of 'filling case in Thana', here male respondents (25%) are a bit higher than female (22%).

#### Analysis

Absolute number of respondents mentioning Shalish is quite high and majority of them mentioned Shalish by local leaders and UP representatives. However, many also reported settling disputes within family as the other means of settling disputes. Quite a good percentage of the respondents from both sex expressed their satisfaction about Shalish. (Table B.2 in Annex I).

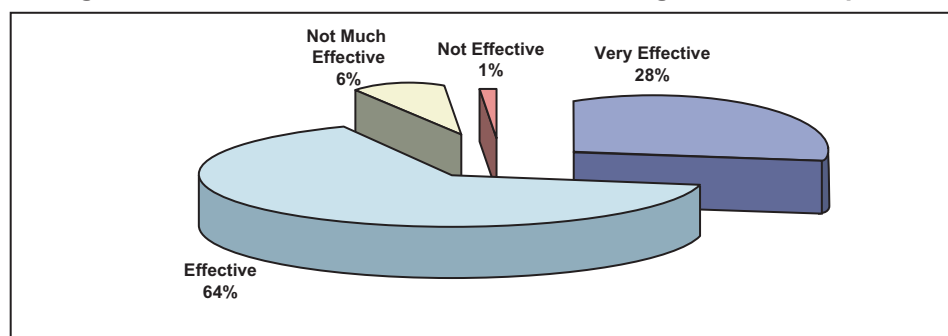


### 4.2.2.3 Opinion about Shalish

#### Nationwide Scenario

Of those who talked about Shalish, 86% (n=7,667) think that people get justice through Shalish, while 11% don't think so. Out of those 86% respondents, 92% consider that Shalish is either very effective, or effective. However, of those who do not consider Shalish to be effective (n=455), the main reasons for this is lack of impartiality or nepotism (51%). Moreover, equal no. of respondents (41%) think that bribing and influence of politicians & powerful persons are other reasons for Shalish not being effective. Partiality and unfair judgment have been cited by about 34% of this category of respondents (Ref. Table B.2 & B.3 in Annex I). Figure 4.7 below illustrates the above scenario.

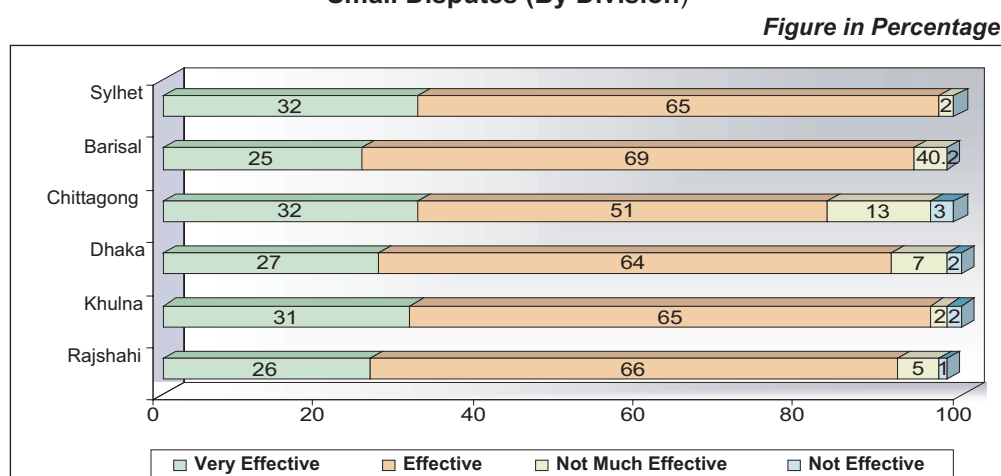
**Figure 4.7: Effectiveness of Shalish in Resolving the Small Disputes**



Source: Village Courts in Bangladesh Baseline Survey, 2009

Figure 4.8 shows the Division-wise views of the respondents on effectiveness of the Shalish.

**Figure 4.8: Effectiveness of Local Shalish in Resolving Small Disputes (By Division)**



Source: Village Courts in Bangladesh Baseline Survey, 2009

#### Division-wise Scenario

In Dhaka and Sylhet over 88% respondent are satisfied to get fair justice from salish. In other Divisions also over 80% respondents feel the same. Respondents from Rajshahi and Chittagong (14%) are highest among those are not happy in getting justice from Shalish. However, regarding the effectiveness of Shalish respondents from Rajshahi (66%), Barisal (70%), Sylhet and Khulna (65%) are above the overall percentage (64%). While people from Khulna (31%), Chittagong and Sylhet (32%) are opined that Shalish is very effective.

#### Gender-wise Scenario

Male (85%) and female (86%) respondents almost equally feel that they get fair justice from Shalish. Male and female respondents are more or less same, 92% and 93% respectively (effective or very effective), while they are giving their opinion about the effectiveness of Shalish.

## Analysis

The people are much happy and satisfied with the traditional Shalish system. They also opined that Shalish is very effective for resolving local disputes. Those who have opined that Shalish is not effective, mentioned partiality/nepotism and unfair judgment as reasons behind. There is no significant difference across divisions of satisfaction and effectiveness of Shalish.

### 4.2.3 Knowledge & Opinion about Violence against Women (VAW) and its Settlement by Shalish

#### Nationwide Scenario

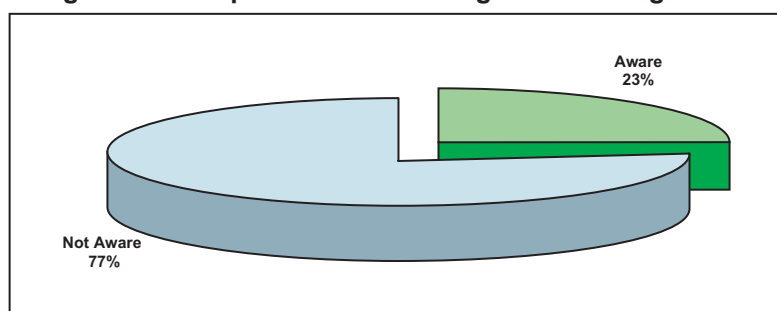
All the respondents who do not know about VC (n=7,667) were asked about knowledge of any case of Violence against Women (VAW). Only 30% mentioned that they know about such cases and 63% do not know about any VAW case. Out of 30% who have come across any VAW cases, 66% (n=2,337) mentioned that such cases were settled effectively at Shalish, but 31% said it was not settled properly by Shalish (Table B.4 in Annex I).

### 4.2.4 Knowledge about Village Court

#### Nationwide Scenario

Majority of the respondents (76.45%, n=7,667) are not aware of Village Court and only 23.45% (n=2,349) know about it. Figure 4.9 below show this picture and Table B.5 in Annex I provide the detail picture.

**Figure 4.9: Respondents' Knowledge about Village Court**

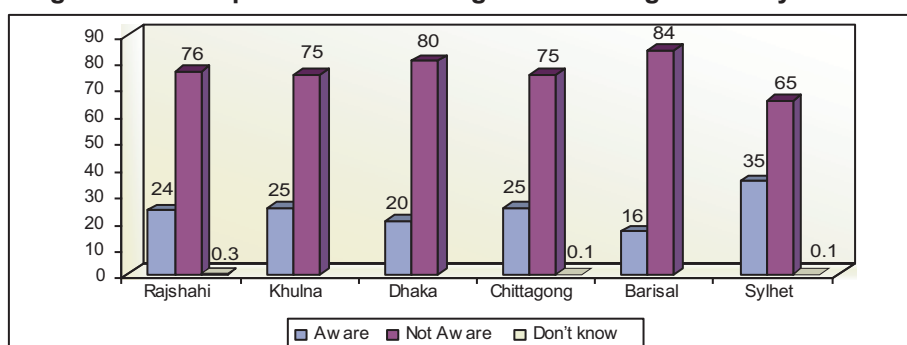


Source: Village Courts in Bangladesh Baseline Survey, 2009

#### Division-wise Scenario

Regarding knowledge about VC, Sylhet Division registered highest, with 35% respondents knowing about VC, while the least proportion is in Barisal Division, being only 16%. Other divisions are alike in this respect having 20%-25% respondents aware of VC. Figure 4.10 placed in the following page this picture and Table B.5 in Annex I provide the detail.

**Figure 4.10: Respondents Knowledge about Village Court by Division**



Source: Village Courts in Bangladesh Baseline Survey, 2009

#### Gender-wise Scenario

Proportion of male (31%) aware about VC is almost double that of female (16%). More males (48%) in Sylhet and Khulna (33%) compared to other divisions are aware of VC. Among females the highest in Sylhet (22%) & the lowest in Barisal (11%) know about VC.

Table 4.2 below shows the division-wise picture in detail on the respondent's knowledge about VC.

**Table 4.2: Respondents' Knowledge about Village Court**

*Figure in Percentage (%)*

SI No.	Indicator	Divisional						National		
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	M	F	Total
1	Yes	16.3	25.0	20.5	24.8	24.0	34.9	30.6	16.4	23.45
2	No	83.7	74.9	79.5	75.2	75.7	65.0	69.3	83.5	76.55

Source: Village Courts in Bangladesh Baseline Survey, 2009

### Analysis

As is evident, knowledge about VC is very poor among the rural people across the country while Barisal and Dhaka Divisions shows the worst scenario. Situation of females is much worse compared to that of males. Mass awareness campaign is needed to make people aware of the existence of Village Court, its jurisdiction and adjudication power.

### 4.2.5 Sources of Knowledge about VC

#### Nationwide Scenario

Amongst those who are already aware of VC (n=2,349), most of them (77%) mentioned that they knew about it from UP Chairman/Member, 20% knew about it from TV and almost equal proportion (12%) mentioned Radio, NGO, Teachers and Newspaper as the sources of their knowledge about VC.

However, about 15% mentioned political leaders/activists as their source of knowledge. There are other sources of information, such as 47% of 127 respondents cited 'family' members and 27% mentioned 'community' people (Ref. Table B.5 in Annex I).

#### Division-wise Scenario

The respondents cited most common sources are UP representatives, Friends, TV/Radio and NGOs. Regarding the UP Chairmen/member, the respondent ranges from 55% in Chittagong to 85% in Rajshahi. Respondents mentioned 'Political leaders/activists' as the source highest in Dhaka (20.5%) and lowest in Chittagong (8.8%). Table B5 in Annex I provides Division-wise detail picture on this issue.

#### Gender-wise Scenario

Sources of knowledge about VC do not vary much across gender. Only in one aspect males and females vary noticeably and it is 'contact with UP representatives'. In this case Male respondents (81%) are higher than female (70%).

### Analysis

Those who already know about VC mentioned various sources of knowledge. The elected UP members are the main source of knowledge according to the respondents. Thus, these sources can be exploited to make people aware of VC. It is also evident that some people get information from peers, community people & relatives.

**At this stage respondents who were not aware of Village Court has been prompted and briefed about it. Then opinions about VC were sought. Their responses are presented below in the same sequence as before.**

### 4.2.6 Willingness to have VC and Usefulness of it as Perceived by Respondents

#### Nationwide Scenario

Almost all the respondents (92%) (n=7,667) consider VC 'useful'. As reasons behind such opinions, 34% (n=7018) mentioned that it is 'easy to get judgments', 24% considered possibility of getting 'fair judgment', 21% considered it 'less expensive' (Table B.6 in Annex I). While 12% opined that VC will help rural people to avoid Thana/Court, equal proportion (12%) think 'quick judgment' as benefit of VC.

However, (disregarding refusals) of those 3% (n=7,667) who do not consider VC to be useful, 26% (n=257) think that 'undue exercise of power' will increase as a result of VC. While 20% have doubt about 'fair judgment', 15% suspect that 'bribing' will increase. While 6% prefer UP to VC, 7% think VC may increase expenses. Increase in corruption has been cited by 6% respondents. (Ref. Table B.6 in Annex I).

### **Division-wise Scenario**

Over 90% respondents in every Division except Chittagong (89%) feel that effective functioning of VC will be very useful for local people. Regarding reasons behind such feeling, 37% in Barisal, 22% in Chittagong, 33% in Dhaka, 38% in Khulna, 37% in Rajshahi and 27% in Sylhet mentioned 'ease of getting judgment' while 31% in Barisal considered it 'less expensive', in other Divisions such consideration is a little less. 'Fair judgment' has been mentioned by substantial percentages of respondents across Divisions ranging from 16% in Barisal to 46% in Chittagong.

### **Gender-wise Scenario**

Almost equal proportion of male (91%) and female (92%) respondents feel that VC will be very useful. 'Ease of obtaining justice' is also equally (33%) felt by both male and female respondents. Next consideration is 'fair judgement' (around 24%) and 'less expenses' (21% each).

### **Analysis**

People are very much in favor of having VC and they consider that dispute resolution will be easier, quicker with less expense. At the same time, people are also concerned about possible malpractices. Combining all respondents (in favor of VC and against it), one can get apprehensive that people aspire to have VC with accountability and transparency but also worry about possible corrupt practices. They also fear about the power exercise of the VC officials.

## **4.2.7 Knowledge about Types of Offences/Disputes handled by VC**

### **Nationwide Scenario**

From respondents who know about VC (n=2,349), 48% mentioned that 'theft cases' are settled by VC, 32% mentioned 'land disputes' and 36% mentioned 'quarrel', 25% mentioned VAW cases are regularly settled by VC. Some other types of disputes, such as robbery (18%), family conflict (15%), divorce (6%) and other minor problems were also mentioned as being settled by VC. 18% respondents opined that all sorts of small scale problems are solved by VC (Ref. Table B.7 in Annex I).

### **Division-wise Scenario**

In every Division substantial percentage of respondents mentioned 'stealing' as a case generally dealt by VC. For example, 57% in Sylhet mentioned about it, while the lowest is 37% in Barisal. In Khulna, it is 38%, in Dhaka, it is 46% and in Chittagong it is 44%. However, 29%-41% of respondents in every Division mentioned 'Quarrel' as a case dealt by VC quite often. A high percentages of respondents in every Division mentioned 'land dispute' varying from 25% in Rajshahi to 53% in Barisal. VAW has been cited by only 5% in Chittagong, but in all other Divisions as well, a good number of respondents (17% in Sylhet to 32% in Rajshahi) mentioned about VAW. Robbery was also mentioned as an offence dealt through VC by 9% in Barisal, 20% in Khulna and 21% in Sylhet. Table 4.3 placed in the following page shows Division-wise detail picture. More details are provided in Table B.7 in Annex I.

### **Gender Scenario**

With respect to all the issues mentioned above, males and females appear to have almost equal level of Knowledge. With respect to all the issues mentioned above, males and females appear to have almost equal level of Knowledge except Hijacking and Land related problems. Female responses are higher (6%) than the male (4%) in the case of hijacking related disputes handled by VC. On the contrary, male respondents (34%) are higher than female (27%) to mention land related problems. Interesting findings is that male and female respondent are same (25%) about VAW.

**Table 4.3: Respondents' Knowledge about Types of Offences/Disputes handled by VC**

*Figure in Percentage (%)*

SI No.	Indicator	Divisional						Total		
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	M	F	Total
1	Theft/Stealing	37.1	44.2	45.9	37.6	55.7	56.6	48.0	48.9	48.3
2	Fighting/quarrelling	37.6	32.6	38.6	29.1	41.0	32.8	37.3	34.7	36.4
3	Hijacking/toll collection	2.7	1.4	3.9	2.4	7.3	6.8	3.9	6.3	4.8
4	Robbery	9.1	16.3	16.4	20.5	18.6	21.4	17.9	17.7	17.8
5	Violence against women (VAW)	28.0	4.7	26.2	29.4	31.8	17.1	25.0	24.8	24.9
6	Family conflicts between husband & wife	14.5	20.0	9.8	17.1	15.1	16.5	15.2	13.7	14.7
7	Land disputes	53.2	32.1	31.8	28.1	24.8	35.2	34.0	27.2	31.6
8	Monetary related	1.1	0.9	3.9	2.1	1.8	0.3	2.4	1.2	2.0
9	Divorce related	10.2	1.4	1.9	12.5	3.5	9.2	6.3	4.2	5.6
10	Loan related	2.2	0.0	0.0	0.3	0.0	0.0	0.2	0.2	0.2
11	Child marriage	1.6	0.9	3.4	2.1	4.4	0.5	2.5	3.0	2.7
12	Various small disputes	11.8	31.2	22.7	20.2	16.5	9.5	17.1	20.9	18.4
13	Disturbance by Mastans (hoodlum)	1.1	2.8	0.5	0.0	0.5	0.5	0.7	0.7	0.7
14	Don't know	2.7	0.9	0.7	0.9	0.9	1.4	1.2	0.7	1.1
15	Refused	3.8	2.8	3.6	2.4	2.9	3.3	2.8	3.7	3.1

Source: Village Courts in Bangladesh Baseline Survey, 2009

## Analysis

It can be logically asserted that people do not appear to be well acquainted with VC and its functions. They might have mixed up VC with Shalish. For example, VAW has been mentioned by a substantial percentage of the respondents as a case dealt by the VC. Such wrong information clearly indicates that there is need for mass awareness campaign about VC so that people can reap its benefits. If people have correct knowledge about the functions of VC, then only they will be motivated to approach VC for seeking justice. Since about 76% of respondents are ignorant about VC, one can not expect too much eagerness about VC activities.

## 4.2.8 Respondents' Knowledge about Financial Jurisdiction of VC

### Nationwide Scenario

Respondents who knows about VC, claimed that most of them (65%, n=2349) are aware about the financial jurisdiction of VC, though they are not sure about the exact figure of Tk 25,000. However, out of those 65% respondents, only 31% (n=1531) could mention Tk 25,000 as the financial jurisdiction of VC. Rest of the respondents mentioned the wrong figure about the financial jurisdiction of the VC (Ref. Table B.8 in Annex I).

### Division-wise Scenario

There is noticeable variation across Divisions with respect to knowledge about 'financial jurisdiction' of VC. For example, 21% respondents in Rajshahi, 23% in Khulna, 44% in Dhaka, 32% in Chittagong & Sylhet, 33% in Barisal and mentioned Tk 25,000 as VC's jurisdiction. The highest no. of respondents from Barisal division (73%) claimed that they know about the financial jurisdiction of VC but in case of mentioning the exact figure (Tk 25,000) their answers are average (33%) across divisions. Whereas the lowest percentage (58%) of respondents from Chittagong division who opined 'Yes' they known about the financial jurisdiction has given a consistent answer (32%) about the exact figure of Tk. 25000. People from Rajshahi and Khulna division have the same condition. Respondents from Dhaka division (44%) are most who has given the correct answer (Table B.8 in Annex I).

### Gender-wise Scenario

Male (70%) respondents are higher than female (57%) in respect to answering 'Yes' we know about financial jurisdiction of VC. But almost similar percentage of respondents (Male & Female) given correct answer on the amount (Tk. 25,000) of VCs jurisdiction.

## Analysis

This is evident that maximum people don't know about the jurisdiction of VC in terms of monetary value. As with many other issues, respondents appear to have confused and feeble idea about VC and its financial jurisdiction.

### 4.2.9 Knowledge about Formation of Village Court (VC)

Of those respondents (n=2,349) who are aware of VC, 77% claimed they know about the formation of VC. Over 90% (n=1,819) of such people mentioned that a VC is formed with Chairman, Members and honorable local elites, whereas about 21% said that people from both sides under disputes are included.

#### Division-wise Scenario

Across Divisions, a very high percentages of the respondents who already know about VC, say that they are aware of the formation of VC. For example, 69% in Barisal (which is the lowest) say that they know about the formation structure of VC. Such proportion is the highest in Sylhet (87%) and the second highest is 78% in Rajshahi Division. However, regarding formation, 97% in Barisal say that VC is form with Chairman, Members and honorable local elites. Such assertion is made by 94% in Chittagong, 89% in Dhaka, 88% in Rajshahi, 86% in Khulna and 93% in Sylhet. About 32% in Dhaka and 27% in Rajshahi Division said that VC is formed with selected people from 'both sides' of disputes. In other Divisions, respondents knowledge on this issue is much lower, only 6% in Chittagong and 7% in Sylhet.

#### Gender Scenario

Though there is significant difference of knowing the formation of VC between male (80%) and female (73%) but same percentage (90%) of them mentioned that VC is formed with Chairman, Members & local elites (Table B.8 in Annex I).

## Analysis

From survey findings it is clear that respondents used their intuition and have somewhat feeble idea about formation of VC. None could clearly mention that VC is formed with Chairman and two Members nominated by each party to the disputes. This reinforces our previous assertion about poor knowledge level of respondents regarding VC and its structure.

### 4.2.10 Knowledge about Decision Making Process of VC

#### Nationwide Scenario

While 67% out of 2,349 respondents mentioned that they are 'aware' about how decision is taken in VC, 30% answered negatively and 2% refused to answer. Out of those 67%, 33% (n=1,581) mentioned that decision is made by 'forming a committee', 28% mentioned 'combination of Chairman & members jointly, and about 23% said that 'bringing two groups together' is the process.

#### Division-wise Scenario

More than 60% respondents in every Division say that they know how a verdict is made in VC. Regarding decision making ways, 'by forming a committee' respondents from Chittagong division (69%) influenced the total average (33%). This is 26% in Barisal, 33% in Dhaka, 27% in Khulna & Sylhet and 29% in Rajshahi. Almost equal portion of respondents in all Divisions, starting from 11% in Sylhet and 19% in Rajshahi said that decision is taken basing on judgment of the majority. However, joint decision by Chairman and Members is also mentioned by a substantial number of respondents in every Division.

#### Gender Scenario

Gender-wise respondents differ widely with respect to decision making process. About 73% male against 58% female mentioned that they know about decision making process. However, male and female respondents bear almost similar views regarding judgment by the majority in decision making of VC.

## Analysis

From above findings, it is clear that respondents bear mixture of ideas about how a decision is made by VC. However, unanimous decision by majority (4:1 or 3:1) is binding and this fact is not known to respondents. So, it is imperative to make people know about how VC decision is made. If this is clear, people may have more inclination towards seeking justice from VC. If people get convinced that dependable persons are involved in decision making process, they will naturally have greater willingness to approach VC. This is reflected also in suggestions provided by respondents, presented at a later part.



#### 4.2.11 Appeal against Decision of a VC

Out of the respondents who know about VC, 60% (n=2,349) mentioned that one can appeal against VC's decision. And 81% (n=1406) mentioned that one can appeal to the 'court', 6% mentioned UNO and 14% mentioned 'GD at Thana' (Table B.8 in Annex I).

##### Division-wise Scenario

People from Khulna (84%) are highest in mentioning that appeal is possible against VC and which is lowest in Sylhet division (44%). Other divisions in this case range from 51% in Dhaka to 67% in Barisal. More than 76% respondents in Chittagong, 75% in Dhaka, 80% in Khulna, 78% in Rajshahi and 91% in Barisal mentioned that one can 'appeal to the court' against the decision of VC. In Sylhet Division this figure is over 93%. 'Appeal to the court' is the most common idea, ranging from 75% in Dhaka to as high as 93% in Sylhet.

##### Gender Scenario

Male and female respondents who agreed with the above statement are differing substantially. While 64% male respondents say that appeal is possible against VC's decision, 52% females say so. Although the same percentage of respondents (81%) from male and female mentioned appeal 'to court', there is a little difference between them in mentioning 'appeal to UNO' (male 7%, female 5%) and 'make GD at Thana' (male 13%, female 17%).

##### Analysis

Although knowledge of majority of the respondents appears to be correct with respect to appeal against VC decision, it sounds like a guess made by respondents. In reality people can appeal to the Assistant Judge/Magistrate of 1st class or Family Court depending on the nature of the disputes/offences. It is also true that when a very small percentage of people are aware of VC, we can not expect that too many would know about this issue.

#### 4.2.12 Knowledge about Organization Working locally to make People Aware about VC

##### Nationwide Scenario

Majority (57%) of the respondents who know about VC (n=2,349) mentioned that there is no institution/organization with any activity to make people aware about VC. While 31% (n=2,349) of those who said yes to such query, 67% mentioned about NGOs, such as BRAC is working to make people aware about VC. While 12% mentioned 'social workers', 9% mentioned 'Club/Co-operative societies' who are working locally to campaign for VC (Table B.8 in Annex I).

##### Division-wise Scenario

In Barisal (11%), Chittagong (18%) and Sylhet (9%) and altogether not many people know about any organization working locally to make people aware of VC. However, in other divisions percentage of respondents knowing such organizations activities varies between 33% in Khulna to 48% in Dhaka.

Most common name mentioned by the respondents is BRAC in every division that is running campaign in favor of VC. This response varies between 42% in Khulna & Chittagong to 80% in Rajshahi. In second position Social Workers are common. (Ref. Table B.8 in Annex I).

##### Gender Scenario

Male & female respondents have almost similar knowledge on above issue.

##### Analysis

It is clear that not many organizations/institutes currently are working for making people aware of VC and its functions and jurisdiction. Thus, people do not get proper information, guidance and help. This issue has links with poor knowledge level of respondents about VC & its functions. But NGO's like BRAC is playing a good role for raising awareness in this issue.

## 4.3 Adjudication

### 4.3.1 Functionality of VC

After briefing about VC, all respondents were asked about functionality of VC.

Out of those respondents who are already aware about VC and who have been made aware, 55% (n=10,016) astonishingly assert that VC is not active in their UPs. However, of those 30% who mentioned VC is active, 73% (n=2996) mentioned that people usually go to VC to settle their disputes. Out of such respondents (73%), 31% consider low cost, 30% consider fair justice, 24% consider easy solution and 20% consider less time as reasons why people usually go to VC (Table B.9 in Annex I).

At this stage respondents were asked about types of problems which could arise in VC.

Out of those respondents (n=2,203) who think people usually go to VC, about 36% consider biasness and nepotism can be a problem, whereas 21% are not quite sure about fair judgment, 10% think that money can be a problem.

However, those respondents who mentioned that people usually do not go to VC (n=662), 43% mentioned 'unfairness', 15% said 'lack of neutrality' and 11% mentioned 'bribing' as reasons behind not going to VC. Of this 'no' group, 41% suggested to ensure fair justice, 12% mentioned awareness campaign and 11% think removing discrimination may motivate people to go to VC.

### Division-wise Scenario

Majority of the rural people across Divisions opined that VC is not active in their area. Among the respondents who are aware about VC, 47% in Khulna & Sylhet to 69% in Chittagong expressed their concern that VC is not active in their locality. However, among the respondents who mentioned that VC is active in their area, a very high proportion of respondents, starting from 63% in Dhaka to 85% in Khulna mentioned that people usually go to VC for seeking justice in their areas.

Regarding why people usually go to VC, respondents mentioned some advantages like less time, fair justice and less expense. In every division, those three aspects associated with VC are expressed as the most advantages of VC. However, respondents also expressed their concern and did not rule out the possibility of nepotism, bribing and irregularity in the activity of VC. Table 4.4 below shows the respondents' reasons for not seeking justice from Village Court by Division. More details can be seen in Table B.9 in Annex I.

**Table 4.4: Reasons for Not Seeking Justice from Village Court**

(Fig in %)

SI No.	Indicator	Divisional						National		
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	M	F	Total
1	No Fair Justice	32.6	56.8	33.6	38.8	56.1	41.1	40.8	46.1	43.2
2	Because of political pressure	11.6	2.7	5.3	11.9	9.0	19.6	9.5	7.6	8.6
3	Lack of neutrality	30.2	10.8	15.0	16.4	12.7	17.9	15.6	15.1	15.4
4	Take bribe	16.3	24.3	9.7	1.5	13.2	10.7	13.1	9.2	11.3
5	Because of prestige loss	4.7	0.0	4.5	3.0	3.8	0.0	4.2	2.6	3.5
6	Because of imposing fine	0.0	0.0	0.0	0.0	0.5	0.0	0.3	0.0	0.2
7	Refused	16.3	8.1	35.6	28.4	8.0	19.6	21.2	22.7	21.9

Source: Village Courts in Bangladesh Baseline Survey, 2009

### Gender Scenario

Gender-wise, 51% male and 58% female respondents mentioned that VC is not active in their area. On the other hand about 70% female and 76% male from the area where VC is active mentioned that people in their area usually seek justice from VC.

### Analysis

Those who know about VC and think that people usually go to VC are quite concerned and conscious in every Division about advantages as well as disadvantages of VC. It is definitely a good sign in terms of activating VC. Such concerns also exist among those who say that people do not go to VC. Similar ideas and suggestions from

both these groups have also come out in connection with the issue about how to make people go to VC. Majority are of the opinion that ensuring fair justice and controlling corruption can activate VC.

### Ways to make people to go to Village Court for Seeking Justice

People are of the opinion that by ensuring fair justice, running awareness campaign, avoiding discrimination, etc, people may be persuaded to seek justice from VC. This picture is almost uniform across Divisions. Table 4.5 shows the summary of the findings on this issue. Here, number of refusals is very high in some divisions compared to others, barring a comparative analysis (Table B.10 in Annex I).

**Table 4.5: Respondents' Views Regarding Ways to Make People to Seek Justice from VC**

SI No.	Indicator	Divisional						National		
		Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	M	F	Total
1	Should ensure a fair justice	46.5	67.6	31.6	43.3	46.7	32.1	42.7	38.2	40.6
2	Need to avoid discrimination	14.0	8.1	11.3	6.0	10.4	14.3	12.3	8.9	10.7
3	Should take awareness building activities on Village Court	9.3	8.1	12.6	14.9	12.3	14.3	10.9	14.1	12.4
4	Should be free from political influence	0.0	8.1	3.6	9.0	11.3	3.6	6.7	6.6	6.6
5	Need to increase the power of member of Village Court	0.0	0.0	1.6	3.0	3.3	1.8	2.0	2.3	2.1
6	Should ensure transparency and accountability of the Village Court members	7.0	2.7	2.8	3.0	3.8	3.6	2.5	4.6	3.5
7	Should ensure the administrative interference	0.0	0.0	3.2	0.0	2.8	3.6	2.5	2.3	2.4
8	Refused	27.9	8.1	35.6	28.4	11.8	32.1	23.7	26.3	24.9

Source: Village Courts in Bangladesh Baseline Survey, 2009

### 4.3.2 Formal vs. Informal Court System in terms of Advantages and Disadvantages

#### A: Formal Court

##### Nationwide Scenario

##### Advantages

Among the respondents (n=10,016), some perceive that formal court system ensures fair justice (30%), swift judgment (5%), less expenses and judgment through proper enquiry (3%).

##### Disadvantages

On the other hand, about 25% respondents think that formal court system is expensive, among others are those who think; it gives unnecessary hassle (7%), takes excessive time (14%), entails traveling problem (5%), etc.

##### Division-wise Scenario

##### Advantages

A substantial portion of respondents in every Division think that Fair justice is obtainable from formal court system. Although in Dhaka Division only 18% respondents have such feeling, in all other Divisions such feeling more prevalent, ranging from 32% respondents in Rajshahi to 42% in Sylhet. 'Swift judgment' and 'less expense' are also considered as advantages of formal court system by a good number of respondents in every Division (Ref. Table B.10 in Annex I).

### **Disadvantages**

Among disadvantages cited, most noteworthy ones are 'more expenses', 'excessive time' and 'travel'. In Barisal Division, many people (37%) are concerned about expenses needed for formal court system, whereas in Chittagong Division greatest concern is about excessive time needed as well as cost. Similar concerns are also present among respondents of other Divisions.

### **Gender Scenario**

Fair judgment cited by more male respondents (32%) than females (28%) as advantage of formal courts. Other causes like; 'swift judgment', 'less expensive' and 'judgment delivered by proper enquiry' mentioned by them are very close. With respect to issues mentioned as disadvantages to the formal court, males and females appear to have almost equal level knowledge.

### **Analysis**

People across divisions agreed that fair justice from the formal court is the key advantage while they also expressed some disadvantages of the formal noticeably 'need excess money and time'.

## **B: Informal Court**

### **Nationwide Scenario**

#### **Advantages**

While talking about advantages of informal system, respondents identified 'swift justice' (32%), 'less expense' (26%), 'fair judgment' (16%) and 'lesser hassle' (7%).

#### **Disadvantages**

On the other hand, quite a large percentage of rural people believe informal system is plagued with unfair judgment, bribing, misuse of power, lack of neutrality, etc. Besides, this analysis also reveals that most of the rural people believe that formal court provides fair justice.

Disadvantages of the informal court mentioned by the respondents includes no proper judgment (25%), lack of neutrality (23%), misuse of power (17%), arbitrators demanding bribe (14%), etc.

### **Gender Scenario**

From gender perspective, male and female respondents equally mentioned about expenses and lengthy process of formal system. About informal system of courts, respondents in every Division are very much concerned about lack of neutrality, misuse of power and less concerned about expenses. Table B.10 placed in Annex I provides details by Division and by Gender.

### **Analysis**

One thing is clear that rural people can clearly distinguish between formal and informal system of courts in terms of their advantages and disadvantages. Most of the assertions about advantages rightly outdo the disadvantages. What has been said to be advantages of formal system appears as disadvantages of informal system. On the whole 'lengthy process', 'lack of neutrality' and more 'expenses' as well as anticipated 'lack of fair judgment' are considered as factors behind choice of either Formal or Informal System. Besides, this analysis revealed that most of the rural people believe that 'formal court' provides 'fair justice'. This low confidence on informal system may align them to prefer formal court.

## **4.4 Legal Aid and Counseling**

### **4.4.1 Knowledge about Local Legal Aid Organization**

#### **Nationwide Scenario**

A very small percentage (19%) of the total respondents (n=10,016) confirmed about availability of legal aid services in their areas. But majority of respondents (66%) mentioned about absence of such services in their areas. Those who mentioned about the existence of legal aid service (n=1,904), mostly mentioned about BRAC (26%), UP representatives (21%), teachers/religious leaders (12%), ASA (9%), village leaders and social workers (8%) as sources of legal aids. Village Chiefs (8%) and Grameen Bank (2%) were also cited as such sources of legal counseling. (Ref. Table B.11 placed in Annex I).

### **Division-wise Scenario**

Proportion of respondents knowing place(s) for getting legal aid is highest in Dhaka and Chittagong (24%) and lowest in Sylhet (6%). However, BRAC as a source of legal aid is most widely known in Rajshahi (32%) and it's the least in Barisal, where only 10% respondents mentioned it. In every Division several other types of legal aid persons/organization places exist. Most noteworthy among them are ASA, Teachers, Imams and UP Representatives.

### **Gender Scenario**

There is little difference between male and female respondents regarding knowledge about source for obtaining legal aid. This is 21% for male and 17% for female. Across Gender, knowledge level about the sources of providing legal aid and counseling is pretty much the same. This is also true with respect to knowledge about specific places for legal aid (Ref. Table B.11 Annex I)

## **4.4.2 Necessity of Legal Aid/Counseling to Facilitate Access to VC**

### **Nationwide Scenario**

Nearly half (42%) of the total respondents (n=10,016) think that people need legal aid and counseling to seek justice from VC. About 22% of them (n=4,191) consider the need for awareness rising, 15% respondents think about suggestions/counseling and 36% consider legal help and supports needed for facilitating access to VC.

### **Division-wise Scenario**

In every Division, a very high percentage of the respondents, 79% in Barisal Division and 55% to 73% in other Divisions do not have any idea about the existence of any place where people can get legal aid. However, people feel the necessity for legal aid. Such types of respondents are 29% in Barisal, 33% in Chittagong, 47% each in Dhaka and Khulna, 43% in Rajshahi and 38% in Sylhet (Ref. Table B.11 in Annex I).

### **Gender Scenario**

Almost equal portion of male (43%) and female (41%) respondents feel the need for legal aid and counseling in seeking justice from VC. The male-female ratio of respondents is almost same while mentioning the types of legal aid they need.

### **Analysis**

Assertions of people emerging from survey findings clearly indicate that most of the rural people feel very strongly the need for legal counseling and aid. This is true in every Division. Thus, awareness campaign and/or Mobile Counseling system can be arranged to build peoples' confidence on VC. Such aid and counseling can also make clear when and how to approach VC for seeking justice. People will then feel comfortable to reap the benefits of VC.

## **4.5 Enforcement and Oversight**

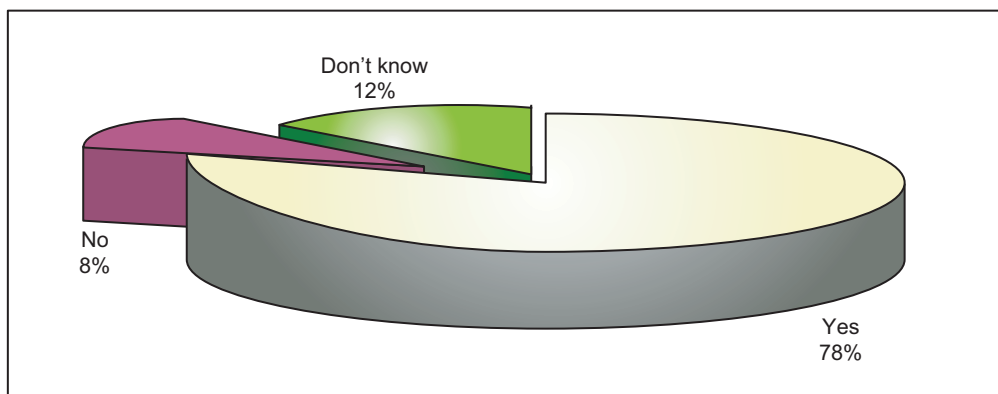
### **4.5.1 Ability of VC to Enforce Decision**

This issue has been raised to those respondents who already know about VC (n=2349).

### **Nationwide Scenario**

Majority of the respondents (78%) out of 2,349, think that VC is 'able to enforce its decisions'. But among the 8% (n=2349) respondents who say VC can not enforce its decision, 36% think 'unfair judgment' and 24% think 'weak administrative capacity' do not allow VC decisions to be implemented. However, respondents extended their suggestions regarding ways to ensure enforcement of VC decisions. Among such suggestions noteworthy ones are 'fair judgment' (22%), (n=2,349) 'sensitize people' (9%), need 'every one's participation' (5%) and 'resist grouping and nepotism' (4%). Detail picture may be seen in Table B.12 in Annex I.

**Figure 4.11: Respondents' Opinion about VC's Ability to Enforce Decision**

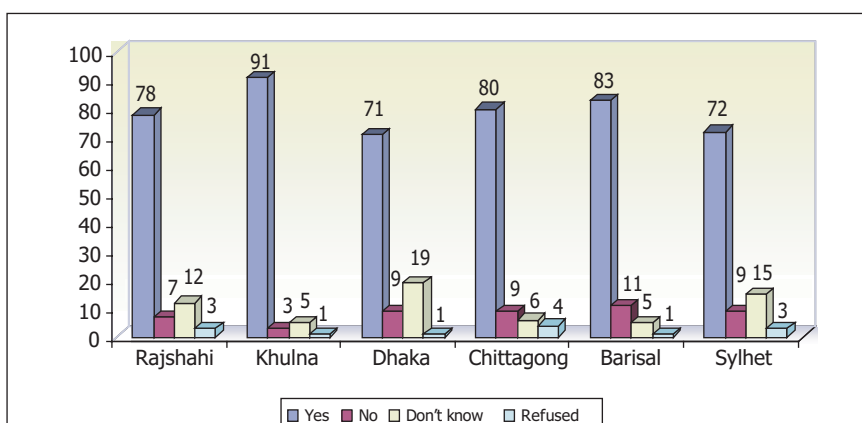


Source: Village Courts in Bangladesh Baseline Survey, 2009

### Division-wise Scenario

Percentage of respondents (among those who know about VC) claiming that VC can enforce verdicts is very high in every Division. It varies from 71% in Dhaka to as high as 91% in Khulna. However, those who were against this statement mostly argued that 'unfair judgments' is a reason why VC can't enforce its decision. Such people are 25% in Dhaka ranging up to 45% in Barisal. 'Poor administrative capacity' has been cited as reason by 10% in Chittagong varying up to 37% in Sylhet. Regarding 'how to enforce VC's decision' people from Barisal is highest (35%) in giving their suggestions to ensure fair judgment, which in other divisions are ranges from 17% in Chittagong to 29% in Sylhet.

**Figure 4.12: Ability to Enforce VC Decision by Division**



Source: Village Courts in Bangladesh Baseline Survey, 2009

### Gender Scenario

Male respondents are little bit higher (79%) than female (75%) in respect to VC's ability to enforce decision. Also male are almost double than female regarding 'both party do not agree with the decision' as reasons of why VCs are not able to enforce its decision. Females appear to be more concerned regarding fairness & administrative role of VC. The interesting findings here is that there were no respondents from male in Khulna regarding unfairness and no response from female in the same division regarding weak administration. (Ref. Table B12 in Annex I).

### Analysis

It is very much clear that not all who are aware of VC are of the opinion that VC can enforce its decisions. Mostly 'unfair justice' and 'non-stringent administration' are claimed to be the reasons for this. Thus, 'fair judgment' could create more congenial situation for enforcing VC's decision. People will readily accept VC decisions if no anomaly prevails and transparency exists.



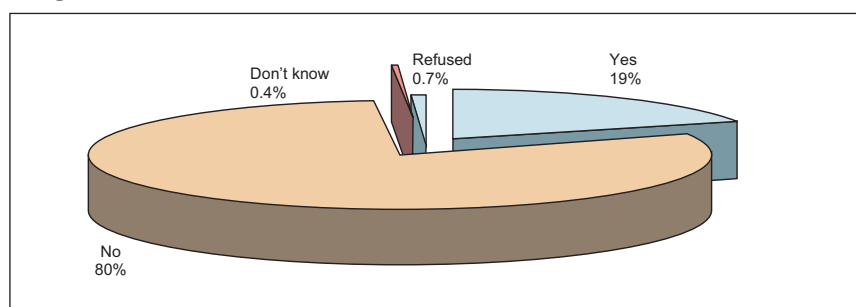
## 4.6 Attitudes & Perceptions

### 4.6.1 Incidence of Disputes and Offences Faced in Personal Life and their Settlements

#### Nationwide Scenario

Most of the respondents (80%) never faced any crimes/offences in their personal life. However, out of 19% (n=1,0016) who ever faced any incidence, 43% (n=1885) faced land litigation, 17% faced family conflict and 6% faced disputes between couples. On the other hand, 7% faced quarrel with neighbors, 4% faced theft/robbery and 5% faced VAW/dowry related problems (Ref. Table B.13 in Annex I).

**Figure 4.13: Incidence of Crimes/Offenses Faced in Personal Life**



Source: Village Courts in Bangladesh Baseline Survey, 2009

However, not many of those respondents who knows about VC (n=2,349), only 45% (n=2,349) ever approached VC for settling their disputes. It is quite encouraging to see that most of them (74%, n=243) think fair judgment has been given by the VC. Respondent who got fair justice were asked about their level of satisfactions and over 65% (n=251) appear to be happy & very happy (Ref. Table B.14 & 15 in Annex I).

In connection with such issues, respondents (who already know about VC) were asked if any one of their relatives, friends & known persons ever approached VC for any dispute. About 44% (n=2,349) answered yes and around 82% of them claim to have received fair judgments from VC. However, out of 14% who say 'no' to this query about the justice, 23% (n=145) mentioned 'politicization' is a reason behind injustice from VC and 30% mentioned 'influence of local elites' (Ref. Table B.15 in Annex I).

An issue relevant to the above is 'perception about usefulness' of VC. Out of 2,349 respondents who already know VC, 97% consider that VC is 'useful'.

In this connection 65% (n=2,268) respondents also mentioned that 'speedy settlement within locality' has its usefulness. Similarly, 70% mentioned 'easily approachable' and 81% mentioned 'lesser cost' as usefulness of VC (Table B.16 in Annex I). However of those 1.6%, who does not consider VC to be useful, is concerned about 'impartiality', 'more expenses' and 'shortage of honest people'.

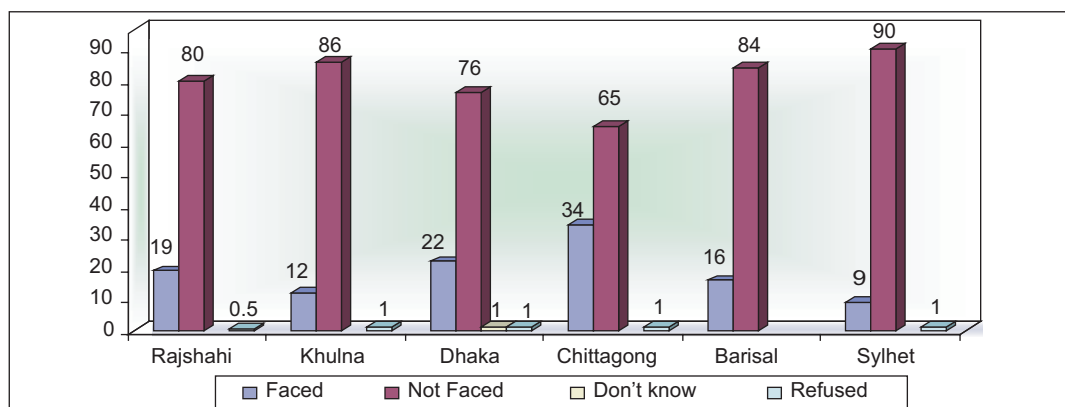
#### Division-wise Scenario

Not many respondents appear to have experienced any crimes/offences in their personal life. While only 9% respondents in Sylhet have faced crimes in their personal life, in Chittagong it is 34%, being the highest. In every Division, land related disputes, quarrel, VAW, family conflict and Hijacking/theft are the most common offences faced in respondents' personal lives. About 50% respondents from Chittagong, Khulna, Barisal and Sylhet mentioned land related problems.

In Barisal, out of those respondents who know about VC, only 44% have ever approached VC for seeking justice. Such incidence is the lowest in Dhaka (33%) and highest is in Chittagong (60%). Mostly land related disputes, VAW and family problems were the issues of dispute. However, a very high proportion of respondents who ever approached VC, consider VC decision to be fair. Such figure varies from 43% in Barisal to 88% in Chittagong.

Figure 4.14 in the following page shows the division-wise picture of the incidence of crimes/offenses faced by the respondents personally.

**Figure 4.14: Incidence of Crimes/Offenses Faced in Personal Life by Division**



Source: Village Courts in Bangladesh Baseline Survey, 2009

### Gender Scenario

Male respondents (22%) faced more problems than female (15%) personally. But regarding types of conflict more of females (21%) compared to males (14%) faced 'family conflict'. Similar is the case with 'personal quarrel'. But reverse situation observes for 'land related issues', males (46%) are more than females (37%) in facing crimes personally. Males and females equally faced VAW and dowry related incidences. However, more Males (46%) compared to female (42%) ever 'approached VC' for settling any dispute. But males (74%) & females (72%) nearly equally consider VC decision to be fair. Almost equal number (66%, n=251) of respondents of both sex expressed their happiness in getting justice from VC.

### Analysis

It may be true that not all people equally faced crimes/disputes in their personal life. However, it is quite clear that various types of crimes or incidences occur in every Division and some disputes are more prevalent compared to others. As a summary it can be said that land disputes, quarrel, family conflict, VAW, theft, robbery and hijacking are the most common offences that generally occur across Divisions. But in reality VAW do not fall under VCs jurisdiction. It is also clear that not many people have ever approached VC. But, those who did are mostly satisfied with VC decisions. This is true for both male & female respondents. Moreover, to be more acceptable to the people VC's decision should be more impartial, fair and transparent. No bribing and political influence should be there.

### 4.6.2 Usefulness of VC as Perceived by those who already Aware about VC

#### Nationwide Scenario

For easier comprehension, we provide a summary of opinions about VC as put forth by those who already know about VC.

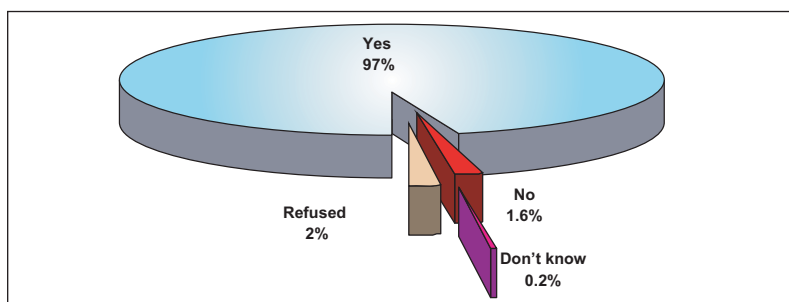
**Table 4.6: Public Opinion about Usefulness of Village Courts**

Indicators	Yes (%)	No (%)
Know about VC	23.45	76.45
Know about VC and seek Justice from VC	45.0	55.0
Know about VC and found VC useful	96.6	1.6

Source: Village Courts in Bangladesh Baseline Survey, 2009

The Table 4.6 above depicts that of those respondents who are 'already aware' of VC and 'sought justice' from VC, most of them (97%) consider Village Court 'useful for rural people'. Those respondents approached VC and got justice and have practical experience with VC. Over 65% of those who ever approached VC are either 'happy' or 'very happy' with VCs' decision.

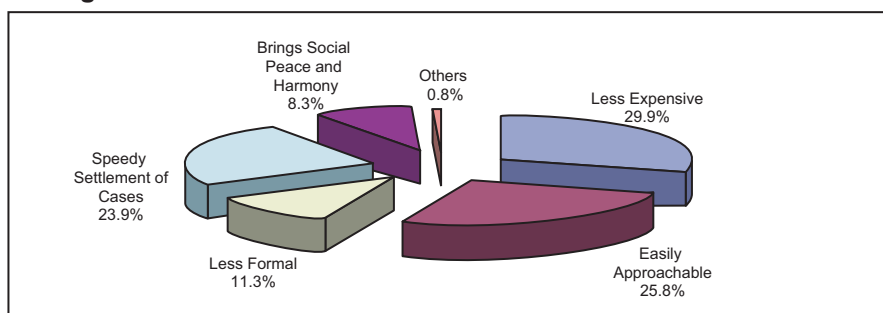
**Figure 4.15: Public Views on Usefulness of VC**



Source: Village Courts in Bangladesh Baseline Survey, 2009

Assertions about 'usefulness' of VC as mentioned by the respondents is shown in Figure 4.16 below.

**Figure 4.16: Public Views on the Reasons for Usefulness of VC**

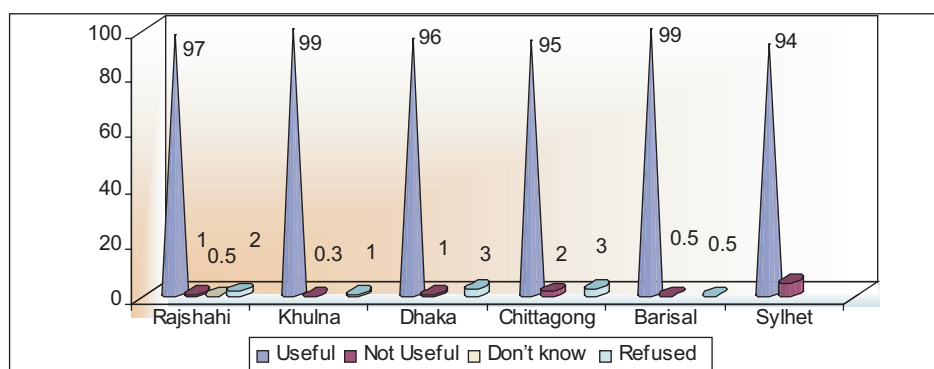


Source: Village Courts in Bangladesh Baseline Survey, 2009

### Division-wise Scenario

Of those who already know about VC, not many have ever approached VC. Highest percentage is 60% in Chittagong who ever approached VC and the lowest is 33% in Dhaka. It is noticeable that of those who have ever approached VC, substantial percentage appears to be happy with VC's judgment. For example, 81% in Dhaka Division think that they received fair judgment. Such proportion is lowest in Barisal (43%) and highest in Chittagong 88%. Figure 4.17 below illustrate this picture and Table B.14 in Annex I provides the detail.

**Figure 4.17: Respondents' Views on Usefulness of VC by Division**

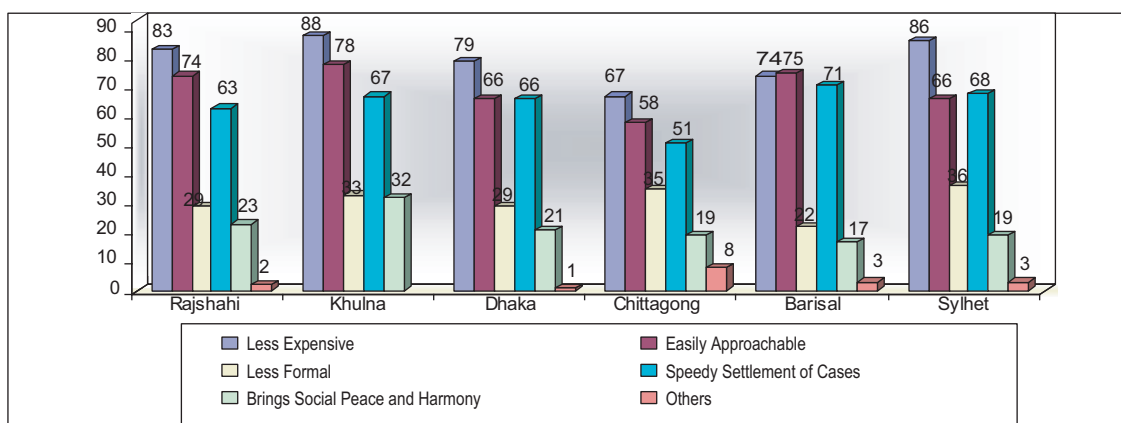


Source: Village Courts in Bangladesh Baseline Survey, 2009

### Gender Scenario

Proportion of females (41.8%) who know about VC and approached VC is slightly lower compared to their male (46.8%) counterparts. Both males (65%) and females (66%) are either 'happy' or 'very happy' with VC decisions. However, respondents show variation in reasons why they think VC to be useful across Divisions. Figure 4.18 below shows those variations by Division. Detail may be seen in Table B.16 in Annex I.

**Figure 4.18: Respondents' Views on the Reasons for Usefulness of Village by Division**



Source: Village Courts in Bangladesh Baseline Survey, 2009

### Analysis

It is very much clear that although not many people approached VC for resolving disputes, majority of those who did are quite happy with VC's decision. As a whole, people in general have good notions towards VC across Divisions, regardless of the level of involvement.

#### 4.6.3 Respondents' Suggestions for Improvement of VC

Respondents of quantitative survey provided various suggestions to make VC more effective and acceptable to rural people. Some of those suggestions by specific issues are discussed in brief in this section. More details have been provided in Table B.17 in Annex I.

#### Suggestions about Types of Disputes and Offences

Respondents suggested various types of generally occurring disputes/offences which they want to be within the jurisdiction of VC. However, some of these were given more emphasis compared to others. For example, 'stealing' (46%), 'quarrel' (39%), 'land dispute' (33%), VAW (26%), 'Robbery' (17%), 'Killing/False Cases' (8%), etc are the disputes/offences should be dealt by VC as opined by respondents in every Division, respondents emphasized that these commonly occurring incidences should be dealt by the VC (Ref. Table B.17 in Annex I).

#### Decision Making Process

Regarding decision making, respondents suggested that all the decisions should be taken after 'proper verification' (18%). Some other suggestions proposed that every concerned person should be 'included in decision making' (24%), decision should be 'quick and proper' (33%).

Proportion of respondents suggesting 'proper investigation' is highest in Chittagong (33%) followed by Dhaka (29%) and the lowest (8%) is in Rajshahi (Table B.17 in Annex I).

'Quick decision making' is of great concern in every Division. While 41% respondents in Sylhet, 44% in Rajshahi and 28% in Khulna emphasized on it, in other Divisions also, substantial portion of respondents (lowest 18% in Chittagong) want prompt decision making.

#### Monitoring and Controlling

Effective and timely 'monitoring of VC activities' has been suggested by a substantial percentage of respondents in all Divisions. For example, in Barisal, Dhaka, Rajshahi and Sylhet Divisions, over 40% respondents suggested it. The people suggested UNO, Chairman, a neutral person, by forming a board etc. for proper monitoring of VC. But maximum of them (44%, n=2349) suggested that UNO/TNO should monitor the activities of VC.

#### Accountability and Investigation

VC's 'accountability' is of great concern for most of the respondents. In Sylhet, Dhaka and Barisal over 50% respondents have emphasized on importance of 'accountability' of VC. In other Divisions also, over 45% people wanted it. Still higher emphasis was put on 'proper investigation of cases'. 52% respondents in Khulna and over 55% in Chittagong, Barisal and Sylhet expressed this concern. Gender-wise, male & female respondents wanted it equally (50% & more).

## Gender Dimension

Gender dimensions are properly reflected by the respondents. They have suggested some specific issues related to gender for the effective functioning of the VCs, like gender balance should be maintained, equal justice should be ensured for all etc. About 66% respondents suggested for 'male-female consensus or gender balance should be maintained in VCs. This suggestion has made highest in Sylhet (81%) and then in Chittagong (70%). Other divisions range from 55% in Barisal to 67% in Rajshahi. However, in this case, 3% respondents suggested 'equal justice for all' for effective VC. Interesting thing is that male respondents are almost same to females in this case. (Table B17F in Annex I).

## Other Suggestions

Several other good suggestions have also been put forth by the respondents. For example, 3.8% (n=2349) respondents in Barisal have suggested that 'educated people should be included in VC'. In the same Division, 6.5% suggested that VC should be 'free of political influence' and 4.3% suggested for 'awareness building' about VC. In other Divisions, a bit lower percentage of the respondents suggested the same. In order to have a more concrete picture of suggestions offered by the respondents, we have done filter analysis as presented below.

## Filter Analysis on Suggestions provided by the respondents on Various Issues related to VC

In the survey, respondents were requested to put forth their honest and well-thought suggestions regarding various issues relevant for improvement of VC. In order to analyze such suggestions, we have adopted a Filter Analysis. We have considered only those respondents who are very closely associated and well acquainted with VC. We present the approach in a flow diagram below. It may be noted that same suggestion may come from different people. But, we should give more importance to those who already know about VC, approached VC or whose relatives or known persons has ever approached VC for seeking justice.

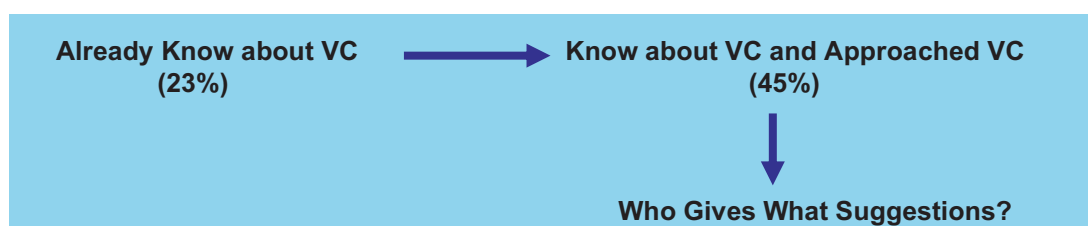


Table 4.7 to 4.11 placed below and in the following pages shows the analysis results.

**Table 4.7: Types of Offences/Disputes that should be 'Dealt' by VC**

Statements	Percentage (%)
Land related conflict	33.5
Quarrelling	39.1
Violence against women	26.0
Theft/stealing	46.0
Robbery	16.6
Killing/Case/False accusation	7.8
Divorce	5.5
Snatching/Hijacking	3.6
Criminal activities	1.0
Child marriage	3.5
Female/Child trafficking	0.6
Political revenge	0.4

Source: Village Courts in Bangladesh Baseline Survey, 2009

It is evident from the above table that those respondents who 'know and approached VC' mentioned various types of offences/disputes which they desire VC to deal with. Among them, most noteworthy ones are (1) Theft/stealing (2) Quarrelling (3) Land related conflict and (4) Violence against women.

**Table 4.8: Respondents' Suggestion about Decision Making Process of VC**

Statements	Percentage (%)
Decision should be taken through investigation	18.1
All concern's opinion should be taken into account	23.9
Only Chairman's decision should not be considered	5.1
Quick and proper decision should be taken	32.6
Decision should be finalized by the concerned respectable persons	2.9
It is better if the decision is made by representative of Administration	0.6
Decision should be made by forming a board	4.3

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table 4.8 above shows a mixture of opinions of the respondents. But they gave most emphasis on (1) Quick and proper decision should be taken (2) All concern's opinion should be taken into account and (3) decision through 'proper investigation'.

**Table 4.9: Respondents' Suggestions about Controlling & Monitoring of VC Activities**

Statements	Percentage (%)
UNO/ TNO should facilitate and monitor the VC activities	44.3
Monitoring should be made timely by Chairman	6.0
VC activities should be monitored by a neutral person	7.7
Divisional Police Commissioner should control & monitor VC activities	1.9
Forming separate 'monitoring board' to do this job	2.0

Source: Village Courts in Bangladesh Baseline Survey, 2009

Findings in the above table show that around 50% of respondents, who know about VC and approached it for seeking justice, want that monitoring on VC should be done by a separate committee. A substantial percentage of the respondents suggested for monitoring to be done by TNO/UNO or a neutral person.

**Table 4.10: Respondents' Suggestions about Accountability of VC**

Statements	Percentage (%)
Need proper accountability	54.8
To the administration	11.7
To the neutral person	3.4

Source: Village Courts in Bangladesh Baseline Survey, 2009

Respondents do not appear to be happy about neutrality of VC and they suggested for its 'proper accountability' to the higher administration, or to a neutral person.

**Table 4.11: Respondents' Suggestions about Investigation by VC**

Statements	Percentage (%)
Investigation should be in proper way	51.4
Should investigate the root cause of the dispute	1.5
Neutral Investigation	1.7
Should be more careful and conscubus	0.7
It is better if done by administration	4.1

Source: Village Courts in Bangladesh Baseline Survey, 2009

Respondents appear to be very concerned about investigation of cases. Over 51.4% of the respondents emphasized on 'Investigation should be in proper way' of cases.

## Analysis

From the outcome of Filter Analysis presented above, it is very much clear that people are in favor of VC. At the same time, they want improvement in VC functioning. To that end, they suggested several types of disputes which VC should deal with. Besides, they emphasized on stringent monitoring, accountability, proper investigation of cases and neutrality. Thus, it calls for formulation of ways to meet those concerns.



## Results and Analyses of Tests for Association

We have formulated some hypotheses and performed test of association by contingency test statistic. We present such results sequentially as below.

### **Null Hypothesis 1:** Knowledge about VC 'bears no relation' with gender of the respondents

In order to test the hypothesis of independence we have adopted contingency chi-square test and our calculated value of chi-square is 9,192 with d.f. (degrees of freedom) = 2. At 5% level of significance, the null hypothesis is rejected. It leads us to conclude that knowledge about VC significantly varies across genders. It is quite natural in the context of Bangladesh society. More particularly, in rural society, involvement of males in various affairs like litigations is lot more compared to that of females.

### **Null Hypothesis 2:** Knowledge about VC is 'independent of age group' of the respondents

Here also we have adopted the same test as the one above. Calculated Chi-square value is 9,192 with 2 d.f. (degrees of freedom). It may be mentioned that we have formed 3 age groups 18-30, 31-45, 46 & above. At 5% level of significance, the null hypothesis is rejected. This implies that maturity of people by age bears links with knowledge about VC.

### **Null Hypothesis 3:** Knowledge about VC is independent of level of education of the respondents

In this case also calculated Chi-square value is 9,192 with 2 d.f. which leads to rejection of the null hypothesis of independence. Although an uneducated person may also have knowledge about VC, even then, we may very reasonably argue that this result is quite sensible. Educated people may be more aware of VC compared to non-educated ones.

### **Null Hypothesis 4:** Knowledge about VC is independent of possession of electronic media (Radio, TV)

We have assumed that people having mass media, either electronic or print media, supposedly possess more knowledge and messages about VC or any other social activity and its campaign. Calculated value of Chi-square with 2 d.f. shows that above assumption is true. Possession of mass media bears association with knowledge about VC. Thus, campaign about VC through mass media will supposedly be very useful.

Suggestions of respondents were sought regarding 'how to bring improvement in VC'. In this connection, we have considered only those respondents who already know about VC. After all experience with VC is an important aspect for providing sensible and useful suggestions. Thus, we have divided those respondents into two categories, namely 'ever approached VC' and 'never approached VC'. Similarly, respondents are naturally categorized by their opinions on how to improve decision making process of VC. Categories of respondents by their opinions definitely bear some relation with experiences obtained through approaching VC. Thus, we hypothesized that,

### **Null Hypothesis 5:** Experiences with VC bear no relation with types of suggestions given for improvement in VC.

Calculated Chi-square Value is 1,792, with 5 d.f. which leads to rejection of the 'null hypothesis'. It gives indication to utilize and emphasize those suggestions which have been put forth by well experienced respondents.

## 4.7 Special Analysis for Faridpur & Madaripur Districts

Taking into account the fact that several NGO-interventions on Village Courts are underway in Madaripur and Faridpur districts since last couple of decades and Village Courts are relatively operational in this two districts, a separate analysis has been attempted for them. However, for such purpose, the survey team has been selective. It has been considered only few crucial indicators which can well reflect the scenarios of Village Courts functions in those two districts.

### 4.7.1 Knowledge about VC and types of disputes/offences which occur locally

It is surprising to find that although VC is operating in Faridpur and Madaripur, but not many people are aware of it. Madaripur is a little better off, yet it is too low. Over 34% respondents in Madaripur know about VC and it is only 18% in Faridpur. Scenario in those two Districts is not much different from the countrywide scenario. Altogether these two districts have only 24% respondents who know about VC, whereas national figure is 23.45%. Regarding types of offences/disputes occurring locally, these two districts are not different from other regions. Here also, as in other regions, most occurring offences are 'land related dispute' (47%), 'persecution of women' (22%), 'quarrel' (40%), 'stealing' (48%), 'dowry' (13%), 'robbery' (17%), 'hijacking' (6%) and 'family conflict' (12%). These figures are pretty much the same as the nationwide figures (Ref. Table D.1 in Annex I).

### Willingness to have VC

When respondents were asked about setting up VC in their locality, 91% (n=7667) expressed their desire for it. It corresponds to national figure. Regarding perceptions about benefit of having VC, their opinions are pretty much the same as the national figure. For example, nationally 12% respondents consider VC will take 'short time' for judgment and this is exactly true (12.4%) for these two Districts as well. Almost same, 35%, both nationwide and in these two districts, think that judgment from VC can be obtained easily. Also, 'less expense' is also considered by both these segments of respondents (about 23% each). But in case of fair judgment nationwide figure (25%) is higher than these two districts (20%). Reverse situation observed in case of 'people need not to go to the court/thana'. In this case, nationwide figure is lower (12%) than districts figure (14%). Willingness to have VC is stronger in Faridpur (95%) compared to Madaripur (86%). (Ref. Table D.5 in Annex I).

### Knowledge about cases handled by VC

Regarding knowledge about cases handled by VC, respondents in Faridpur and Madaripur are not better off compared to the national scenario. For example, VAW has been cited by 25% nationally and it is about 27% in these two Districts. Similarly 'land disputes' have been cited by 32% in these two Districts, and national figure. On the whole it can be said that scenario of these two districts are very close to national scenario. (Ref. Table D7 in Annex I).

### Why people do not go to VC and how to make them approaching to Village Courts?

As a reason why people do not go to VC, 'no assurance of fair justice' has been identified by 51% in these two Districts and nationally it is 59%. More people in these two Districts (21%) compared to national figure (12%) mention 'bribing' as a reason why people do not go to VC. However, lot more people (12%) compared to national figure (3%) considers 'loss of prestige' as a reason why people do not go to VC. However, 'political pressure' has been cited by less people here (5% compared to 10% nationally). Lack of neutrality is also almost equally felt in these two Districts as elsewhere. (Ref. Table D10 in Annex I).

### 4.7.2 Enforcement and Oversight

Regarding reasons why VC decisions can't be enforced, Faridpur and Madaripur differ quite noticeably from rest of the country. Here, more emphasis is put on 'both parties do not agree with the decision' whereas nationally more emphasis is put on 'unfair justice'. For example, 31% respondents in those two districts together consider 'both parties do not agree with the decision' as a reason. Such reason is considered by only 21% nationally. Similarly, 'unfair justice' is considered by 36% nationally, while about 28% in those two districts mentioned about it. 'Administrative inefficiency' is mentioned by 9% in these 2 districts, while it is 24% nationally (Ref. Table D.12 in Annex I).

### 4.7.3 Attitudes and Perceptions

It is quite noteworthy that in those two districts where VC is more or less operational, only 15% of those who know about VC have ever approached to it for seeking justice. Such figure is 45% nationally. Those who have ever approached VC in these two districts had mainly 'land related disputes' (75%) which is much lower in national figure (55%). VAW is mentioned by 9% & nationally it is 12%.

However, it is quite encouraging and pleasing to see that high majority (77%, n=44) of those who ever approached VC in these two districts, think they got fair justice. Nationally also this figure is quite high (74%, n=243).

Table 4.12 below shows the comparative picture of the key survey findings of Faridpur and Madaripur districts against national scenario.

**Table 4.12: Key Survey Findings of Faridpur & Madaripur districts**

Indicator	Respondents (%)			
	Faridpur	Madaripur	Avg.	National
Know about VC	17.9	34.4	24.1	23.45
Want active VC	94.7	86	91.9	91.5
Easy to get judgment from VC	31.6	43.1	35.1	33.9
Fair justice can make people to go to VC	44.7	55.8	50.6	40.6
Know VC, sought justice & consider fair justice	75	77.4	76.6	73.7

Source: Village Courts in Bangladesh Baseline Survey, 2009

#### 4.7.4 Suggestions for Improvement of VC by the Respondents of Madaripur and Faridpur

##### Types of Disputes

Like rest of the country, respondents of Faridpur and Madaripur also suggested similar types of disputes which VC should handle. Suggested noteworthy offences are 'land dispute' (43%), 'quarrel' (53%), 'VAW' (33%), 'theft/stealing' (41%), 'robbery' (10%), 'false accusation' (7%), etc. (Ref. Table D.17 in Annex I).

##### Decision Making

Like other regions, here also respondents emphasize 'proper investigation', 'quick & proper decision' making. About 23% want 'proper investigation', 29% want 'quick & proper decision'.

##### Monitoring & Controlling

In those two Districts, a very high percentage (57%) of the respondents suggested that UNO/TNO should monitor the activities of VC. This figure is 44% nationally. Substantial portion of respondents (14%) want others like; chairman, civil society groups to monitor VC.

##### Accountability

Issue of proper accountability of VC has been stressed by 60% respondents in those two Districts, while it is 55% nationally. This issue also differs between these two districts, this is 54% in Faridpur and 65% in Madaripur.

##### Investigation of Cases

About 46% respondents of Faridpur and Madaripur suggested that 'proper investigation' of cases should be done, whereas nationally 51% respondents wanted proper investigation of cases.

Table 4.13 below shows the comparative picture of the suggestions/recommendations of the respondents of Faridpur and Madaripur districts against national picture.

**Table 4.13: Summary of the Suggestion received from Faridpur & Madaripur districts**

Indicator	Respondents (%)			
	Faridpur	Madaripur	Avg.	National
Decision should be proper & quick	25	33.3	29.5	32.6
Decision should be through proper investigation	22.1	24.2	23.2	18.1
Monitoring & controlling should be timely by UNO/TNO	58.2	55.6	56.8	44.3
Need proper accountability	54.1	65.2	60	54.8
Investigation of cases to be proper	34.9	55.1	45.7	51.4
Gender balance should be maintained	61	71.2	66.5	65.9

Source: Village Courts in Bangladesh Baseline Survey, 2009

## 4.8 Conclusion from Quantitative Survey

A nationwide survey covering all 6 administrative Divisions was conducted to identify current situation of Village Court. Altogether 10,016 respondents, of which 50% are females, were brought under the survey. Although there are differences in age distribution of respondents across Divisions as well as across Gender, on the whole, sufficiently matured people were included as 'survey respondents'. Over 48% respondents are above 35 years of age. So, we can reasonably assume that our obtained survey findings have come from experienced, sensible and matured people. Many of the respondents can be assumed to be literate (primary and/or above). From responses on various issues, respondents appear to provide sensible and reasonable answers.

In terms of disputes and offences occurring locally, there is very marginal difference found across Divisions. Land related dispute is very much common across Divisions. Second most disputes/offences are 'quarrel' and 'stealing'. 'Family related dispute' is highest in Sylhet and lowest in Barisal. Disputes/offences related to dowry, robbery, persecution of women are also of great concern.

Among respondents mentioning Shalish, majority mentioned that 'Shalish' is conducted by local leaders and UP representatives and among relatives. However, many of No-Shalish maintainers also reported about settling disputes within family.

As it appears, knowledge about VC is very poor among the rural people and in this regards, Barisal Division has the worst situation followed by Dhaka. Mass awareness campaign is needed to make people aware of functions, composition and jurisdiction of Village Court.

People are very much in favor of VC and they consider that dispute resolution will be fair, easier, quicker with less expense through effective VC. At the same time, people are also concerned about malpractices which may occur.

Not many people appear to be well acquainted with VC and its functions. As VAW has been mentioned by a substantial portion of the respondents to be a case dealt by VC, it indicates that there is need for awareness campaign about VC so that people can reap its full benefits. If people have correct knowledge about functions of VC, only then they will be motivated to approach VC for justice. Like other issues, financial jurisdiction is also not known to most of the people. Regarding formation of the VC, respondents expressed their intuition and some feeble messages. Similarly, it is clear that respondents bear mixture of ideas about how a decision is made in VC. However, unanimous decision by majority (4:1 or 3:1) is binding and this fact is not known to many people. So, it is very much necessary to make people aware of how VC's decision is made. If this is clear, people will have more confidence on VC.

Respondents who know about VC and who think people usually go to VC, are quite concerned and conscious in every Division about advantages as well as disadvantages of VC. It is definitely a good sign for establishing VC. Such concern also exists among those who say that people do not go to VC. Similar ideas and suggestions have also come out in connection with the issues about how to make people to go to VC.

Respondents appear to be clear about difference between formal and informal system of courts in terms of their advantages and disadvantages. What has been said as advantage of formal system appears as disadvantage of Informal system. On the whole issue of processing and expenses as well as fairness in judgment is considered as factors behind choice of Formal or Informal System.

People feel the need for legal counseling and aid services. Media campaign and/or mobile counseling system can make clear 'when and how to approach VC'. This will make people feel comfortable to approach VC.

It is also very much clear that 'fair justice' and 'stringent administration' as wanted by people can create more congenial situation for enforcing VC's decision.

It is quite evident that various types of crimes or incidences occur in every Division and some disputes are more common compared to others. As a summary, it can be said that land related disputes, personal quarrel, family conflict, VAW, theft, robbery and hijacking are the most prevalent incidences across Divisions. Majority of those who approached VC are quite happy with VC's decision. At the same time, people appear to be very much concerned about issues like bribing, nepotism, misuse of power, delaying in decision making and desired 'formation of committee by good people', 'strict monitoring and accountability'. As a whole, people in general have good notions towards VC across divisions irrespective of their level of involvement.

## B. Findings of Qualitative Survey

### 4.9 Respondents' Profile

In addition to quantitative survey, the study also undertook qualitative survey, which included 22 Focus Group Discussions (FGD), 1 National Roundtable Discussion (NRTD), 26 Case Studies (CS), 20 Process Documentation (PD), 222 In-depth Interviews (IDI), and 111 Key Informant Interviews (KII) covering all the 6 administrative Divisions of Bangladesh. Respondents of the qualitative survey included 40 UP Chairmen & 71 UP Members in KII, community leaders in IDI including teachers, businessmen, political leaders, ex-UP Members, GO & NGO service holders, religious leaders, doctors, students, journalists, farmers, drivers and housewives. FGDs were conducted with the community people only. The roundtable discussion at national level was participated by the state minister, LGRD&C and other higher govt. officials, Judicial Officers, Media Personnel, Development Workers, Civil Society, UP elected representatives and local administrative officers. Eventually the divisional level roundtable also participated by the same at divisional level.

Case Studies were undertaken through in-depth interviews with community members who earlier seek justice from their respective VCs. Process Documentation was based on the observation of the VCs' ongoing proceeding during the survey period and available records from the staff/official of the VC.

Table 4.14 below shows the respondents profile by study methods.

**Table 4.14: Respondents Profile under Qualitative Study**

Sl. No.	Type of Respondents	Number
<b>A</b>	<b>KII</b>	<b>111</b>
01	• UP Chairmen	40
02	• UP Members	71
<b>B</b>	<b>IDI</b>	<b>222</b>
01	• Teachers	73
02	• Businessmen	40
03	• Village Leaders	19
04	• NGO Workers	14
05	• Farmers	13
06	• Local Govt. Official	12
07	• Political Leaders	10
08	• Others (Imam, Buddhist Priest, House Wife, Student, Doctor, Driver, Retired personal, Journalist, Ex-UP member)	41
<b>C</b>	<b>FGD</b>	<b>22</b>
01	• Community Members (Male)	126
02	• Community Members (Female)	72
<b>D</b>	<b>National Roundtable Discussion</b>	<b>1</b>
01	• National level	1
<b>E</b>	• Case Study (Community Members seek justice from VC)	26
<b>F</b>	• Process Documentation (Based on VCs' proceeding observation and available records)	20

### 4.10 Legal Protection and Awareness

#### 4.10.1 Types of Crimes and Dispute Generally Occurring in Rural Areas

The study findings reveal most of the offences, petty crimes and conflicts generally occur due to family feud, domestic violence, disputes over land, dowry related violence, false cases, non-payment of loan, etc.

Conflict in the family mainly occurs from bitter relationship between husband-wife which leads to divorce or 'Talak', or physical and psychological torture on the bride by the husband, father-in-law and mother-in-law for dowry. Polygamy also leads to conflicts. Land disputes start with disputed demarcation of boundary, forged document, illegal occupation etc.



Thefts include goat and cow lifting, secretly or forcefully cutting paddy from other people's land, stealing fishes from the ponds, felling of trees illegally, etc.

Some respondents reported about eve teasing, quarrel over petty issues, poisoning other people's fish farming and poultry, dispute for party politics and drug addiction. Some in the community reported that harassment by the fraud man-power agencies (Adam Bepari) also lead to conflicts (Pancakhola, Madaripur, Sadar). Sometimes crops of one person are destroyed by other people's goats, cows and chickens. Moreover, in Chandpur village (Upzilla Katiadi of Dist Kishoreganj) boat robbery is a regular crime. In Haor areas, dacoits snatch harvested paddy from the boat. Land related litigations are also very common there.

Most of the female participants of FGD reported about their sufferings because of verbal divorce.

*"In our areas women are divorced on verbal statement (Talak) and it creates serious problem"*  
(FGD with female, Mollapara, Kishoreganj Sadar)

Most of the community leaders (81%), which is IDI respondents mentioned that most of the disputes in their area centered on ownership and occupation of land & property. Whereas about 52% IDI respondents mentioned about family conflict, 38% about theft & robbery and 19% about persecution of women which generally occurs in their area. Table 4.15 below shows the types of crime and dispute that generally occur in rural areas as per views of the community leaders.

**Table 4.15: Types of Crime/Dispute and Conflicts Occur in Rural Areas**

SL No.	Disputes and Conflicts	Share
1	Disputes related to land & property	81%
2	Domestic conflict (Family dispute)	52%
3	Theft and robbery	38%
4	Persecution of Women	19%
5	Dowry	13%
6	Fighting with each other	13%
7	Divorce	9%
8	Cattle & poultry related	9%
9	Political conflict	6%
10	Money related	6%
11	Others (quarrelling, hijacking, drug abusing, child marriage, etc)	32%

Source: Village Courts in Bangladesh Baseline Survey, 2009

It reveals from the above table that most of the disputes which need to be settled by Village Courts are land & property disputes, family conflict, theft and robbery, persecution of women, dowry, etc. However, Table 4.16 below shows the type of disputes/offences generally handled by the Village Court.

**Table 4.16: Type of Disputes/Offences Handled by the Village Court**

SI No.	Issues	Share
1	Disputes over land	67%
2	Family conflict	49%
3	VAW	43%
4	Clash	24%
5	Theft	17%

Source: Village Courts in Bangladesh Baseline Survey, 2009

The above table indicates that Village Court deals with cases on disputes over land (67%), family conflict (49%), VAW (43%), clash/quarrel (24%) and theft cases (17%). There is consistency among the statements of KII, IDI and FGD participants in these regards. UP Chairmen and members of Union Parishad spent a great deal of time for resolving cases on land, family dispute, VAW and theft.



## Analysis

The above picture indicates that UP Chairmen and members have confused knowledge about the legal jurisdiction of Village Court. As per "The Village Courts Act, 2006" cases of VAW are not under the jurisdiction of Village Court. But the qualitative findings indicate that in many places Violence Against Women (VAW) and 'dowry related torture' is being settled by the Village Court.

### 4.10.2 Forum to Deal with the Disputes: How people settle Small Disputes in their Area

It is natural that rural people are eager to solve the serious problems which affect their normal life. According to the study findings, 41% people go to local Matbar, 35% report the cases to UP Members. Almost 19% respondents lodge complaint to UP Chairman to form Village Court. Only 17% of respondents said they refer their cases to Shalish. Table 4.17 placed in the following page shows this scenario.

**Table 4.17: Forum to Deal with the Disputes**

SI No.	Forum to Deal with	Share
1	People go to local Matbar	41%
2	Report the Cases to UP Members	35%
3	Lodge complaint to UP Chairman to form Village Court	19%
4	Refer the cases to Shalish	17%

Source: Village Courts in Bangladesh Baseline Survey, 2009

It is clear from the above findings that most of the rural people still depend on informal Shalish which is regulated by local "Matbar" (community leaders) and influential persons.

FGD reveals that people at first go to respectable elderly persons in the community (Murubbi) or the community leader 'Matbar' for settling disputes through Shalish. Sometimes they first take help of neighbors and if that fails they go for Shalish. If 'Shalish' is not acceptable, they go to the Village Court. If the VC can not deliver justice, they go to higher court.

In some cases dowry or loan repayment cases are settled through realizing the money. In case of default loan, the accused pays the money to the complainant. Though dowry is illegal, in practice it is very much prevalent in the society. Sometimes in "Shalish", it is settled through paying the dowry money to the husband (if there is prior commitment). In Panchkhala of Madaripur Sadar Upazilla, there is a CBO Committee where 40/50 people of the village nominated 10-15 distinguished people of the locality to form CBO Committee. This committee settles the disputes. In Kashiani of Gopalganj district, people nominate 10-15 people from one 'Para' (small locality) and 10-15 people from another Para. Both groups sit together with the UP Chairman and settle the disputes. If people do not accept their judgment, the Chairman gives the final decision.

In Haor area of Katiadi of Kishoreganj, people settle their disputes with the help of the local Matabbar. 'Shalish' is the instrument for settlement of their disputes.

*"When we fail to settle dispute on family basis, we go for 'Shalish'. If Shalish fails, we go to 'Village Court' (FGD Kalilpur, Maulavibazar).*

### 4.10.3 Opinion about "Shalish" and Operational procedure of 'Shalish' to settle Small Disputes

FGD, KII and IDI reveal that most of the rural people are aware of "Shalish". According to some participants of FGD, Shalish means settling disputes by a body of honorable members of the community.

*"If we submit written application to the Chairman that is Shalish"*

*"When some villagers settle any dispute on family basis that is also Shalish" (FGD, Lalmonirhat)*

The above statement by rural people of Lalmonirhat depicts their wrong perception about Village Court as well as their limited idea about Shalish.

*"People never get any justice from Shalish. People who are educated and rich do not need any court. They can form their own court and Verdict always goes in favor of influential people"*  
(FGD, Aliabad, Faridpur Sadar)

*"People don't go for Shalish spontaneously. They are afraid of it"*  
(FGD, Kashiani, Gopalganj)

*"People used to accept 'Shalish' long ago. But they do not give importance to it now. Only very petty cases are settled through Shalish. Shalish is done only on verbal complaint".*  
(FGD, Pekua, Cox's Bazar)

In Madaripur, some of the FGD respondents were found not much aware of Shalish. Yet they replied that the verdict favors the rich. Some people opined that problems of Village Court can be solved if bribing can be stopped. Dowry, clash, eve teasing and petty issues regarding land are being settled by Shalish. There are many petty issues which cannot be solved in Village Court while Shalish can solve them satisfactorily. Female participants of FGD in village Ambalpur (Upzilla Goalanda of Rajbari) reported that "Shalish is conducted by males only". It is done before the presence of many people openly. Shalish can save the people from bigger conflict.

*"When the local people, Matbars and 'Morols' (leaders) of the area settle any dispute that is Shalish"*  
(FGD, Chandpur, Kotiodi, Kishorganj)

The role of Shalish is very important in village Chandpur (Katiadi of Kishorganj) as Village Court is not functional there. The whole area is surrounded by water and geographical location hinders formation of Village Court. It is very difficult to communicate with the Village Court which is too far from their area. But they heard of 'Union Board' in their Union Parishad.

According to some community people, innocent and weak people usually don't get justice from Shalish. In the presence of powerful influential people, they never speak the truth out of fear. But they also opined that inter-personal communication is improved through 'Shalish'. Some said that in Shalish 'People have to run after the Matbar and they sometimes harass the people'.

*"If we go to UP Chairman, we never get any justice".*  
(FGD, Chaparhat Kaligonja, Lalmonirhat)

*"Shalish does not do anything because they are biased with administrative contact, telephone force, torture and financial influence. Shalish cannot do anything about drug abuse"*  
(Khadilpur, Moulvibazar)

The following advantage and disadvantage of Shalish are perceived by rural people. FGD participants, KII and IDI respondents mentioned about those advantages and disadvantages of Shalish.

#### **Advantages of 'Shalish'**

- The case is settled in the houses of the complainant or the accused. So it takes less time.
- Because the complainant and the accused are to sit face to face, there is less opportunity to give false statement.
- Petty cases can be solved in a short time
- People have to spend less money in Shalish
- There is less harassment in Shalish
- There is enough room to express public opinion in Shalish

In Nilmoniganj of Chuadanga Sadar, FGD participants appreciated the role of 'Shalish'. They opined that 'Shalish' is needed to resolve minor disputes. In Chuadanga 'Shalish' sit at night. So, people have enough time to discuss problem without hampering their normal work.

#### **Disadvantages of 'Shalish'**

- As there is no written document in 'Shalish', sometimes decision of the Shalish is lost
- Both the complainant and accused spend money to divert the case
- Without written resolution, the accused sometimes reject the judgment later on
- The accused use musclemen to threaten the complainant
- People who give verdict in 'Shalish' are often purchased by money and become biased

- 'Shalish' leads to some false 'professional witnesses' who work on commercial basis
- There is possibility of partiality in a 'Shalish'
- Sometime decision makers of 'Shalish' are arrested for wrong judgment
- Village clique misguides the 'Shalish'
- In Shalish, the judges take money from both the complainant and accused. Eventually the verdict favors one party or other and the losing party do not get the money back.
- There is no legal basis of 'Shalish'

### Analysis

Above statements depict that people have some grievances against Shalish. Owing to bitter experience of torture by musclemen or hoodlums, bribing, corruption, interference by influential people and village clique, a section of people perceive Shalish negatively. However, Shalish has many advantages also to resolve disputes efficiently and amiably in a short time.

#### 4.10.4 Knowledge about Village Court

In IDI, 52% of community people have opined that they are aware about Village Court. They came to know about Village Court from friends, school teachers, Matbars (community leaders), UP Chairmen and Members and from the television & news papers. About 74% of respondents said they got Justice from the Village Court. But it seems that they have confused Village Court with 'Shalish'.

#### 4.10.5 Knowledge about Composition of the Village Court

There is serious confusion about the composition of the Village Court. Only 29% could mention the exact composition of Village Court. The following statements during IDI make it clear that even community leaders do not have clear understanding about the composition of the Village Court.

- Chairman, two Members and two Matbars form the Village Court
- Activities of UP is Village Court
- UP Chairman, Members, Imam of Mosque and Teachers can be the members of Village Court
- It can settle any crime
- Maximum 11 members can join Village Court
- Village Court is 'Shalish'
- Village Court is formed by the community leaders
- Village Court is working since ancient time
- Village Court is constituted by 5-7 members
- It is a committee of 5 members selected by the complainant and the accused

According to FGD findings, most of the people in Nagarkanda of Faridpur appear not to be aware about Village Court, though an NGO "Legal Aid" is working in their area.

*"Village Court is formed by Chairman and Member (Nagarkanda)*

*"Village Court is composed of Chairman, Member, Village Police and distinguished people of the village"  
(FGD. Shaper Hat, Kaliganj, Lalmonirhat)*

*"Village Court is a part of Shalish" (FGD Shibchar, Madaripur).*

*"Village Court is a Board in Union Parishad which is formed by the member of Union Parishad and local people. All the members of the board hear the complainant and the accused. The Chairman gives the verdict of the case. The party in dispute can appeal against the judgment of this board".  
(FGD, Kashiani, Gopalganj)*

The above statements of FGD participants depict poor knowledge about Village Court. They wrongly identified Shalish with Village Court.

Community people of Gonghachara of Rangpur have little knowledge about Village Court. They confused it with traditional Shalish. But they have organizations like NISHAD, ASA, TMSS, BRAC, ASOD, Hoto Doridra, Monga Nirashan, etc. for giving legal assistance to them.

*"When the Chairman arrange meeting with the Members after election that is Village Court" (Lalmonirhat)*

*"Village Court is formed by Chairman, Members, Village Police, Secretary, honorable members of the village.  
(Kaliganj, Lalmonirhat)*

All the participants of FGD in Chapaihat, Kaliganj of Lalmonirhat opined that a Chairman can be purchased with money. So Village Court is effective only if money is paid to the Chairman, they said.

The female participants of FGD in Faridpur are aware about Village Court. They learned partially from BRAC, Hejac and Palli Samaj. They said that Chairman is the Chief of the Village Court and it consists of another two Members on behalf of the complainant and the accused respectively. Every Sunday the Village Court sits. The complainant submits complaint through written petition, they said.

Most people do not have clear idea about Village Court. Sometimes, verdict of the court goes in favor of the influential persons because they use power and influence. Therefore, Village Court should be strengthened so that nobody can use power to force the verdict in their favor.

Panchakhola is a Char area. Because of difficult transport communication, it is almost impossible for the people to go for Village Court. The UP office and the office of the Chairman are situated in two different places. All the documents of the cases are kept in UP office. Whole process of forming Village Court becomes too complicated. So, community leaders opined that it would be pragmatic if Mobile Village Court can be arranged in those areas twice in a month to resolve the disputes.

In Madaripur, IDI respondents opined that Village Court is a bench constituted by the UP Chairman and Members. They also said that whatever the members spend for the case, UP Chairman should pay the money but the Chairman is not doing so. People can appeal against the decision of Village Court, they said.

Most of the respondents in Kashiani of Gopalganj know that Village Court means the Union Parishad Board, they know nothing about the composition and formation of Village Court.

*"We do not know anything about Village Court. We have no idea about financial jurisdiction of Village Court. Village Court was not formed here. We do not have confidence on Chairman and Members. So we do not go to them"  
(FGD Khalidpur, Maulavibazar Sadar).*

*"Village Court is formed by the senior people, distinguished persons of the village. If anybody wants to appeal against the verdict, it implies dishonor to the honorable people. So people ostracize the person  
(FGD Nilmonirgonj, Chuadanga)*

In Zangalkhan Union under Patia Upzilla of Chittagong, female participants of FGD opined that Village Court is functional in their area. All the complaints are submitted in black and white. There is no financial charge and Chairman along with the Members takes the decision. If this is not accepted, complainant can appeal to the higher court.

From the above findings it is clear that rural people have wrong information about Village Court, its formation and composition.

#### **4.10.6 Financial Jurisdiction of Village Court**

About 7% of the respondents of IDI (Community Leaders) are not aware of the financial jurisdiction of the Village Court. Others have wrong information about the financial jurisdiction. They mentioned various figures, such as TK 5000 - 12000, Tk 15000 - 20,000, Tk 30,000 and Tk 50,000.

It is very strange that only 48% of UP Chairmen and Members under the study know the exact financial jurisdiction of Village Court. Others have wrong notion of financial jurisdiction, such as TK 2,000, Tk 10,000 and Tk 50,000. But most of the Chairmen and Members opined that financial jurisdiction should be increased up to Taka one to two lacs.

Regarding the question of fee taken from the complainant and the accused, 10% of the KII participants replied about TK 4-10, 6% about Tk 20-25, 8% about Tk 50-100 and 20% told that no fee is taken from the complainant, while 8% respondents said that Chairman bears the expenses from his fund.

About 64% of UP Chairmen and members expressed that there is no budget for Village Court and the Chairman spends money from his own pocket. Table 4.18 placed in the following page indicates that Village Court is being run without any budget.

**Table 4.18: UP Members' Opinion on Budget for Village Court**

Sl No.	Opinion	Share
1	There is no budget allocation for Village Court	64%
2	Chairman spends money from his own pocket	30%
3	Cost is arranged from the income of Union Parishad	5%
4	Money is taken from the Complainant and the Accused	6%

Source: Village Courts in Bangladesh Baseline Survey, 2009

Nearly 81% of the UP Chairmen and Members expressed that they don't get any honoraria or salary for working in Village Court. Provision of honoraria for them will work as incentive. Whereas only 3% respondents of KII mentioned about getting honoraria of Tk 350 to Tk 700 only. Others could not mention anything about this.

About the financial jurisdiction, community people told during FGDs that about Tk 20,000- to 25,000 can be fined in Village Court. Another group said that financial jurisdiction of Village Court is Tk 5,000- to Tk 15,000. In Chandpur, Katiadi of Kishorganj, the community people have no idea about composition and financial jurisdiction of VC. They heard about financial fine being imposed on the accused. In their Union Parishad the financial jurisdiction of fine ranges between Tk 500 to Tk 25,000.

### Analysis

It is clear from the above findings that neither the UP Chairmen/Members, nor Community Leaders and People have clear knowledge about the financial jurisdiction of a Village Court. However most of the participants of FGD suggested that financial jurisdiction of Village Court should be increased from Tk 25,000 to Tk 100,000.

## 4.11 Adjudication

### 4.11.1 Whether Village Court is Active or Inactive

Over 47% of IDI respondents opined that Village Court is active. People like to go to Village Court to settle their disputes. Whereas in KII, 65% of UP Chairman and members asserted that Village Court is active. But 18% of KII respondents said that Village Court cannot impose its legal power. About 9% mentioned that Village Court is not active because of negligence of the higher authority.

According to the statements of UP Chairmen and Members, 11 to 15 cases on average are presented before them in a month and 80% of the cases are resolved by them. But those statements are also subjective and confusing. Because, they do not follow the legal procedure as per Village Court Act 2006, they actually resolve through Shalish.

In some places communication system is so deplorable that people cannot come to UP office from the remote area surrounded by water (especially Haor area) and as such they opt for Shalish to settle their petty disputes. But most of the community people mentioned that Village Court is not active in their area.

### Analysis

Difference of opinion among respondents of IDI and KII is quite natural. The community people being the sufferer, can judge the effectiveness of the Village Court better. As the Chairman and the Members (KII respondents) are responsible for formation of Village Court, it is not unusual that they will give positive comments about Village Court. Because, if they say Village Court is not active it will indicate their inefficiency. But perceptions of the community people revealed that Village Court is not functioning effectively in most of the areas. Positive statements from KII respondents about the effectiveness of the Village Court represent subjective perception.



#### 4.11.2 Problem Faced by the Village Court

Most of the UP Chairmen and members opined that they face problem in operating the VC when any party in dispute is absent in hearing and if the accused does not obey the judgment of the Village Court. Sometimes it also becomes difficult to collect fine from the accused. Political interference creates problem in some cases of Village Court. If the judgment is not accepted by any party, they refer it to UNO. Police helps the Village Court if their assistance is sought. But many respondents informed that police does not cooperate, rather they create problems. Sometimes both the parties in dispute start clashes in the Village Court. If they are too aggressive it becomes unmanageable.

According to the respondents of KII, Village Court resolves 80% of the cases filed in a month. They face some problems in handling the cases. Lacking logistic support, they cannot proceed quickly, they said. 19% of respondents replied that it is impossible to satisfy the two parties in a dispute. Sometimes one party remains absent and so they cannot proceed. This is the reality. Rural people are not conscious so they do not treat it as a court. Sometimes the party in dispute does not obey the judgment of the VC. Then they get involved in clashes and Village Court calls the police to intervene. If the Village Court fails to resolve the case, it is sent to higher court.

#### 4.11.3 Training on Village Court

The study reveals that there is no uniform training program for the Union Parishad Chairmen and Members for orientation on Village Court. Out of 111 respondents, 24 persons never received any training. Different GO and NGO imparted training on Village Court. The Table 4.19 placed in the following page gives a picture of the training for UP Chairmen and Members as revealed through KII with them.

**Table 4.19: Training for UP Chairmen and Members**

Training Authority	Duration of training (Days)	Number of participants (UP Chairman & Members)	Division Covered
Madaripur Legal Aid Association	3	15	Khulna, Dhaka
Hunger Project	1	1	Khulna
SIRAC	1	4	Khulna
BRAC	6-10	7	Khulna, Barisal
LGRD	3	8	Ctg, Sylhet, Rajshahi
UNO	7	16	Barisal, Ctg, Rajshahi, Sylhet
Dept. of Social Welfare	10	4	Sylhet, Dhaka
Union Parishad (Training on early marriage, dowry, VAW)	11	4	Dhaka, Rajshahi
Nari Udduge (about women rights)	5-6	1	Rajshahi, Dhaka
REPTO	2	4	Rajshahi
Palli Bikash	5	1	Dhaka
RDRS, CARE	3	1	Rajshahi
ASA	1	1	Rajshahi
World Vision	3	1	Dhaka
VSDT	3	6	Barisal
NILG	1	2	Dhaka
Shalish Parishad	1	3	Dhaka
AJAG	1	2	Dhaka

Source: Village Courts in Bangladesh Baseline Survey, 2009

#### Analysis

The above picture depicts a pessimistic scenario of Village Court. KII revealed that 26% of UP Chairmen and Members never received any training on Village Court. About 6% Members failed to remember anything about training. Those who received training mentioned that course content of most of the training was not specific about Village Court. Duration of training ranges from 1 day to 10 days. 9 organizations imparted training in Dhaka Division, 6 organizations in Rajshahi division, 4 organizations in Khulna division. In Barisal, 3 organizations arranged training. Whereas in Chittagong, Dhaka, Rajshahi, Sylhet, and Barisal divisions, LGRD, Dept of Social Welfare and UNO Office organized training. Out of 111 respondents, only 32 (29%) Chairmen and Members received training from government organizations. About 46% Members mentioned receiving training from NGOs. It indicates that Government should give more emphasis on training of UP Chairmen and Members on the composition and effective functioning of Village Court. Training Program should follow uniform module, duration and proper follow up so that the Village Court can function effectively.



#### 4.11.4 Manual and Handbook on Village Court

In KII, 70% of Chairmen and Members of UP affirmed that they have received 'manual and handbook' about Village Court. Others have no knowledge about the Handbook/Manual. In some cases, only a Secretary in UP office knows about those manual and handbooks on Village Court. In fact, there is no separate handbook and manual on Village Court. The Handbook and Manual which were received by the UP Chairmen and Members are on the 'management and functioning of Union Parishad'. Only a chapter on Village Court is there. In order to ensure proper functioning of Village Court, specific Manual and Handbook about Village Court must be distributed among the Chairmen and Members of UP with proper orientation.

In KII, 44% UP Chairmen and Members mentioned that manpower is adequate, but rest of the respondents felt the need for extra manpower for running Village Court. Asstt Secretary and a computer operator are needed for recording the hearing of cases and enhancing the speedy trial of the disputes referred to the Village Court.

#### 4.11.5 Monitoring of Village Court

According to KII finding, 50% of the Chairmen submit reports on Village Court in every six months to the Upazilla Nirbahi Officer (UNO). Others never submitted any report to UNO. No reminder is given from UNO Office for sending the report. Almost 39% of KII respondents replied that Upazilla Nirbahi Officer (UNO) sometime visit Union Parishad Office to monitor Village Court activities. Most of the Chairmen and Members mentioned that they have no clear idea about the reporting on Village Court. As there is no regular monitoring, they are not serious about sending the report. But whenever people request for forming Village Court, they do it. They have the perception that people are not conscious about formation of Village Court. They usually go for Shalish. It implies that there is lack of effective and close monitoring of the Village Courts and this absence of regular monitoring causes the ineffectiveness of Village Court.

#### 4.11.6 Difference between Shalish and Village Court

Based on the findings of KII, IDI & FGDs, conducted by the research team, Table 4.20 below has been constructed to provide a comparative picture of Shalish and Village Courts as perceived by the respondents.

**Table 4.20: Difference between Shalish and VC**  
(As perceived by KII, IDI and FGD Respondents)

Sl No.	Shalish	Village Court
1	Shalish is informal	Village Court is formal
2	Shalish can sit instantly	Village Court cannot sit instantly. It has to follow certain procedure
3	Shalish is conducted by village 'Matbar' (Community Leader)	Village Court is conducted by UP Chairman and Members
4	Shalish has no legal basis and is not recognized by the government	Village Court has legal basis and is recognized by the Government
5	Shalish cannot attain confidence in its judgment	Village Court can attain confidence in judgment
6	Shalish does not have any fixed committee. Community leaders, distinguished people, sometimes village touts join the Shalish.	Village Court has its fixed committee i.e. (there will be a Chairman, two Members and two community people nominated by the accused and the complainant)
7	Shalish does not keep any written document about the case and does not give written notice to the accused and the complainant	Village Court have to keep written document about the procedure of the case and give written notice to the accused and the complainant
8	There is no fixed financial jurisdiction in Shalish	Financial jurisdiction of Village Court is Tk 25000 only
9	There is probability of nepotism in Shalish	There is less probability of nepotism in VC
10	Shalish is influenced by the influential and powerful people of the village	Village Court is accountable to higher authority. So there is less probability of influence
11	Shalish works in small geographical territory	Village Court work in bigger geographical area
12	There is no specific rules and regulation in Shalish	There is specific rules and regulation in Village Court
13	No fee is needed in Shalish	Complainant and accused have to pay a small amount of fee in Village Court
14	Shalish is available in every village	Village Court does not work in all villages
15	Shalish can settle all types of dispute	Village Court has some limitations
16	Shalish is biased and takes long time	Village Court can settle dispute within a short time
17	No hearing is recorded in Shalish	All the hearing is recorded in VC
18	Shalish can sit anywhere in the village	Village Court sits at Union Parishad office

Source: Village Courts in Bangladesh Baseline Survey, 2009

#### 4.11.7 Strengths and Weaknesses of Village Courts

The following are the strengths and weaknesses of Village Court as identified by the respondents of IDI, KII and FGDs.

##### Strengths of Village Court

- Village Court has legal validity
- As the complainant and accused submit written petitions to the Chairman, they can not change their version in future.
- Implementation of the verdict of Village Court is easy and feasible
- As Village Court is a formal court, there is possibility of getting justice
- Cases are settled easily
- There is minimum financial involvement in Village Court. Poor people are benefited by it.

##### Weaknesses of Village Court

- The whole process of Village Court is a lengthy process.
- If the accused is absent in hearing, the case also gets delayed (Comments: Rural people do not know that Chairmen of Village Court can settle the case even if the accused is absent)
- When the Village Court takes split decisions, justice fall flat
- Financial jurisdiction is not adequate
- There is no manpower for documentation of the cases
- Influential people exert pressure in the Village Court
- There is no third party to monitor the functioning of Village Court. So there is tendency of bribing and corruption
- The lengthy process of judgment leads to wrong verdict
- Verdict of Village Court always goes against the poor
- Village Court becomes corrupted because of village politics
- Most of the cases of Village Court is influenced politically
- Only the party who has musclemen get the justice
- People are afraid of payment of fine in the Village Court
- Partiality and absence of objective judgment is perceived in the Village Court
- Misuse of legal power is common in Village Court
- Sometimes the hoodlums are present in the Village Court
- A Complainant has to suffer if he/she files a case. Because if the accused does not appear before the court, notice is served to him three times through the Chowkidar. In this case the complainant has to give the conveyance of Tk 10 to Tk 50 each time to the Chowkidar
- If the Chairman and members of Village Court are not educated they cannot conduct the case properly
- There is no age limit for the Chairman. So, an aged Chairman cannot handle the cases effectively.
- Chairman and Members of Village Court are not sufficiently aware of the legal procedure of the Village Court.

#### 4.12 Legal Aid and Counseling

In most of the study areas, people reported absence of any legal assistance and counseling. There is need for legal assistance both for the petitioner and the defendant. As most of the rural people are illiterate and are not aware of their legal rights, they need counseling from the expert of GO/NGO. They feel that if the accused is absent in hearing for three consecutive times, the verdict should be given without delay. In Ambalpur, Rajbari there are few organizations named "Shamata, BRAC, "Voluntary Association", who give legal assistance. In some cases individual volunteer gives legal assistance to the people. In Rajbari one person named Ayub Ali assist the people to get justice from Village Court. In Kashiani of Gopalganj, the FGD participants informed that they have three organizations named "Sthaniya Padakhep" 'Legal Aid', "Aini-Shahayata Kendra" to give them legal assistance. Besides this, local journalists and social workers help them run cases. They suggested that local NGOs should come forward to give legal assistance to the public if they are in dispute. In Chandpur village of Katiadi of Kishorganj there are some NGO's like BRAC, ASA and the Department of Women Affairs who come forward to help the people in getting justice. In Madaripur an NGO (Legal Aid) gives legal assistance and counseling to the people.

All the participants feel the need of legal assistance for running their cases. In Patia of Chittagong, BITA, KODEK, Nao-joan and BRAC provide legal assistance to the people in disputes. In Boragera, Domar of Nilphamary, there is no organization to give legal assistance to the people. FGD in Nilmonirgonj of Chuadanga reveals an unusual finding about legal assistance and counseling. They have an organization named "Police Counseling". It is formed through the OC and Police. If there is any problem, the villagers take assistance of this committee. This committee also arrange for the counseling by a pleader. Police committee sends the petition of accused and the complainant through Dafadar. TK 30 is paid to him.

Study reveals that legal assistance is being provided by some NGOs, but it is too inadequate.

#### 4.13 Enforcement and Oversight

There are some factors which hinder the ability of VC to enforce its decision. About 18% of KII respondents (UP Chairman/Member) said that Village Court can not impose its legal power. Most of the UP Chairman and members opined that they are facing problem in operating the VC when any party in dispute is absent in hearing and if the accused does not obey the judgment of the Village Court. Sometimes both the parties in dispute start clashes in the Village Court. If they are too aggressive it becomes unmanageable by VC to control them. Assistance of police is needed at that time. Because of negligence of the higher authority and lack of logistic support VC cannot enforce its decision. Sometimes interference of influential people and political hoodlum create obstacle in the enforcement of decision.

#### 4.14 Attitudes and Perceptions

About 29% of IDI respondents mentioned that Village Court is not active in their area and people are deprived of justice. Other respondents are not aware about the activities of Village Court.

Village Court is functional in Cox's Bazar. It sits on every Sunday. The community people know the exact composition of it. They opined that 90% decisions of the Village Court are accepted by the complainant and accused, but 10% cases cannot be implemented because of interference by influential people. In Cox's Bazar, most of the rural people have confidence on Village Court. In Kalara of Babra Bazar in District Narail, female participants of FGD do not know clearly about the function of a Village Court. They said that only a few people know about Village Court.

Study revealed that Village Court is functional as per Village Court Act 2006 in Madaripur and Faridpur districts. However some respondents expressed that no real justice is done in the Village Courts.

*"Those who can give big amount of money to the Chairman are blessed by him; verdict goes in favor of him or her. If the complainant is weak and submissive, nobody speaks on behalf of them. On the other hand nobody comes to participate if there is any complaint against any influential person".*  
(Female participants, FGD, Mollapara, Kishorganj Sadar)

Female participants of FGD in Ambalpur, Goalanda of Rajbari are aware about Village Court through 'Samata' - an NGO. Two female participants expressed that their divorce case is settled through Village Court. But in fact divorce case is not under the jurisdiction of Village Court. People are following the wrong procedure. It was settled through 'Shalish'. In Rajbari community people appreciated that Village Court is able to implement their decision.

Three women in a FGD (Rajbari) reported that they did not get justice from Village Court. Village Court failed to pay back the dowry money. They have the idea that they have to give Tk.50 as fee for the Village Court. The women complained that Village Court failed to stop dowry. It indicates that rural women do not have the correct knowledge and information about Village Court, as dowry cases should not fall under the jurisdiction of the Village Court.

However, most of the rural people feel that if Village Court is introduced in their area, it will be useful for them. They are very much eager to see the functioning of Village Court in their area. They felt the need for orientation about the Village Court. Those who are trained by NGOs about Village Court could describe clearly about the composition and functioning of the Village Court.

#### 4.14.1 Gender Perspective

Most of the respondents said that there is serious gender discrimination in dealing with cases in the Village Court. Less importance is given to the statement of the women in dealing a case in the Village Court. But Village Court gives more importance on the statement of the male. There is no conducive arrangement for the 'Pardanashin' (women with veil) and hence they feel embarrassed to give statement in the open court.

High level of gender discrimination has been reported in Kashiany. The male respondents mentioned that nobody pay heed to the complaints of poor women and widow. Opinions of the women are ignored in the Village Court. Sometimes people who are violent against women try to divert the fact of the case with money.

In Panchkhola of Madaripur Sadar, the women lag behind the man in all respects. There is serious gender discrimination. The women hesitated to come before the people to lodge any complaint. In Goalonda the picture is the same.

*"If the women are in charge of judgment they do the justice.  
But in real situation women are always blamed by the male.  
They are victim of injustice".*

*(FGD, Ambalpur, Goalanda, Rajbari)*

Male FGD of Chandpur, Katiadi, and Kishorganj depicts the same picture.

*"In the local Union Parisad there is gender discrimination;  
women become the victim of injustice.  
Especially the poor women suffer from injustice"*

*(FGD with male, Chandpur, Katiadi, Kishorganj).*

In Kalora, Bobra Bazar of Norail, the female participants of FGD reported that cases of violence against women is not given due importance in Village Court.

But there is another side of the coin. Males also have complaints. "The Village Court supports the women; this is one kind of gender discrimination" (FGD, Baliatoli, Barguna). This indicates a gender biased comment of the male participants. However, FGD (Male) of Nagarkanda of Faridpur reveals that most of the male think that the verdicts of Village Court go in favor of the women. This is one kind of gender discrimination. Males are more subjugated than women.

Most of the community people are of the opinion that only fair justice can ensure stopping gender discrimination. A section of FGD participants reported about gender sensitive situation,

*"There is no gender discrimination in our Village Court.  
Chairman evaluates the persons in equal manner irrespective  
of male and female. Violence against women is dealt  
with justice but this type of violence happens again"*

*(Kolapara, Tukenbazar, Sylhet).*

In Mathbaria of Pirozpur, the community people reported that no gender discrimination happen in Village Court. Almost 56% of KII respondents assured that there is no gender discrimination in Village Court. But they agree that females are victims of divorce due to dowry. If the female complainant is willing to keep a female UP member in the Village Court, it is accepted. But usually people do not suggest the names of female Members in Village Court.

In IDI, many respondents mentioned that poor women are especially victim of gender discrimination. There is also discrimination between rich and poor. Influential people win the case because of their threat and power.

Many rural people are against the idea that women go to the Village Court. Their conservative attitude hinders the women from reporting any case in the Village Court. They suggested for maintaining privacy of the women in Village Court. Actually VAW is not under the jurisdiction of Village Court. But in practice many Village Court settle VAW regularly in Shalish model.

#### 4.14.2 Respondents' Suggestion for Improvement of Village Court

Respondents of the qualitative survey offered many suggestions and recommendations for the improvement of VC, salient ones are listed below.

##### Moral Perspective

- There should be a monitoring system for ensuring of transparency and accountability of the Chairman and the Members of Union Parishad
- Village Court should be formed by honest people
- Influential and powerful people should be excluded from the Village Court
- Village Court should be neutral from party politics
- Educated and ethical people should be appointed in Village Court
- Chairman and Members of UP must be neutral in Village Court
- Village Court should be free from political interference
- Provision should be kept for the impaired people

##### Legal Perspective

- Village Courts Act, 2006 needs reform
- Need to formation of VC rules
- Trained legal professional should be appointed in Village Court. Following proper legal procedure can ensure justice in Village Court
- Justice can be ensured by giving exemplary punishment to the accused
- Administrative and legal power of the Village Court should be enhanced
- Legal expert from the higher level should monitor the adjudication of the Village Court
- Introduction of Village Police is needed to strengthen the Village Court
- Speedy implementation of Village Court verdicts is essential
- Warrant system should be introduced in Village Court
- The cases which falls under VC jurisdiction should refer to VC from Police Station and Courts
- Power need to be vested to VC to issue warrant order
- Strong coordination within Police, Judicial Officers and VC officials should be ensured

##### Composition of Village Court

- Number of members of Village Court should be increased
- Members of Village Court should be appointed based on opinions of distinguished people
- Imam of the mosque can be included in the Village Court
- There must be a committee of five distinguished persons of the village to assist Village Court
- There must be a Secretary in the Village Court to give all logistic supports
- Experienced Assistants should be recruited to support the Village Court
- Increase manpower in the UP office to work for Village Court
- Every UP Chairman should be well educated
- Infra-structure development is needed for Village Court. Separate room for Village Court is needed to conduct the courts activities and safe keeping of the documents of the VC.

##### Financial Jurisdiction

- Financial jurisdiction of VC should be increased up to Taka 1 lac to 2 lacs Taka
- Separate allocation of budget for the Village Court is needed
- Provide honorarium to the Chairmen and Members for conducting the Village Court

##### Training

- Arrange regular training for the Chairmen and Members of UP on conducting the cases of Village Court, its effective functioning and implementation of justice.
- Uniform training on Village Court should be arranged for all UP Chairmen and Members
- Training need to arrange for the Judicial officers, and other relevant Govt. officials
- UP representatives need exposure visit to home and abroad as recognition to their good work regarding VC



### **Publicity of Village Court**

- Rural people should be sensitized about the effective role of Village Court through poster, drama, advertisement, radio, TV and through Schools & Mosques
- Proper advocacy program on the composition and functioning of Village Court is needed
- Provide relevant materials regarding acts, rules etc. to the concern
- Circulation of messages through local Dish media

### **Gender Perspective**

- Separate arrangement for the female is needed in Village Court for privacy and safety of women
- There must be some arrangement for assistance to the poor and disadvantaged people
- Neutral and unbiased judgment is needed
- Discrimination between male-female and rich-poor should be eliminated in settling a case
- Recruitment of female lawyer is needed for the women
- Participation of women members in the Village Court needs to be ensured

### **Monitoring of Village Court**

- Regular monitoring of VC activities by Upazilla Nirbahi Officer (UNO) is essential
- Judicial monitoring of VC should be performed by the concerned Judicial Officers
- To work in collaboration with the local NGOs to enhance smooth functioning of Village Court
- Proper reporting of Village Court activities to the higher authority on regular basis is essential.
- DDLG can be a part of monitoring with adequate logistic support

The analysis of the case studies clearly indicates that the Union Parishad members and chairmen as well as the common people were not well aware of the laws and process of the Village Courts. As a result, they had tried cases which were not within the jurisdiction of the Village Courts. They termed some 'settlements of disputes in Shalish Parishad' as 'settlements in the Village Courts', when the composition of the body and the proceedings made it clear that they are basically Shalish presided over by the Union Parishad Chairmen.

When in some cases the parties were not represent equally as per provisions of the Village Court Act, 2006 there were visibly the participation of powerful local elite, who vitiated the judicial proceedings, took biased decision, and imposed decision on the less powerful parties. But no one protested such biased decision making, nor did they appeal against to the appellate authorities. The reason for this may be that the people were unaware of the law, but there may also be some unknown reasons.

### **4.15 Analysis of the Case Studies**

The study undertook 26 case studies. These case studies were, in fact, the voices of the justice seekers in the Village Courts. The purpose of the case study was not only to record and analyze the cases that were claimed to be dealt with in the Village Courts, but also to corroborate and cross examine the data obtained in the other methods used in the survey, for example, the questionnaire survey and the FGDs. Brief descriptions of the case studies are presented in Annex II.

In this analysis of the cases studies we have examined, (i) whether the cases were within the jurisdiction of the Village Courts, (ii) whether the adjudication processes, that is, the composition, hearing, decision making etc, were in accordance with the law, and (iii) whether the decisions of the Village Courts were enforced? And if not, then what were the problems associated with the enforcement.

#### **On Jurisdiction**

The dispute and offences involved in the case studies were cattle trespass, violence against women (domestic violence), land and other property disputes, theft, loan dispute, rent related dispute, family and family conflict, dowry, extra-marital affair, and rape. All these cases were claimed to be dealt within the Village Courts. A legal analysis of the Village Court Act, 2006 shows that a Village Court cannot deal with the cases related to extra-marital affair, rape, dowry, and domestic violence. But it is also true that the cases related to the extra-marital affair, rape, dowry or domestic violence may involve some other criminal offences, for example, assault, criminal intimidation, gesture to insult modesty of a woman, and cheating, which are triable by the Village Courts. While in



the formal courts of law, it is seen that a case or dispute is diagnosed in light with the definitions of different type of crimes or offences under different sections, and a court deals with only the cases which it finds under its legal jurisdiction. But in the case studies in this survey, it is found that Village Courts had dealt with almost every type of cases or offences without much examining whether the cases were within their jurisdiction.

An endeavor was made to understand why the Village Courts went beyond their jurisdiction to some cases. No information or documents was available with the case studies to be confirmed that those cases without jurisdiction were actually dealt with in the Village Courts and recorded as such. A plain reading of the case studies it seems that the Village Courts in some cases went beyond its jurisdiction to reach an acceptable decision of a complex case, and to meet demand of the parties in a case to come to a settlement. But it may also be the case that the UP functionary were unaware of the jurisdiction of the Village Court, or that in those cases the Chairmen led a 'mediation' but the people described the said 'mediation' as the Village Court.

In the analysis of the 26 case studies of this survey, it is found that roughly 50% of the cases would fall under the jurisdiction of the Village Courts, while the few other cases regarding divorce were triable by the Arbitration Council, another State-led rural justice forum. But the other cases - cases regarding dowry, extra-marital affair, rape and civil suit involving value more than 25,000 taka - were triable neither under the Village Courts nor under the Arbitration Council. And there is no other State-rural justice forum to deal with these cases. This indicates the limitation of the legal remedies available in the Village Courts.

### **On Adjudication Process**

Secondly, we have examined whether the adjudication process in the cases followed the law. The analysis shows that only in few cases (clearly in 9 cases out of 26 cases) the provisions as to the composition of the Village Court were followed. In some cases, it is unclear whether the legal provisions were followed or not. However, in majority of the cases, the adjudication body was basically the traditional Shalish body. Only difference is that the bodies were presided over by the Union Parishad Chairmen.

It is also not clear how the decisions were made, what the ratio of the adjudicators on behalf of, and against, the decisions was, and whether the decision was taken as per the provisions of the law. But it is clear that most of the cases were decided upon in the way decisions are taken in traditional Shalish.

Except in the few cases, which were properly formed as per provisions of the Village Courts Act, the majority of the cases the parties were not properly represented. The power and gender play were vivid in some cases, especially in cases relating to divorce and rape and sexual offences. In a case, the chairman, the principle adjudicator in the Village Court, was found to be biased towards a party.

### **On Enforcement**

Thirdly, we have examined whether the decisions were enforced. It is found that almost half of the cases were amicably decided upon, and the decisions were enforced. In some cases, either party, or the powerful party did not accept the decisions, hence the decisions could not be enforced. In some case decisions were imposed upon on the less powerful parties, and enforced.

The analysis of the case studies clearly indicates that the Union Parishad members and chairmen as well as the common people were not well aware of the laws and process of the Village Courts. As a result, they had tried cases which were not within the jurisdiction of the Village Courts. They termed some 'settlements of disputes in Shalish Parishad' as 'settlements in the Village Courts', when the composition of the body and the proceedings made it clear that they are basically Shalish presided over by the Union Parishad Chairmen.

When in some cases the parties were not represent equally as per provisions of the Village Court Act, 2006 there were visibly the participation of powerful local elite, who vitiated the judicial proceedings, took biased decision, and imposed decision on the less powerful parties. But no one protested such biased decision making, nor did they appeal against to the appellate authorities. The reason for this may be that the people were unaware of the law, but there may also be some unknown reasons.

## **4.16 Analysis of the Process Documentation Findings**

The Village Courts in the country largely are not properly functional. However, in almost every Union Parishad, the UP functionaries try to run the Village Courts in some way. Also, some non-government organizations in some parts of the country have been working for years to activate the Village Courts system. Through process

documentation, endeavor has been made to record the adjudication and implementation process of the cases these Village Courts dealt with. The purpose is to examine whether the court had followed the legal provisions in dealing with the cases. Total 26 process documentations were made.

Process Documentation in this survey meant recording the experiences of the adjudication and implementation process of the Village Courts. It was done by recording the proceedings of some cases, when our surveyors found the cases running in the Village Courts, and also by collecting the case related documents from the Union Parishad.

There are numbers of actions in the whole process of adjudication and implantation, which include filing case, registering a cases, issuing notice to the parties to the case, nominating the representatives of the parties to form a village court, forming the village court, hearing of the parties, investigating the case if necessary, making a decision, appeal against the decision if appealable, and enforcing the decision if binding meaning not appealable. Hence, there is no fixed rule as to how many stages there will be in the process adjudication and implementation. The process can be divided into only a few stages putting one or several actions in one stage, or there may be as many stages as the actions are, putting each action in a separate stages. For better understanding of the process documentation in this report, these various actions have been put into the following seven stages.

### **Application to form the Village Court**

This is the first step when, the aggrieved party applies to the Chairman as per law to form a Village Court to dispose of their case or dispute. The application should be accompanied by a fee of Taka two, if the case relates to Part I and by a fee of Taka four if it relates to Part II of the Schedule.

### **Chairman's scrutiny of jurisdiction**

After receiving the application, the Chairman of the UP scrutinizes the application to see whether the cases to be dealt with fall under the jurisdiction of the Village Court. Then the chairman accepts and registers the application if the case falls under the jurisdiction of the Village Court.

### **Formation of the Village Court**

After registration of the application, a date and time is fixed and the respondent is summoned to be present on the specified day and time. With the summons, the parties are asked to nominate their representatives to constitute the Village Court. A Village Court consists of a Chairman and two Members to be nominated in the prescribed manner, by each of the parties to the dispute and amongst the two members to be nominated by each party, one should be a member of the concerned Union Parishad.

### **Hearing of the Case**

A Village Court may issue summons to the concerned persons to appear and give evidence, or to produce or cause the production of necessary documents if any. However, the procedure of adjudication is largely informal. Except few cases, the provisions of the Evidence Act, the Code of Criminal Procedure and the Code of Civil Procedure are not applicable in the proceedings before any Village Court. However, the parties and witnesses are to take oath under the provisions of the Oaths Act. Thus a Village Court tries the case on the day so fixed, hears both the parties, and may hold local inquiry if needed to dispose off the case.

### **Decision Making**

The chairman pronounces the decision in "open court", and the decision of the Village Court is recorded by the Chairman of the Court in the register. This record should indicate whether such decision is unanimous, and if not, the ratio of the majority by which it has been arrived at. If the decision of a Village Court is unanimous, or by a majority of four to one (4:1), or by a majority of three to one (3:1) in presence of four members, the decision shall be binding on the parties. And when the decision of a Village Court is taken by a majority of three to two (3:2), any party aggrieved may prefer to appeal to the higher court.

### **Appeal against the Decision**

When the decision of a Village Court is taken by a majority of three to two (3:2), it is not binding on the parties. Any party who is not satisfied with the decision may prefer to appeal. Such appeal should be made within thirty days of the decision. In civil matter, appeal goes to the Assistant Judge Court, and in criminal matters, appeal goes to the Magistrate, first class having jurisdiction.

## **Enforcement**

If the decision of a Village Court is unanimous, or by a majority of four to one (4:1), or by a majority of three to one (3:1) in presence of four members, the decision becomes binding on the parties. So, there remains no scope to go to an appeal against the decision. Hence, the decision is enforceable in accordance with the provisions of the law. The mode of enforcement is also required to be recorded in the register as per law.

The process can be shown in the diagram placed in the following page. In the analysis of the process documentation, we have followed that framework of analysis. The result is as discussed below.

## **Application to the Village Court**

All the cases were initiated through application.

## **Chairman's scrutiny of jurisdiction**

Among the 26 cases, 16 were of criminal nature, 10 were of civil nature. In nine cases, the Village Court acted beyond jurisdiction, that is, the Village Court dealt with the case, though the case did not fall within the jurisdiction of the court. All the cases were duly registered in the register of the Village Court.

## **Formation of the Court**

It is found that in 11 cases out of 26, the Village Courts were formed in accordance with law. In 12 cases the courts were not formed according to law. In 11 cases, there was no information in the collected documents about how the Village Courts were formed. In 1 case the complaint was made to the magistrate 1st class, and thereafter it was sent to the UP Chairman, and again it was called back, as such the proceedings was incomplete in the Village Court. Two cases were initiated through non cognizable case filed with the Police Station and later on the concerned Judicial Magistrates sent the cases to the respective Unions.

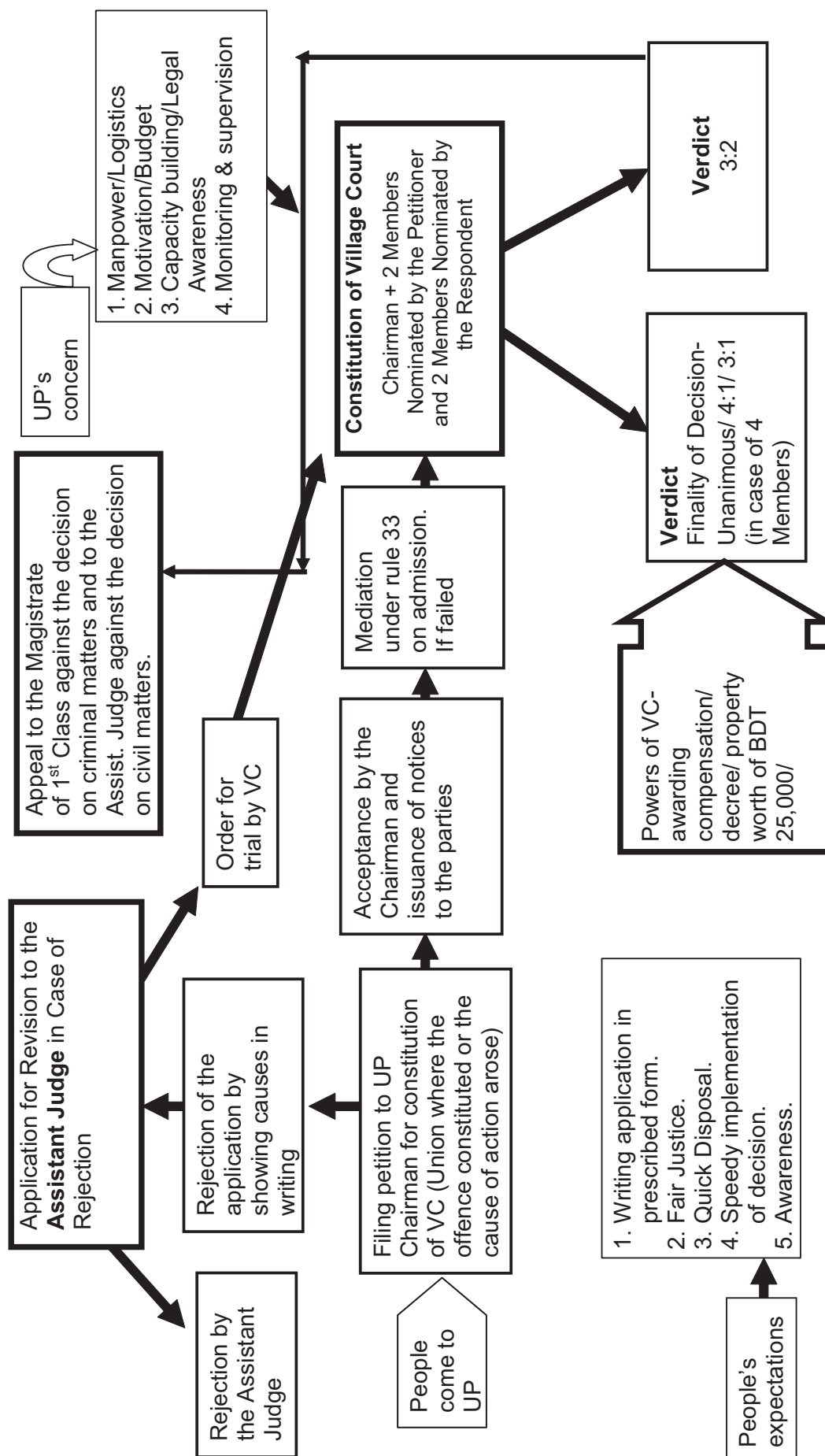
## **Hearing of the Case**

The document reveals that most of the cases were heard in a congenial and amicable atmosphere. The parties presented their cases without any fear or pressure. However, 2 cases have been found where the losing party accepted the decision of the Village Court under pressure of the Chairman.

## **Decision Making**

Among the 20 documented cases, 11 cases were decided upon in the Village Courts and the judgments were pronounced. One case was compromised by the parties. Two cases were settled under rule 33 of the Village Courts Rules, 1976 by the respective UP Chairman without constituting the VC as the defendants admitted the claim of the Petitioners. As to the decided cases nothing was found how the cases were decided. What was the ratio of adjudications on behalf of, and against the decisions? It seems that majority of the cases were decided amicably, indicating the decisions were taken unanimously. It is also recorded in the documentation that the parties accepted the decisions and shook their hands in appreciation of the verdict in many cases. Rest 12 cases were disposed of otherwise and the cases were apparently out of the jurisdiction of the VC.

## Village Court Procedure: Flow Chart



## Appeal against the Decision

No decision of the Village Court was appealed against in the higher court. But as no record was obtained as to the ratio of adjudicators on behalf of, and against the decisions, it is unclear whether any decision was appealable as per the provision of law.

## Enforcement

It is found that out of the decided 12 cases in the Village Courts, 11 decisions were complied with, that is, the decisions were enforced. In one case, it is not clear whether the decision was enforced or not.

Some other important findings from the analysis are as follows.

1. The process documentation reveals that the Village Courts in certain parts of the country, i.e. Madaripur and Cox's Bazar, were constituted in accordance with the law and the proceedings were duly recorded and the procedures of the courts were done more or less properly.
2. The completion of whole proceedings of the cases in the village varied from few months to only few days. No wonder, the people who get a decision within few days were happier.
3. It seems that all the courts did not follow the procedures with regard to issue of notice, summons, etc, and also did not maintain register properly. For example, the issues related to the ratio of the adjudicators on behalf of, and against, a decision was not mentioned properly. Also, it is recorded that the decisions were enforced, but it was not properly recorded how the decisions were enforced. There were no proper maintainances of the record of enforcement in the register.

Summary of the Analysis of the 20 process documentations out of 26 has been given in a table placed in Annex III.

## 4.17 Conclusion from Qualitative Survey

- In IDI, 81% of the respondents replied that most of the disputes in their area occurred due to ownership and occupation of land. IDI also reveals that most frequently occurred disputes are related to land, family disputes, VAW, theft and robbery.
- UP Chairmen and Members have confused knowledge about the legal jurisdiction of Village Court. As per "The Village Courts Act, 2006" cases of VAW are not under the jurisdiction of Village Court. But the qualitative findings indicated that in many places violence against women and dowry related cases are being settled regularly in Village Court.
- Most of the rural people still depending on informal Shalish which is regulated by local "Matbar" (community leader) and influential persons.
- People have some grievances against Shalish. Because of their bitter experiences of torture by musclemen or hoodlums, bribing, corruption, interference by influential person, village clique, etc, a section of people perceive Shalish negatively.
- Rural people do not know the actual composition of Village Court. The study depicts the poor knowledge of the people about Village Court. They wrongly identified Shalish with VC.
- Village Court is being run without any budget.
- 81% of UP Chairmen and Members expressed that they are not getting any honoraria or salary for working in VC. Provision for honoraria may work as incentive for them.
- Financial jurisdiction of Village Court should be increased from Tk 25,000 to Tk 100,000 or TK 200,000.
- There is no uniform training program for a Union Parishad Chairman or Member for orientation on Village Court.
- Government should give more emphasis on training of UP Chairmen and Members on the composition and effective functioning of Village Court. If they are not trained properly, rural people cannot expect justice from the VC. Training program should follow uniform module, duration and proper follow up, so that the Village Court can function effectively.
- In order to ensure proper functioning of Village Court, manual and handbooks on VC must be distributed among the Chairmen and Members of UP with proper orientation.
- There is lack of monitoring of Village Court activities.
- Judgment of VC goes in favor of the rich. Poor people seldom get justice.
- Gender discrimination is prevalent in Village Court. Appeal of poor women is often neglected.

## 5.0 Key Challenges, Recommendations and Policy Implications

Proper activation of VC in Bangladesh faces several challenges having various dimensions and magnitudes. We have spelled out below such challenges by domains or areas of intervention below, followed by recommendations for overcoming such challenges.

### 5.1 Key Challenges in Activating Village Courts in Bangladesh

#### Legal Protection and Awareness

It is obvious from survey outcome that various offences/disputes take place locally. Hence VC should not be confined to a few types of disputes only. At the same time, it is also clear that awareness about VC among general people as well as among UP representatives is very low. People appear to have confusing ideas about VC's composition and jurisdiction. Even among judges (UP Chairmen/Members) knowledge about VC's function, composition and jurisdiction are very low and confusing. Many were found to mix-up VC with 'Shalish'.

#### Adjudication

Despite theoretical existence of VC, it is not operational in most of the areas across the country. Inadequate pecuniary jurisdiction of VC has become a major obstacle of adjudication of schedule disputes and offences stated in the Village Courts Act, 2006 in maximum rural areas. Several problems are associated with VC, such as, no arrangement for regular training to the UP Chairmen and Members who are primarily responsible for the operation of VC activities. Similarly, there is no specific budget provision for running the Village Courts. Besides, there is no logistic and material support and manpower for carrying out the VC activities.

#### Legal Aid & Counseling

Although a good number of respondents feel the need of 'legal aid & counseling', there is no such facility. Legal aid and counseling are mainly done by local elites, teachers, imams and political leaders. Only a few NGOs in some places were found providing legal aid to justice seekers. On the other hand the Village Courts Act, 2006 expressly bars the engagement of a lawyer to conduct a case at VC on behalf of any of the parties to a case. Such provision has been incorporated to ensure that the rural people should get justice in a minimal cost and in observing least formalities from a quasi formal court like the Village Court.

#### Enforcement & Oversight

One of the major challenges facing by VCs is that its decisions in many cases are not accepted by people because of biasness, nepotism, bribing and political influence in the decision making process. Imposing 'forced decision' are common in most of the VCs which are active. Non-cooperation from influential quarters and police is another problem. No assigned agencies/bodies exist for regular monitoring of the VCs though provision is there to regularly monitoring the activities of VCs by respective UNO.

#### Attitude & Perception

Assessment of perceptions and attitudes of respondents towards VC show that substantial portion of those who have ever approached VC complained about bribing, favoritism and other social and political influences which impair fair judgment. Gender discrimination is another widely prevailing problem in VC committee formation as well as in judgment of the VC.

### 5.2 Recommendations for Overcoming the Challenges

#### A Legal Protection and Awareness

##### Disputes/offences that generally occur in the locality

According to opinion of respondents, a wide range of offences usually occur in rural areas. This is true in every Division. Although most of the respondents are not fully aware of the domains of VC, it is recommended that in formulating VC's jurisdiction, the coverage should be enhanced and not restricted and that should be well publicized, so that people can reap maximum benefits from VC. Only then people will be encouraged to approach VC for seeking justice.

##### Knowledge about VC

Outcome of both methods of survey reveal that a very low percentage of people in general are aware of VC, its composition, function, jurisdiction, etc. So, 'mass awareness campaign' in various forms like electronic media,



print media, poster, using local Dish media etc should be launched. GO & NGO bodies, school teachers, religious leaders, doctors, etc can also be engaged to these activities. This will help people understand VC, its functions, composition, jurisdiction, decision-making process, etc.

### **How to make people seek justice from VC**

Key driving force behind making people go to VC is 'fair justice'. If people are ensured of impartial judgment, they feel comfortable to go to VC. This point is very emphatically asserted by survey respondents. Moreover, 'awareness building' is also very important. Introducing 'two to three tiers' Control and Monitoring' system can ensure fair justice and can sensitize people.

### **B Adjudication**

As per survey findings, people seem to be very much doubtful and hesitant about getting fair justice from VC. Thus, a vital strategy should be to make VC free of unfair practices. This can be achieved through effective monitoring and controlling of VC activities on regular basis.

To activate VC, regular training programs, budget provisions, skilled manpower and strict controlling mechanism are the imperatives. However, the UP representatives need some exposure visits as recognition to their excellent work.

### **C Legal Aid & Counseling**

Survey results reveal that 'people feel the need' for legal aid & counseling. VC can have its own 'Counseling Cell'. GO & NGO bodies, school teachers, religious leaders, doctors, etc. can be involved in the process. All elected representatives of UP are not involved in VC. Thus, a separate body composed of UP representatives and community leaders can be engaged only for counseling.

### **D Enforcement & Oversight**

In this regard also, respondents appear to emphasize 'fairness' in justice. Thus, mechanism for ensuring fair judgments by VCs should be built-in. The enforcement mechanism of a VC decision is not very effective under the present legal framework. Such mechanism should be made more effective and existing provisions should be enforced as far as possible. The Village Court Act, 2006 provides for the judicial monitoring by way of revision and appeal to the Assistant Judge and Magistrate of first class. But no provision for routine inspection of village courts has been provided either in the Act or the Village Courts Rules, 1976. The Provisions for routine inspection by the concerned judicial officers and UNO should be provided in the Rules or Act. Penalty for malpractices in VC should be provisioned. Stringent laws free of external influence should be adopted. Also a mechanism should be provided to establish strong coordination within Police, Judiciary, local administration and VC officials.

### **E Attitude & Perception**

It is very encouraging to see that many of the respondents, who have ever approached VC, are satisfied with VC's decisions. People can be motivated further provided they get fair justice and facilities like counseling and support. People already have the pre-disposition that VC has advantages like less expensive, prompt decision and easily approachable.

### **Overall Improvement of VC**

There are some elements for improvement in overall functioning of VC and these are spelt out below.

#### **Decision Making**

This is a very vital aspect of VC. Thus, crucial factors pertaining to this issue should be strictly taken care of and as such we recommend the followings:

- To ensure that VC is formed with persons having enough training on VC & its functions.
- Specific time limit for decisions-making should be fixed
- Accountability can ensure transparency and as a result fair judgment will prevail. Accountability can be established from one stage to another in upward direction, say from UP to Upazilla level authority.

- One notable survey finding is the prevalence of false cases/litigations. This calls for investigation to check the validity of the cases. Thus, we recommend that investigation of cases be done by properly and sincerely. Such investigation may also involve local elites, such as school teacher, religious leaders, doctors, etc since they are familiar with local people and local situation.
- A "Community Watch Committee" can look after the timing as well as fairness in VC judgments.

### **Monitoring and Controlling**

For proper monitoring and controlling of VC's activities, we recommend introduction of 'two to three tiers monitoring' system. For example, monitoring and performance evaluation can be from UZ or District level. A third party may also be engaged for monitoring the activities of VC. Such body may be composed of representatives of civil society, local journalists, school teachers, religious leaders, local government officials, NGO and law enforcing agencies. Additionally, UNO should monitor the activities of VC and compelled them to submit their half yearly statement regularly as per rule of the VC. The provisions for judicial monitoring by way of routine inspection of VC at least once in a year by the concerned judicial officer should be provided in the Act or Rules.

### **Gender Balance**

Both quantitative and qualitative survey revealed that people are very much in favor of gender balance. Thus, we recommend that law on formation of VC should explicitly mention ratio of male-female members. Separate arrangement for hearing from the female is needed in the VC for privacy. Participation of women Members in the VC needs to be enhanced.

### **5.3 Policy Implications**

1. A comprehensive program should be undertaken for developing legal policy framework through reviewing and redesigning the entire Village Court Program in the context of present needs of the rural mass.

The changing scenarios of rural Bangladesh, as manifested in the research:

- Majority respondents mentioned that most of the disputes in their areas occur due to ownership and occupation of land. Study also reveals that most frequently occurring disputes/offences are related to family disputes, VAW, theft and robbery.
- Most of the rural people still depend on informal Shalish which is regulated by local "Matbar" (community leaders) and influential persons in the locality.
- Value involved in most of the cases handled by VCs found higher than its financial jurisdiction.

This signifies an absence of concrete program for streamlining the Village Court, which might have turned VCs into the simplest approach to mitigate rural primary needs of judicial services.

2. Capacity Building of the Village Court emerged as a burning need. Study revealed that:

- UP Chairmen and Members have confused knowledge about the legal jurisdiction of Village Court. As per The Village Courts Act 2006, cases of VAW are not under the jurisdiction of VC. But study findings indicated that in many places VAW and dowry related cases are being settled by the VC quite regularly.
- Knowledge of UP Chairmen and Members about VC's composition, financial jurisdiction, etc is 'very poor'.

The program for building capacity of Village Court may include the following:

- To ensure proper functioning of VC, well designed and easily understandable 'Manual and Handbook' should be developed in Bangla and distributed among the UP Chairmen and Members with proper orientation and briefing.
- Appropriate training for concerned VC personnel should be ensured
- Development of infrastructure for Village Courts should get priority
- Developing a forum for exchanging ideas and experiences of the concerned personnel about the proceedings of VC could lead to better transparency and accountability.

3. A well coordinated monitoring & evaluation (M&E) system should be developed for monitoring and performance evaluation of Village Court activities.

The study revealed that no organization or forum is accountable for proper monitoring and guidance of the VCs. Whereas general mass were, by dint of government order, encouraged to seek judgment from VCs. As the study reveals, from real life experience of common people, it is clear that they are harassed or misjudged by VC in absence of any controlling mechanism.

Accordingly, strong recommendations has been put forth to develop a mechanism for 'monitoring & performance evaluation' of the Village Courts by a well coordinated, efficient, appropriate and skilled forum of judicial and societal representatives.

More study could be undertaken in order to examine the possibility of:

- o Developing a system of monitoring of VC activities under present legal framework of the country with the wider idea of integrating informal judicial system into the formal mainstream.
  - o Enhance the accountability of Village Courts as a pre-condition of 'good governance' in local government system of the country
  - o Enhance involvement of NGOs in monitoring VCs as well as in assisting the arbitrators
  - o Ensure involvement of the local civil society and media in reporting on VC activities
4. Policy could be adopted to develop awareness of the concerned personnel (arbitrator, judgment solicitors, social activists, etc).

A major concern was expressed in the study about 'lack of proper awareness' on the function/activities, jurisdiction, legal implication, etc of the Village Courts. This results in poor performance of this informal judicial system. Hence, as a policy issue, the program for developing appropriate awareness on the rules, regulations of the Village Courts should get high priority. The proposed program can be described as follows:

- o Raise awareness by communication campaigns using various media and materials
  - o Conducting training for the key stakeholders (UP Chairman/Member, Arbitrators, Teacher, Religious Leaders, Media Reporters, etc.)
  - o Develop well coordinated monitoring mechanisms with priority on transparency and good governance. Village Court judges should be made accountable to the community through pronouncement of the verdict in open court as per the Village Courts Rules, 1976.
5. A gender responsive policy planning has been perceived as a great priority in the present study report.
    - o Gender training could be provided to concerned personnel
    - o NGOs and other activists should be encouraged to become observers of Village Court activities, especially in respect of gender concerns.

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## ANNEXURES

Annex I	:	Tables on Quantitative Survey Findings
Annex II	:	Case Studies
Annex III	:	Process Documentation of the Study
Annex IV	:	Approach and Methodology of the Study
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Annex VII	:	Bangladesh Map: Surveyed Locations





## DETAIL FINDINGS OF THE QUANTITATIVE SURVEY

## 1. National Findings by Division

## A. Personal Profile of the Respondents

Table A.1: Percentage Distribution of Respondents by Gender

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total	
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F
Gender		49.3	50.7	27.49	49.8	50.2	13.16	49.3	50.7	28.79	50.4	49.6	8.60	50.7	49.3
	Number	1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563
														1143	1057
														4967	5049
														10016	10016

Table A.2: Percentage Distribution of Respondents by Gender and Age Group

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total	
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F
Average Age		40	34	37	41	35	38	41	37	39	40	41	37	41	36
	1 18-23	7.8	17.3	12.6	14.3	16.8	15.6	9.1	20.4	14.8	10.8	12.9	11.8	8.4	17.4
2 24-29		13.0	24.9	19.0	12.7	18.7	15.7	13.7	19.4	16.6	12.2	17.3	14.8	12.9	22.4
	3 30-35	24.6	25.8	25.2	16.5	20.4	18.4	16.2	23.2	19.8	14.3	22.7	18.5	16.7	26.8
4 36-41		14.5	12.3	13.4	12.7	15.6	14.1	15.5	13.3	14.4	15.0	14.8	14.9	15.2	11.2
	5 42-50	21.5	13.9	17.7	18.9	17.2	18.1	22.1	16.2	19.1	24.4	22.0	23.2	21.7	16.0
6 50+		18.6	5.8	12.1	25.0	11.3	18.1	23.3	7.5	15.3	23.3	10.3	16.8	25.0	6.2
	Number	1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563
														1143	1057
														4967	5049
														10016	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table A.3: Percentage Distribution of Respondents by Education Level

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Somewhat or less than primary	42.8	51.6	47.3	34.9	40.5	37.7	33.5	39.0	36.3	27.9	36.3	32.1	30.0	37.3	33.6	39.0	48.2	43.7	35.9	43.3	39.6
2	Primary	13.7	18.5	16.1	14.0	18.0	16.0	18.8	21.4	20.1	16.4	21.8	19.0	21.0	23.3	22.1	17.4	20.0	18.7	16.7	20.2	18.5
3	Somewhat secondary	18.4	16.0	17.2	22.7	27.9	25.3	24.1	22.7	23.4	23.0	20.1	21.6	19.3	21.7	20.5	17.0	18.4	17.7	21.0	20.7	20.9
4	Secondary	11.4	6.6	9.0	12.5	8.3	10.4	12.4	9.1	10.7	18.2	11.2	14.8	15.9	9.8	12.9	13.9	7.6	10.7	13.2	8.4	10.8
5	Somewhat Higher Secondary Certificate	8.5	3.8	6.1	11.4	3.3	7.4	7.0	4.7	5.8	9.0	5.6	7.3	7.9	5.7	6.8	6.6	1.5	4.0	8.2	4.1	6.2
6	Vocational Training	2.1	1.4	1.7	0.8	0.2	0.5	0.3	0.5	0.4	0.0	0.0	0.0	0.0	0.2	0.1	0.6	0.0	0.3	0.8	0.6	0.7
7	University education or more	1.9	0.5	1.2	2.7	0.5	1.6	2.9	0.9	1.9	3.2	0.9	2.1	4.7	0.5	2.6	2.7	0.7	1.7	2.8	0.7	1.7
98	Don't know	0.1	0.4	0.3	0.3	0.5	0.4	0.7	1.0	0.8	2.1	2.6	2.3	0.9	1.1	1.0	1.0	1.9	1.4	0.7	1.0	0.8
99	Refused	1.0	1.3	1.1	0.6	0.9	0.8	0.4	0.8	0.6	0.2	1.4	0.8	0.3	0.5	0.4	1.9	1.7	1.8	0.7	1.0	0.9
	Number	1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016

Table A.4: Percentage Distribution of Respondents by Profession

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Business	21.9	11.7	16.7	26.4	11.9	19.1	31.3	7.4	19.2	41.0	13.3	27.3	28.8	8.3	18.7	34.2	13.5	23.7	28.9	10.4	19.6
2	Government service	3.5	1.4	2.5	4.6	0.9	2.7	3.2	0.3	1.8	6.0	1.4	3.7	3.8	0.5	2.2	3.5	0.7	2.1	3.8	0.9	2.3
3	Teacher	2.4	2.0	2.2	2.0	0.8	1.4	2.0	1.6	1.8	3.0	1.2	2.1	3.3	1.1	2.2	0.8	0.2	0.5	2.2	1.3	1.8
4	Religious leader	0.8	0.0	0.4	1.2	0.0	0.6	0.6	0.0	0.3	2.3	0.0	1.2	1.9	0.2	1.0	0.2	0.0	0.1	1.0	0.0	0.5
5	Local Leader	0.1	0.0	0.0	0.3	0.0	0.2	0.3	0.0	0.1	0.2	0.0	0.1	0.9	0.0	0.4	2.1	0.0	1.0	0.5	0.0	0.2
6	Student	3.0	2.6	2.8	7.6	2.6	5.1	4.1	5.3	4.7	3.9	3.0	3.5	4.8	5.0	4.9	3.7	2.6	3.1	4.3	3.7	4.0
7	Cultivation/Farmer	56.1	2.2	28.8	43.4	0.9	22.1	42.0	1.6	21.5	21.7	0.7	11.3	27.1	0.2	13.8	33.6	1.1	17.0	41.6	1.4	21.4
8	Political Leader/Activist	0.2	0.1	0.1	0.8	0.0	0.4	0.5	0.1	0.3	0.2	0.0	0.1	1.2	0.2	0.7	1.2	0.2	0.7	0.6	0.1	0.3
9	House wife	0.0	70.0	36.1	0.0	76.0	38.8	0.0	76.5	39.7	0.0	75.4	38.6	0.0	79.9	40.0	0.0	75.0	38.8	0.0	74.7	38.4
97	Others	9.4	3.9	6.6	10.1	1.5	5.8	13.6	4.0	8.7	18.7	2.3	10.6	25.3	2.5	14.1	18.3	3.9	11.0	14.3	3.3	8.8
98	Don't know	0.1	2.1	1.1	1.4	4.8	3.1	0.1	1.4	0.8	0.0	0.9	0.5	0.5	0.5	0.5	0.0	1.1	0.6	0.3	1.9	1.1
99	Refused	0.4	1.4	0.9	0.6	0.2	0.4	0.2	0.4	0.3	0.2	0.2	0.2	0.5	0.9	0.7	0.6	0.2	0.4	0.4	0.7	0.5
	Number	1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table A.5: Percentage Distribution of Respondents by Monthly Income Level**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Tk 2,000 or below	37.3	14.6	25.8	18.1	6.9	12.5	16.2	8.8	12.4	13.4	6.3	9.9	12.8	6.4	9.6	18.0	4.5	11.1	21.7	9.2	15.4
2	TK 2,001-5,000	35.3	5.7	20.3	41.8	3.3	22.5	34.9	5.4	20.0	30.9	4.7	17.9	36.4	2.8	19.9	26.1	2.6	14.1	34.8	4.6	19.6
3	TK 5,001-8,000	12.5	1.4	6.9	13.6	1.7	7.6	20.1	3.4	11.6	19.8	3.7	11.8	27.1	2.1	14.8	16.2	0.6	8.2	17.5	2.2	9.8
4	TK 8,001-10,000	3.2	0.5	1.8	6.1	0.5	3.3	9.7	1.1	5.3	12.7	1.4	7.1	7.1	0.7	3.9	9.8	0.4	5.0	7.4	0.8	4.1
5	TK 10,001-15,000	1.3	0.0	0.7	4.4	0.3	2.4	4.0	0.8	2.4	8.8	0.7	4.8	2.6	0.0	1.3	4.6	0.6	2.6	3.6	0.4	2.0
6	TK 15,001-20,000	0.7	0.0	0.3	1.4	0.2	0.8	1.3	0.2	0.8	2.5	1.2	1.9	1.0	0.2	0.6	3.3	0.0	1.6	1.4	0.2	0.8
7	TK 20,001 and above	0.4	0.1	0.3	0.5	0.0	0.2	0.8	0.5	0.7	1.8	0.5	1.2	1.4	0.0	0.7	1.7	0.2	0.9	0.9	0.3	0.6
8	No Income	8.6	76.4	43.0	13.7	85.2	49.6	12.2	78.0	45.6	8.3	80.8	44.3	10.7	83.8	46.7	19.3	89.6	55.2	11.7	80.6	46.4
98	Don't know	0.0	0.3	0.1	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.1	0.1
99	Refused	0.7	1.0	0.8	0.5	2.0	1.2	0.7	1.6	1.1	1.8	0.7	1.3	0.9	3.9	2.4	1.0	1.7	1.3	0.8	1.7	1.2
<b>Number</b>		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
<b>Mean Income in Taka</b>		3476	2351	3248	4843	3165	4623	5379	4579	5225	6727	5443	6511	5429	3167	5160	5988	4106	5796	4956	3603	4726

Source: Village Courts in Bangladesh Baseline Survey, 2009

## A LEGAL PROTECTION & AWARENESS

**Table B.1: Percentage Distribution of Respondents by Knowledge about Occurrences of Disputes and Offences**

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table B.2: Percentage Distribution of Respondents by Opinions about How People Settle their Disputes and Offences**

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
Shalish																						
1	Go to Village Leaders	72.2	70.8	71.4	83.6	87.0	85.5	78.6	78.6	84.0	85.9	85.0	73.8	79.9	77.0	71.5	78.7	75.9	76.8	78.3	77.6	
2	Go to School Teacher	13.2	11.3	12.1	2.5	2.5	2.5	11.4	11.6	11.5	20.3	20.6	4.8	3.4	4.1	4.1	4.8	4.5	10.2	9.4	9.7	
3	Go to Religious Leaders (Imam, etc.)	7.4	6.4	6.8	2.1	2.9	2.5	8.1	9.6	8.9	24.2	22.4	23.2	4.4	3.2	3.8	5.2	4.8	4.9	7.9	7.7	
4	Go to UP Chairman/Member	70.6	68.4	69.4	66.9	61.3	63.8	69.7	68.3	68.9	78.1	75.9	76.9	83.7	79.5	81.5	44.1	46.7	45.6	70.2	68.5	
5	Go to Political Leader	9.8	8.4	9.0	11.0	7.6	9.1	16.5	15.3	15.8	18.0	21.5	19.8	18.5	12.3	15.3	2.2	5.5	4.2	13.2	12.3	
97	Others	1.0	0.9	1.0	0.0	0.9	0.5	0.9	0.4	0.6	1.6	1.2	1.4	0.4	0.4	0.4	0.7	0.2	0.4	0.8	0.7	
98	Don't know	0.0	0.3	0.1	0.0	0.0	0.0	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.2	0.1	0.7	0.0	0.3	0.2	0.1	
99	Refused	4.8	2.6	3.6	5.5	2.9	4.0	3.3	2.2	2.7	1.6	1.8	1.7	2.4	1.8	2.1	5.6	1.7	3.2	3.9	3.0	
Number		932	1160	2092	438	553	991	1045	1248	2293	306	340	646	454	503	957	270	418	688	3445	4222	7667
Shalish (Others)																						
1	To Mother & Father-in-law	55.6	63.6	60.0	0.0	60.0	60.0	55.6	80.0	64.3	80.0	100.0	88.9	100.0	50.0	75.0	100.0	100.0	100.0	66.7	71.4	69.1
2	To Gram Sarker (Village Admin)	33.3	36.4	35.0	0.0	0.0	0.0	0.0	0.0	0.0	20.0	0.0	11.1	0.0	50.0	25.0	0.0	0.0	0.0	14.8	17.9	16.4
3	To Doctor's	11.1	0.0	5.0	0.0	40.0	40.0	33.3	20.0	28.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	14.8	10.7	12.7
Number		9	11	20	0	5	5	9	5	14	5	4	9	2	2	4	2	1	3	27	28	55
Other Means of Resolving Disputes																						
1	Filing case in Thana	28.5	25.3	26.7	36.1	33.1	34.4	22.7	19.2	20.8	17.0	13.8	15.3	22.7	23.5	23.1	14.8	16.5	15.8	24.8	22.5	23.5
2	Filing case in Court	26.0	20.7	23.0	27.4	24.4	25.7	21.7	18.0	19.7	11.1	11.5	11.3	24.2	20.7	22.4	3.7	7.9	6.3	21.6	18.4	19.8
3	Mending disputes within family	34.0	37.3	35.9	30.6	32.7	31.8	40.1	44.8	42.7	32.7	35.0	33.9	25.3	27.4	26.4	46.3	47.8	47.2	35.1	38.6	37.0
4	Solving problem by the community leaders	8.5	9.5	9.0	2.1	3.3	2.7	10.9	11.8	11.4	29.1	31.5	30.3	3.5	5.2	4.4	8.9	11.7	10.6	9.6	10.8	10.3
5	Solving by the friends & neighbors	1.4	1.6	1.5	0.5	0.4	0.4	1.5	2.1	1.8	8.2	7.1	7.6	3.5	0.6	2.0	1.5	0.2	0.7	2.2	1.8	2.0
6	Go to the local political leaders	1.6	1.6	1.6	0.7	0.7	0.7	2.4	2.2	2.3	0.7	1.8	1.2	0.9	1.4	1.1	1.5	1.0	1.2	1.5	1.6	1.6
7	Go to the school teacher	0.4	0.5	0.5	0.5	0.7	0.6	0.7	0.8	0.7	0.3	0.9	0.6	0.9	1.4	1.1	0.4	0.2	0.3	0.6	0.7	0.7
8	Go to the religious teacher	0.4	0.1	0.2	0.2	0.2	0.2	0.2	0.2	0.2	1.0	0.6	0.8	2.4	1.8	2.1	0.4	0.5	0.4	0.6	0.4	0.5
9	Go to the co-operative society	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	1.8	1.9	0.0	0.2	0.1	0.0	0.0	0.0	0.2	0.2	0.2
98	Don't know	2.6	3.4	3.1	4.3	5.1	4.7	3.5	3.0	3.3	1.3	1.8	1.5	8.6	7.8	8.2	13.3	11.7	12.4	4.6	4.7	4.7
99	Refused	7.0	5.7	6.3	8.0	6.5	7.2	4.1	4.3	4.2	2.3	2.1	2.2	12.6	12.7	12.6	11.9	6.9	8.9	6.9	6.1	6.5
Number		932	1160	2092	438	553	991	1045	1248	2293	306	340	646	454	503	957	270	418	688	3445	4222	7667

Source: Village Courts in Bangladesh Baseline Survey, 2009



**Table B.3: Percentage Distribution of Respondents by Opinions about Level of Satisfaction on Justice from Shalish**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total			
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	
1	Yes (Happy)	81.0	84.3	82.8	83.8	87.3	85.8	88.2	88.5	88.4	88.4	85.3	84.1	84.7	86.1	85.7	85.9	87.8	88.8	88.4	85.1	86.5	85.9
2	No (Unhappy)	15.9	13.0	14.3	13.0	9.6	11.1	9.9	9.8	9.8	9.8	13.4	13.5	13.5	10.8	10.5	10.7	8.5	5.5	6.7	12.2	10.6	11.3
98	Don't know	0.9	1.6	1.3	0.7	1.4	1.1	0.5	0.9	0.7	0.7	0.3	2.1	1.2	2.2	3.0	2.6	1.9	5.0	3.8	0.9	1.9	1.5
99	Refused	2.3	1.0	1.6	2.5	1.6	2.0	1.4	0.8	1.1	0.8	1.0	0.3	0.6	0.9	0.8	0.8	1.9	0.7	1.2	1.7	0.9	1.3
Number		932	1160	2092	438	553	991	1045	1248	2293	306	340	646	454	503	957	270	418	688	3445	4222	7667	7667
Opinion about Effectiveness of Shalish																							
1	Very Effective	29.1	24.2	26.4	34.1	29.4	31.4	27.2	27.0	27.1	34.5	30.8	32.5	24.8	25.8	25.3	33.3	31.0	31.9	29.4	27.1	28.1	
2	Effective	64.1	67.9	66.2	61.3	67.1	64.6	61.6	65.4	63.7	47.1	54.5	51.0	69.8	69.1	69.5	63.3	66.0	65.0	62.2	66.0	64.3	
3	Not Much Effective	4.5	5.6	5.1	2.7	1.9	2.2	8.6	6.0	7.2	13.0	13.3	13.2	4.1	3.7	3.9	2.5	2.4	2.5	6.1	5.3	5.6	
4	Not Effective	0.9	1.2	1.1	1.9	1.2	1.5	2.1	1.4	1.7	4.2	1.0	2.6	0.5	0.0	0.2	0.0	0.0	0.0	1.6	1.0	1.3	
98	Don't know (Do not Read)	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.2	0.0	0.0	0.0	
99	Refused (Do not Read)	1.2	1.0	1.1	0.0	0.4	0.2	0.5	0.2	0.3	1.1	0.3	0.7	0.8	1.4	1.1	0.8	0.3	0.5	0.8	0.6	0.7	
Number		755	978	1733	367	483	850	922	1105	2027	261	286	547	391	431	822	237	371	608	2933	3654	6587	6587
Reasons of not Effective																							
1	Take bribe	46.3	40.3	42.6	29.4	26.7	28.1	50.0	51.2	50.6	17.8	19.5	18.6	50.0	62.5	55.9	16.7	33.3	26.7	40.4	40.9	40.7	
	Political influence/ Influence from the powerful persons	34.1	34.3	34.3	88.2	46.7	68.8	28.6	45.1	36.1	40.0	46.3	43.0	55.6	43.8	50.0	83.3		55.6	66.7	42.6	41.3	
2																							
3	Do not get fair judgment	31.7	34.3	33.3	11.8	6.7	9.4	35.7	37.8	36.7	33.3	34.1	33.7	38.9	43.8	41.2	16.7	77.8	53.3	32.4	36.1	34.3	
4	Lack of impartiality/ Nepotism	61.0	44.8	50.9	35.3	73.3	53.1	42.9	45.1	43.9	75.6	58.5	67.4	61.1	25.0	44.1	66.7	44.4	53.3	54.2	47.8	51.0	
5	Take extra fine	2.4	1.5	1.9	0.0	0.0	0.0	0.0	1.2	0.6	4.4	2.4	3.5	0.0	6.3	2.9	0.0	0.0	0.0	1.3	1.7	1.5	
98	Don't know	12.2	3.0	6.5	0.0	0.0	0.0	3.1	2.4	2.8	0.0	2.4	1.2	0.0	6.3	2.9	0.0	0.0	0.0	3.6	2.6	3.1	
99	Refused	2.4	0.0	0.9	0.0	0.0	0.0	1.0	1.2	1.1	0.0	0.0	0.0	11.1	6.3	8.8	0.0	0.0	0.0	1.8	0.9	1.3	
Number		41	67	108	17	15	32	98	82	180	45	41	86	18	16	34	6	9	15	225	230	455	455

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table B.4: Percentage Distribution of Respondents by Opinions about Dealings with VAW & Effectiveness of Shalish

Code	Indicator	Barisal		Chittagong			Dhaka			Khulna			Rajshahi			Sylhet			Total			
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total			
Knowledge about VAW Cases Dealt by Shalish																						
1	Yes	26.4	18.7	22.4	46.4	42.6	44.4	36.6	36.2	36.4	21.7	17.0	19.1	35.3	31.2	33.0	16.7	18.4	17.7	32.3	29.0	30.5
2	No	67.2	73.8	70.6	52.0	55.6	53.9	56.3	58.7	57.6	72.1	79.0	76.0	58.4	61.0	59.8	74.4	72.2	73.1	61.3	64.9	63.3
98	Don't know	2.9	4.4	3.7	0.7	0.9	0.8	4.0	3.4	3.7	1.4	1.6	1.5	1.1	4.8	3.2	5.2	8.1	7.0	2.5	4.0	3.3
99	Refused	3.5	3.2	3.3	1.0	0.9	0.9	3.2	1.7	2.4	4.8	2.4	3.4	5.3	2.9	4.0	3.7	1.2	2.2	3.8	2.2	2.9
Number		454	503	957	306	340	646	1045	1248	2293	438	553	991	932	1160	2092	270	418	688	3445	4222	7667
Knowledge about Effective Settlement of VAW through Shalish																						
1	Yes	60.8	59.6	60.3	61.3	52.4	56.8	70.7	70.8	70.7	71.6	74.5	73.0	63.2	63.3	63.2	80.0	80.5	80.3	66.7	66.4	66.5
2	No	37.5	39.4	38.3	38.7	47.6	43.2	27.2	26.1	26.6	27.4	23.4	25.4	34.0	34.0	34.0	20.0	19.5	19.7	31.5	31.4	31.5
98	Don't know	0.8	0.0	0.5	0.7	0.0	0.3	1.6	1.8	1.7	1.1	1.1	1.1	0.6	0.3	0.4	4.4	1.3	2.5	1.2	0.9	1.0
99	Refused	0.8	1.1	0.9	-0.7	0.0	-0.3	0.5	1.3	1.0	0.0	1.1	0.5	2.1	2.5	2.3	-4.4	-1.3	-2.5	0.6	1.3	1.0
Number		120	94	214	142	145	287	382	452	834	95	94	189	329	362	691	45	77	122	1113	1224	2337

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table B.5: Percentage Distribution of Respondents by Knowledge and Sources of Knowledge about Village Court

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
Knowledge about Village Court																						
1	Yes	31.3	17.0	24.0	33.2	16.5	24.8	26.6	14.6	20.5	29.5	20.4	25.0	21.7	10.7	16.3	47.9	22.4	34.9	30.6	16.4	23.5
2	No	68.5	82.7	75.7	66.8	83.5	75.2	73.4	85.4	79.5	70.5	79.4	74.9	78.3	89.3	83.7	52.1	77.4	65.0	69.3	83.5	76.4
98	Don't know	0.2	0.4	0.3	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.2	0.1	0.0	0.0	0.0	0.0	0.2	0.1	0.1	0.1	0.1
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Sources																						
1	Radio	15.3	15.2	15.3	2.3	1.8	2.1	12.4	11.3	12.0	13.3	12.6	13.0	15.1	15.0	15.1	11.3	21.5	14.6	11.9	13.1	12.3
2	TV	16.5	20.7	18.0	15.6	16.5	15.9	15.9	18.8	16.9	19.5	17.2	18.6	34.9	28.3	32.8	23.0	29.8	25.2	19.1	21.2	19.8
3	News Paper	15.8	18.1	16.6	10.6	7.3	9.5	15.6	13.6	14.9	17.2	12.6	15.3	25.4	11.7	21.0	3.2	4.1	3.5	13.9	12.5	13.4
4	Friends/Peers	30.4	31.6	30.9	13.3	9.2	11.9	22.5	25.8	23.7	60.2	50.6	56.3	14.3	13.3	14.0	24.6	10.7	20.1	26.2	24.8	25.7
5	UP Chairman/Member	86.1	82.3	84.7	84.9	82.6	84.1	76.2	70.0	73.9	68.0	35.6	54.9	83.3	58.3	75.3	79.0	67.8	75.3	80.6	70.4	77.0
6	NGO's	10.8	18.6	13.6	17.4	14.7	16.5	23.0	22.1	22.7	3.9	4.6	4.2	5.6	6.7	5.9	5.2	5.8	5.4	12.9	14.8	13.5
7	School Teacher	17.7	19.4	18.3	4.6	7.3	5.5	13.8	19.7	15.9	14.8	16.1	15.3	7.1	3.3	5.9	6.9	4.1	6.0	12.0	14.1	12.7
8	Religious Leader	10.1	13.5	11.3	0.9	0.9	0.9	3.4	5.6	4.2	7.0	3.4	5.6	0.8	1.7	1.1	0.4	5.0	1.9	4.5	6.7	5.3
9	Political Leader/Activist	12.5	14.8	13.3	17.4	21.1	18.7	23.0	16.0	20.5	11.7	4.6	8.8	18.3	8.3	15.1	13.3	1.7	9.5	16.4	12.5	15.0
97	Others	1.7	3.4	2.3	1.4	8.3	3.7	3.4	3.8	3.6	2.3	19.5	9.3	1.6	11.7	4.8	8.9	23.1	13.6	3.3	9.3	5.4
98	Don't know	0.0	0.4	0.2	0.0	0.0	0.0	0.3	0.0	0.2	0.0	1.1	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.2	0.1
99	Refused	3.1	3.0	3.0	2.3	4.6	3.1	5.3	4.7	5.1	1.6	9.2	4.7	1.6	10.0	4.3	4.0	8.3	5.4	3.4	5.6	4.2
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
Sources (Others)																						
1	From family members	28.6	62.5	46.7	0.0	77.8	58.3	46.2	87.5	61.9	66.7	100.0	95.0	0.0	71.4	55.6	13.6	21.4	18.0	26.0	61.0	47.2
2	From community people	14.3	25.0	20.0	100.0	11.1	33.3	15.4	0.0	9.5	0.0	0.0	0.0	100.0	28.6	44.4	40.9	42.9	42.0	34.0	22.1	26.8
3	From administration	28.6	12.5	20.0	0.0	11.1	8.3	15.4	0.0	9.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.0	2.6	4.7
4	Self Known	28.6	0.0	13.3	0.0	0.0	0.0	15.4	12.5	14.3	33.3	0.0	5.0	0.0	0.0	0.0	40.9	35.7	38.0	28.0	14.3	19.7
Number		7	8	15	3	9	12	13	8	21	3	17	20	2	7	9	22	28	50	50	77	127

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table B.6: Percentage Distribution of Respondents about Usefulness & Reasons of a Village Court**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Usefulness																						
1	Yes	89.3	90.2	89.8	92.0	94.9	93.6	91.0	92.5	91.8	88.9	88.8	88.9	94.5	95.4	95.0	88.9	91.9	90.7	90.8	92.2	91.5
2	No	2.5	3.4	3.0	2.1	1.3	1.6	3.8	3.8	3.8	8.8	10.6	9.8	1.5	1.0	1.3	2.2	2.2	2.2	3.3	3.4	3.4
98	Don't know	4.9	4.7	4.8	1.6	1.1	1.3	3.2	2.8	3.0	1.3	0.0	0.6	2.2	2.2	2.2	4.8	4.8	4.8	3.3	3.0	3.1
99	Refused	3.3	1.6	2.4	4.3	2.7	3.4	2.0	0.9	1.4	1.0	0.6	0.8	1.8	1.4	1.6	4.1	1.2	2.3	2.7	1.4	2.0
Number		932	1160	2092	438	553	991	1045	1248	2293	306	340	646	454	503	957	270	418	688	3445	4222	7667
Yes-Reasons for Usefulness																						
1	Easily will get judgment	37.1	37.7	37.4	39.5	37.0	38.0	34.3	31.8	32.9	20.6	24.2	22.5	39.2	35.0	37.0	27.1	26.8	26.9	34.6	33.4	33.9
2	Will get fair judgment	26.3	28.2	27.4	16.1	18.3	17.3	19.5	22.5	21.1	47.1	46.0	46.5	15.4	15.8	15.6	32.1	29.4	30.4	23.7	25.2	24.5
3	Will be less harassment	7.2	5.4	6.2	9.4	6.3	7.7	10.1	7.5	8.7	5.5	5.3	5.4	7.7	5.8	6.7	7.5	7.6	7.5	8.3	6.4	7.3
4	Will not need to go to the court/Thana	10.6	11.4	11.0	10.2	10.5	10.3	14.4	12.7	13.5	12.1	7.9	9.9	9.8	13.8	11.9	12.9	12.8	12.8	11.9	11.8	11.9
5	Will control bribe	0.8	1.8	1.4	0.0	0.0	0.0	1.2	1.5	1.3	1.8	1.0	1.4	0.2	0.6	0.4	2.5	1.3	1.8	1.0	1.2	1.1
6	Will be less expenses	18.0	16.0	16.9	27.5	22.5	24.7	20.7	23.3	22.1	10.7	15.2	13.1	32.4	29.2	30.7	12.1	15.1	13.9	20.9	20.5	20.7
7	Will be ensured chairman, member and local people's participation	0.2	1.1	0.7	1.0	1.5	1.3	1.9	1.9	1.9	1.1	1.7	1.4	0.2	0.4	0.3	0.4	0.5	0.5	0.9	1.3	1.1
8	Will be controlled illogical activities	2.4	2.8	2.6	2.5	5.0	3.9	2.6	3.2	2.9	0.7	1.7	1.2	4.7	4.6	4.6	2.5	3.4	3.0	2.7	3.4	3.1
9	Will get judgment within a short time	10.1	7.6	8.7	16.6	13.3	14.8	10.4	9.4	9.8	15.1	12.9	13.9	18.6	15.0	16.7	13.8	13.0	13.3	12.9	10.7	11.7
10	Judgment will be according to the act/law.	0.2	0.5	0.4	0.5	0.2	0.3	0.4	0.9	0.7	1.1	0.0	0.5	0.0	0.0	0.0	0.0	0.3	0.2	0.4	0.4	0.4
11	Will be no impartiality	0.4	0.3	0.3	0.2	0.0	0.1	0.3	0.4	0.4	0.0	0.3	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2	0.2
98	Don't know	0.0	0.2	0.1	0.0	0.0	0.0	1.1	0.5	0.8	0.0	0.0	0.0	0.0	0.2	0.1	0.0	1.0	0.6	0.3	0.3	0.3
99	Refused	0.4	0.9	0.6	0.7	2.3	1.6	1.2	0.8	1.0	-0.4	0.0	0.0	0.7	1.3	1.0	1.3	1.3	1.3	0.7	1.1	0.9
Number		832	1046	1878	403	525	928	951	1154	2105	272	302	574	429	480	909	240	384	624	3127	3891	7018

Source: Village Courts in Bangladesh Baseline Survey, 2009

## Continuation...

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
If no, why it will not be useful?																						
1	It will increase the power of powerful people	17.4	12.5	14.3	33.3	0.0	18.8	30.0	14.6	21.6	66.7	41.7	52.4	0.0	0.0	0.0	16.7	33.3	26.7	33.9	20.7	26.5
2	Union Parishad is better than Village Court in terms of getting proper judgement	8.7	7.5	7.9	22.2	14.3	18.8	5.0	8.3	6.8	3.7	2.8	3.2	0.0	0.0	0.0	0.0	0.0	0.0	6.3	6.2	6.2
3	Will be expensive	17.4	10.0	12.7	0.0	14.3	6.3	7.5	8.3	8.0	7.4	0.0	3.2	0.0	20.0	8.3	0.0	0.0	0.0	8.0	6.9	7.4
4	Will not be proper judgement	17.4	10.0	12.7	22.2	42.9	31.3	35.0	29.2	31.8	7.4	16.7	12.7	0.0	20.0	8.3	0.0	22.2	13.3	19.6	20.7	20.2
5	Will increase opportunity to take bribe	8.7	27.5	20.6	0.0	0.0	0.0	15.0	14.6	14.8	14.8	19.4	17.5	14.3	0.0	8.3	0.0	0.0	0.0	11.6	17.2	14.8
6	We have no clear idea	4.3	2.5	3.2	0.0	0.0	0.0	2.5	4.2	3.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	2.1	1.9
7	Will increase corruption	4.3	2.5	3.2	11.1	14.3	12.5	2.5	6.3	4.5	7.4	16.7	12.7	0.0	0.0	0.0	0.0	0.0	0.0	4.5	7.6	6.2
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
99	Refused	13.0	27.5	22.2	11.1	0.0	6.3	10.0	22.9	17.0	3.7	2.8	3.2	85.7	60.0	75.0	83.3	55.6	66.7	17.9	21.4	19.8
Number		23	40	63	9	7	16	40	48	88	27	36	63	7	5	12	6	9	15	112	145	257

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table B.7: Percentage Distribution of Respondents by Knowledge about Types of Offences/Cases Handling by Village Court**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Stealing/Theft	56.6	54.0	55.7	37.2	38.5	37.6	44.7	47.9	45.9	49.2	36.8	44.2	36.5	38.3	37.1	53.2	63.6	56.6	48.0	48.9	48.3
2	Fighting each other/Quarrel	43.6	36.3	41.0	32.6	22.0	29.1	37.6	40.4	38.6	33.6	31.0	32.6	39.7	33.3	37.6	31.0	36.4	32.8	37.3	34.7	36.4
3	Hi-jacking/ Unauthorized money collection (Toll Collection)	6.6	8.4	7.3	1.8	3.7	2.4	3.4	4.7	3.9	1.6	1.1	1.4	1.6	5.0	2.7	4.4	11.6	6.8	3.9	6.3	4.8
4	Robbery	19.1	17.7	18.6	20.2	21.1	20.5	16.9	15.5	16.4	18.8	12.6	16.3	9.5	8.3	9.1	19.0	26.4	21.4	17.9	17.7	17.8
5	Violence against women	32.5	30.4	31.8	27.1	33.9	29.4	25.4	27.7	26.2	5.5	3.4	4.7	30.2	23.3	28.0	17.3	16.5	17.1	25.0	24.8	24.9
6	Family conflict between husband & wife	14.6	16.0	15.1	18.8	13.8	17.1	9.5	10.3	9.8	21.9	17.2	20.0	15.1	13.3	14.5	18.5	12.4	16.5	15.2	13.7	14.7
7	Land related	27.8	19.4	24.8	28.9	26.6	28.1	31.5	32.4	31.8	36.7	25.3	32.1	57.1	45.0	53.2	39.5	26.4	35.2	34.0	27.2	31.6
8	Monetary related	1.9	1.7	1.8	2.8	0.9	2.1	5.0	1.9	3.9	0.8	1.1	0.9	1.6	0.0	1.1	0.4	0.0	0.3	2.4	1.2	2.0
9	Divorce related	3.8	3.0	3.5	13.8	10.1	12.5	1.6	2.3	1.9	0.8	2.3	1.4	11.9	6.7	10.2	11.3	5.0	9.2	6.3	4.2	5.6
10	Loan related	0.0	0.0	0.0	0.5	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	1.6	3.3	2.2	0.0	0.0	0.0	0.2	0.2	0.2
11	Child marriage	4.0	5.1	4.4	2.3	1.8	2.1	2.9	4.2	3.4	0.8	1.1	0.9	2.4	0.0	1.6	0.4	0.8	0.5	2.5	3.0	2.7
12	All sorts of small scale problems	12.5	23.6	16.5	20.2	20.2	20.2	24.3	19.7	22.7	27.3	36.8	31.2	10.3	15.0	11.8	9.3	9.9	9.5	17.1	20.9	18.4
13	Disturbance by Notorious	0.5	0.4	0.5	0.0	0.0	0.0	0.3	0.9	0.5	3.1	2.3	2.8	1.6	0.0	1.1	0.4	0.8	0.5	0.7	0.7	0.7
98	Don't know	1.4	0.0	0.9	0.9	0.9	0.9	0.8	0.5	0.7	0.0	2.3	0.9	2.4	3.3	2.7	2.0	0.0	1.4	1.2	0.7	1.1
99	Refused	2.4	3.8	2.9	2.3	2.8	2.4	3.7	3.3	3.6	1.6	4.6	2.8	3.2	5.0	3.8	2.8	4.1	3.3	2.8	3.7	3.1
	Number	424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009



Table B.8: Percentage Distribution of Respondents by Level of Knowledge about Financial Jurisdiction, Formation and Decision Making Process of VC

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Know about Financial Jurisdiction																						
1	Yes	71.5	59.5	67.2	70.2	68.8	69.7	67.2	57.3	63.6	69.5	41.4	58.1	78.6	60.0	72.6	65.7	49.6	60.4	69.7	56.8	65.2
2	No	25.9	37.6	30.1	26.6	31.2	28.1	29.6	39.4	33.2	28.9	52.9	38.6	21.4	33.3	25.3	33.1	46.3	37.4	28.0	39.8	32.1
99	Refused	2.6	3.0	2.7	3.2	0.0	2.1	3.2	3.3	3.2	1.6	5.7	3.3	0.0	6.7	2.2	1.2	4.1	2.2	2.3	3.4	2.7
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
Amount																						
1	Tk. 25,000	21.5	20.6	21.2	24.8	18.7	22.8	45.7	41.8	44.4	30.3	36.1	32.0	24.2	55.6	32.6	35.6	21.7	31.8	30.9	29.8	30.6
2	Tk. 5,000 - 25,000	62.7	64.5	63.3	54.9	58.7	56.1	32.7	39.3	34.8	53.9	55.6	54.4	46.5	38.9	44.4	39.9	61.7	45.7	48.6	54.0	50.3
3	Tk. 26,000	6.6	5.0	6.1	3.3	6.7	4.4	15.7	12.3	14.6	3.4	0.0	2.4	10.1	2.8	8.1	5.5	8.3	6.3	8.2	7.0	7.8
4	Tk. 5,000	7.6	5.7	7.0	10.5	14.7	11.8	3.1	9.0	5.1	9.0	8.3	8.8	13.1	2.8	10.4	3.1	0.0	2.2	6.9	7.2	7.0
5	Tk. 40,000 and above.	3.6	5.7	4.3	6.5	1.3	4.8	3.5	0.8	2.7	2.2	0.0	1.6	7.1	0.0	5.2	12.3	6.7	10.8	5.6	3.0	4.8
99	Refused	1.7	2.8	2.0	0.7	1.3	0.9	2.8	1.6	2.4	2.2	0.0	1.6	1.0	0.0	0.7	4.3	1.7	3.6	2.2	1.7	2.0
Number		303	141	444	153	75	228	254	122	376	89	36	125	99	36	135	163	60	223	1061	470	1531
Know about Formation of VC																						
1	Yes	81.4	72.2	78.1	77.1	66.1	73.4	79.6	72.8	77.2	79.7	60.9	72.1	67.5	73.3	69.4	87.9	86.8	87.5	80.1	72.6	77.4
2	No	17.0	25.7	20.1	22.5	33.9	26.3	18.8	25.4	21.2	19.5	34.5	25.6	30.2	21.7	27.4	11.7	12.4	11.9	18.7	25.4	21.0
99	Refused	1.7	2.1	1.8	0.5	0.0	0.3	1.6	1.9	1.7	0.8	4.6	2.3	2.4	5.0	3.2	0.4	0.8	0.5	1.2	2.1	1.5
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
How (Formation of VC)																						
1	Chairman, Member and honorable persons	86.4	90.6	87.8	87.5	83.3	86.3	90.0	87.7	89.3	91.2	100.0	94.2	96.5	97.7	96.9	95.0	90.5	93.5	90.1	90.3	90.2
2	Selected people from both sides	28.4	25.7	27.5	12.5	18.1	14.2	34.9	25.2	31.6	6.9	3.8	5.8	25.9	6.8	19.4	5.5	9.5	6.8	21.7	18.5	20.7
99	Refused	2.6	2.3	2.5	1.2	0.0	0.8	1.7	2.6	2.0	2.9	0.0	1.9	0.0	0.0	0.0	2.3	1.0	1.9	1.9	1.5	1.8
Number		345	171	516	168	72	240	301	155	456	102	53	155	85	44	129	218	105	323	1219	600	1819
Knowledge about Decision Making Process																						
1	Yes	72.4	55.3	66.3	70.2	52.3	64.2	65.6	53.1	61.1	83.6	64.4	75.8	69.8	53.3	64.5	81.5	71.9	78.3	72.6	57.6	67.3
2	No	25.7	41.8	31.5	28.9	46.8	34.9	32.5	41.8	35.9	15.6	29.9	21.4	28.6	40.0	32.3	18.1	25.6	20.6	26.0	38.7	30.5
99	Refused	1.9	3.0	2.3	0.9	0.9	0.9	1.9	5.2	3.0	0.8	5.7	2.8	1.6	6.7	3.2	0.4	2.5	1.1	1.4	3.7	2.2
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation...

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
How (Decision Making Ways)																						
1	By forming board/committee	29.6	28.2	29.2	26.8	26.3	26.7	31.9	34.5	32.7	69.2	67.9	68.7	25.0	28.1	25.8	25.2	29.9	26.6	32.4	34.5	33.0
2	By implementing the judgment by majority	17.9	20.6	18.7	14.4	12.3	13.8	17.7	15.0	16.9	18.7	8.9	15.3	12.5	21.9	15.0	13.4	6.9	11.4	16.2	14.5	15.7
3	Chairman and member jointly	34.9	32.8	34.2	27.5	21.1	25.7	36.7	37.2	36.8	3.7	7.1	4.9	34.1	25.0	31.7	22.8	21.8	22.5	29.0	26.9	28.3
4	Two groups together	19.2	21.4	19.9	28.8	40.4	31.9	13.7	13.3	13.6	8.4	17.9	11.7	27.3	25.0	26.7	37.6	41.4	38.8	22.3	25.2	23.1
99	Refused	1.3	0.8	1.1	2.6	0.0	1.9	1.2	1.8	1.4	0.9	0.0	0.6	1.1	0.0	0.8	2.0	0.0	1.4	1.5	0.6	1.3
	Number	307	131	438	153	57	210	248	113	361	107	56	163	88	32	120	202	87	289	1105	476	1581
Appeal Against VC																						
1	Yes	63.7	57.4	61.4	87.2	78.0	84.1	55.0	45.1	51.4	75.0	46.0	63.3	73.0	53.3	66.7	48.4	33.9	43.6	64.1	52.0	59.9
2	No	19.8	16.9	18.8	8.3	15.6	10.7	18.0	24.4	20.3	11.7	19.5	14.9	10.3	20.0	13.4	25.0	31.4	27.1	17.1	21.3	18.6
98	Don't know	15.3	24.1	18.5	4.6	5.5	4.9	24.6	27.7	25.7	13.3	31.0	20.5	15.9	25.0	18.8	25.0	28.1	26.0	17.5	23.9	19.8
99	Refused	1.2	1.7	1.4	0.0	0.9	0.3	2.4	2.8	2.5	0.0	3.4	1.4	0.8	1.7	1.1	1.6	6.6	3.3	1.2	2.8	1.8
	Number	424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
How (Appeal against VC)																						
1	To court	78.5	77.9	78.3	81.1	78.8	80.4	71.6	83.3	75.3	81.3	65.0	76.5	90.2	93.8	91.1	93.3	92.7	93.2	80.7	80.7	80.7
2	To UNO	4.1	2.9	3.7	1.6	0.0	1.1	17.8	12.5	16.1	5.2	7.5	5.9	4.3	0.0	3.2	2.5	2.4	2.5	6.5	4.7	5.9
3	Make GD at Thana	17.4	18.4	17.7	22.6	28.2	24.4	7.2	7.3	7.2	13.5	27.5	17.6	4.3	6.3	4.8	2.5	9.8	4.3	12.8	17.0	14.1
99	Refused	1.9	1.5	1.7	1.6	1.2	1.5	3.8	0.0	2.6	0.0	0.0	0.0	0.0	0.0	0.0	0.8	2.4	1.2	1.7	0.9	1.5
	Number	270	136	406	190	85	275	208	96	304	96	40	136	92	32	124	120	41	161	976	430	1406
Any institutes/Organizations Working locally to make People Aware about VC?																						
1	Yes	36.6	38.4	37.2	35.3	29.4	33.3	49.7	46.0	48.4	18.8	16.1	17.7	13.5	5.0	10.8	9.7	9.1	9.5	31.9	30.1	31.2
2	No	55.4	55.7	55.5	56.9	60.6	58.1	37.8	40.4	38.7	75.0	62.1	69.8	77.0	85.0	79.6	72.2	62.0	68.8	57.4	56.1	57.0
98	Don't know	4.5	4.2	4.4	4.6	6.4	5.2	9.3	10.8	9.8	3.1	14.9	7.9	6.3	8.3	7.0	14.9	19.8	16.5	7.4	9.9	8.3
99	Refused	3.5	1.7	2.9	3.2	3.7	3.4	3.2	2.8	3.0	3.1	6.9	4.7	3.2	1.7	2.7	3.2	9.1	5.1	3.3	3.9	3.5
	Number	424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Name of the Institutes/Organizations Working locally to make People Aware about VC																						
1	NGO's like BRAC	80.6	80.2	80.5	44.2	37.5	42.2	67.6	69.4	68.2	37.5	50.0	42.1	76.5	66.7	75.0	66.7	72.7	68.6	66.8	68.3	67.3
2	Social workers/Human rights organizations	5.8	0.0	3.7	18.2	25.0	20.2	9.6	18.4	12.6	25.0	28.6	26.3	23.5	33.3	25.0	12.5	0.0	8.6	11.1	12.4	11.6
3	Chairman and Members	6.5	7.7	6.9	6.5	3.1	5.5	2.1	2.0	2.1	4.2	0.0	2.6	11.8	0.0	10.0	4.2	9.1	5.7	4.7	4.4	4.6
4	Club/Co-operative Society	2.6	2.2	2.4	7.8	6.3	7.3	18.1	9.2	15.0	8.3	21.4	13.2	11.8	0.0	10.0	8.3	0.0	5.7	10.3	6.4	9.0
5	Mosque/Temple/Church	0.6	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.0	4.2	7.1	5.3	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.4	0.4
6	Bank	5.2	4.4	4.9	0.0	0.0	0.0	3.7	3.1	3.5	4.2	0.0	2.6	0.0	0.0	0.0	4.2	9.1	5.7	3.5	3.2	3.4
7	Administration	0.0	0.0	0.0	6.5	18.8	10.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	2.4	1.5
8	Legal Aid Organizations	2.6	0.0	1.6	14.3	9.4	12.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.1	1.2	2.5
99	Refused	3.9	7.7	5.3	2.6	3.1	2.8	3.7	4.1	3.8	16.7	0.0	10.5	-5.9	0.0	-5.0	4.2	9.1	5.7	3.9	5.2	4.4
Number		155	91	246	77	32	109	188	98	286	24	14	38	17	3	20	24	11	35	485	249	734

Source: Village Courts in Bangladesh Baseline Survey, 2009

## B A DJUDICATION

Table B.9: Percentage Distribution of Respondents by Opinions on Adjudication by VC

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
VC is Active																						
1	Yes	38.9	26.3	32.5	48.6	35.5	42.0	30.8	21.9	26.3	30.9	21.8	26.4	21.0	11.4	16.3	45.6	25.8	35.5	35.8	24.1	29.9
2	No	47.3	56.4	51.9	43.6	50.0	46.8	52.8	57.4	55.2	65.9	72.1	69.0	64.0	66.8	65.4	41.5	51.8	46.7	51.4	57.9	54.6
98	Don't know	13.8	17.3	15.5	7.8	14.5	11.2	16.4	20.7	18.6	3.2	6.1	4.6	15.0	21.8	18.4	12.9	22.4	17.8	12.9	18.0	15.5
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
People usually Go to VC																						
1	Yes	74.1	68.5	71.8	85.6	83.8	84.8	66.9	57.5	62.9	81.3	80.6	81.1	68.0	67.2	67.7	86.0	71.9	80.8	76.1	69.8	73.5
2	No	22.3	25.5	23.7	10.7	14.0	12.1	30.1	35.9	32.6	16.4	16.1	16.3	21.3	26.6	23.1	11.0	21.6	14.9	20.1	24.9	22.1
98	Don't know	2.8	3.8	3.2	2.5	0.9	1.8	1.8	5.0	3.2	1.5	3.2	2.2	7.4	6.3	7.0	1.7	4.3	2.7	2.6	3.7	3.0
99	Refused	0.8	2.2	1.3	1.3	1.3	1.3	1.1	1.6	1.3	0.7	0.0	0.4	3.3	0.0	2.2	1.3	2.2	1.6	1.2	1.6	1.3
Number		528	368	896	319	235	554	438	320	758	134	93	227	122	64	186	236	139	375	1777	1219	2996
Advantages of VC																						
1	Can get fair Justice	33.2	32.1	32.8	28.2	31.5	29.6	28.7	29.3	28.9	18.3	28.0	22.3	21.7	23.3	22.2	36.5	37.0	36.6	29.8	31.1	30.3
2	Free from Hassle	8.4	4.8	7.0	9.5	6.6	8.3	10.2	9.2	9.9	0.9	5.3	2.7	14.5	11.6	13.5	5.9	4.0	5.3	8.4	6.5	7.7
3	Need less time	20.7	23.8	21.9	17.2	15.2	16.4	20.5	21.7	21.0	18.3	8.0	14.1	22.9	44.2	30.2	21.7	15.0	19.5	20.0	20.0	20.0
4	No expenses	10.2	7.9	9.3	9.5	5.6	7.9	4.4	3.3	4.0	8.3	1.3	5.4	12.0	18.6	14.3	15.8	10.0	13.9	9.6	6.6	8.4
5	Can get Justice at a low cost	32.5	31.7	32.2	32.6	30.5	31.7	38.2	29.9	35.0	33.0	30.7	32.1	19.3	16.3	18.3	24.1	22.0	23.4	31.7	29.0	30.7
6	Can solve easily	20.5	18.3	19.6	28.2	28.9	28.5	18.8	26.1	21.6	33.0	38.7	35.3	37.3	18.6	31.0	20.7	25.0	22.1	23.7	25.0	24.2
7	Not needed to go to Thana/ Court	2.6	3.6	3.0	4.4	3.6	4.0	5.8	6.5	6.1	15.6	10.7	13.6	3.6	0.0	2.4	3.0	2.0	2.6	4.8	4.5	4.7
Number		391	252	643	273	197	470	293	184	477	109	75	184	83	43	126	203	100	303	1352	851	2203

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Disadvantages of VC																						
1	Biasness/Nepotism	46.8	41.3	44.6	23.4	20.8	22.3	23.9	32.6	27.3	22.9	29.3	25.5	56.6	46.5	53.2	52.7	41.0	48.8	36.7	33.8	35.6
2	No disadvantage	10.0	9.1	9.6	43.6	43.1	43.4	12.3	10.3	11.5	4.6	4.0	4.3	16.9	11.6	15.1	9.9	8.0	9.2	17.2	16.8	17.1
3	Need money	13.0	11.1	12.3	4.0	6.1	4.9	11.3	7.6	9.9	24.8	29.3	26.6	12.0	20.9	15.1	4.9	5.0	5.0	10.5	10.6	10.5
4	Problem arises by Chairman and Members to form VC	2.3	1.2	1.9	0.4	3.0	1.5	7.8	8.2	8.0	0.9	0.0	0.5	1.2	2.3	1.6	0.5	0.0	0.3	2.7	2.9	2.8
5	Need to extend the activities of court	0.3	0.8	0.5	0.0	0.5	0.2	2.7	1.1	2.1	0.0	0.0	0.0	1.2	0.0	0.8	0.5	0.0	0.3	0.8	0.6	0.7
6	Most of the time one group did not attend	1.3	1.2	1.2	1.1	1.0	1.1	3.4	1.6	2.7	1.8	1.3	1.6	1.2	2.3	1.6	1.0	0.0	0.7	1.7	1.2	1.5
7	Excessive time consuming/expensive	3.3	4.8	3.9	1.8	2.0	1.9	6.1	5.4	5.9	12.8	9.3	11.4	0.0	2.3	0.8	2.5	3.0	2.6	4.1	4.3	4.2
8	Village court not arranged weekly	0.3	0.0	0.2	0.0	0.0	0.0	1.4	1.6	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.5	1.0	0.7	0.4	0.5	0.5
9	Not ensured of fair judgment	20.5	21.4	20.8	13.9	10.7	12.6	22.2	24.5	23.1	33.0	21.3	28.3	13.3	20.9	15.9	24.1	28.0	25.4	20.6	20.3	20.5
10	Face political harassment	2.8	5.6	3.9	5.5	2.0	4.0	6.5	4.9	5.9	0.9	4.0	2.2	4.8	0.0	3.2	11.3	7.0	9.9	5.4	4.3	5.0
98	Don't know	4.6	6.3	5.3	10.3	13.2	11.5	10.2	6.0	8.6	1.8	4.0	2.7	3.6	4.7	4.0	4.4	13.0	7.3	6.7	8.3	7.3
Number		391	252	643	273	197	470	293	184	477	109	75	184	83	43	126	203	100	303	1352	851	2203

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table B.10: Percentage distribution of the Respondents by Opinions about why people do not go to Village court and how to motivate them to go to Village Court**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Why (Do not go to VC)																						
1	No fair justice ensured	48.3	66.0	56.1	35.3	42.4	38.8	34.8	32.2	33.6	54.5	60.0	56.8	30.8	35.3	32.6	42.3	40.0	41.1	40.8	46.1	43.2
2	Because of political pressure	11.0	6.4	9.0	14.7	9.1	11.9	6.1	4.3	5.3	0.0	6.7	2.7	7.7	17.6	11.6	23.1	16.7	19.6	9.5	7.6	8.6
3	Lack of neutrality	14.4	10.6	12.7	17.6	15.2	16.4	14.4	15.7	15.0	13.6	6.7	10.8	26.9	35.3	30.2	15.4	20.0	17.9	15.6	15.1	15.4
4	Take bribe	15.3	10.6	13.2	0.0	3.0	1.5	11.4	7.8	9.7	27.3	20.0	24.3	23.1	5.9	16.3	7.7	13.3	10.7	13.1	9.2	11.3
5	Because of prestige loss	4.2	3.2	3.8	5.9	0.0	3.0	4.5	4.3	4.5	0.0	0.0	0.0	7.7	0.0	4.7	0.0	0.0	0.0	4.2	2.6	3.5
6	Because of imposing fine	0.8	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.2
99	Refused	9.3	6.4	8.0	26.5	30.3	28.4	34.8	36.5	35.6	9.1	6.7	8.1	15.4	17.6	16.3	15.4	23.3	19.6	21.2	22.7	21.9
Number		118	94	212	34	33	67	132	115	247	22	15	37	26	17	43	26	30	56	358	304	662

**Ways to Make people to go to VC**

1	Should ensure a fair justice	46.6	46.8	46.7	38.2	48.5	43.3	33.3	29.6	31.6	77.3	53.3	67.6	50.0	41.2	46.5	42.3	23.3	32.1	42.7	38.2	40.6
2	Need to avoid discrimination	9.3	11.7	10.4	5.9	6.1	6.0	13.6	8.7	11.3	0.0	20.0	8.1	19.2	5.9	14.0	30.8	0.0	14.3	12.3	8.9	10.7
3	Should take awareness building campaign on village court	11.0	13.8	12.3	14.7	15.2	14.9	9.1	16.5	12.6	9.1	6.7	8.1	11.5	5.9	9.3	15.4	13.3	14.3	10.9	14.1	12.4
4	Should be free from political influence	11.9	10.6	11.3	11.8	6.1	9.0	3.0	4.3	3.6	4.5	13.3	8.1	0.0	0.0	0.0	3.8	3.3	3.6	6.7	6.6	6.6
5	Need to increase the power of member of village court	3.4	3.2	3.3	0.0	6.1	3.0	2.3	0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.3	1.8	2.0	2.3	2.1
6	Should ensure transparency and accountability of the village court members	4.2	3.2	3.8	0.0	6.1	3.0	1.5	4.3	2.8	4.5	0.0	2.7	3.8	11.8	7.0	0.0	6.7	3.6	2.5	4.6	3.5
7	Should ensure administrative involvement	5.1	0.0	2.8	0.0	0.0	0.0	2.3	4.3	3.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.7	3.6	2.5	2.3	2.4
99	Refused	11.9	11.7	11.8	29.4	27.3	28.4	36.4	34.8	35.6	9.1	6.7	8.1	23.1	35.3	27.9	19.2	43.3	32.1	23.7	26.3	24.9
<b>Number</b>		<b>118</b>	<b>94</b>	<b>212</b>	<b>34</b>	<b>33</b>	<b>67</b>	<b>132</b>	<b>115</b>	<b>247</b>	<b>22</b>	<b>15</b>	<b>37</b>	<b>26</b>	<b>17</b>	<b>43</b>	<b>26</b>	<b>30</b>	<b>56</b>	<b>358</b>	<b>304</b>	<b>662</b>



Continuation..

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Advantages of Formal Court																						
1	Fair justice	33.8	29.6	31.6	38.7	32.8	35.7	19.4	16.6	18.0	33.4	28.3	30.9	37.1	31.8	34.5	45.0	39.5	42.2	31.8	27.5	29.6
2	Less discrimination	2.8	1.7	2.3	3.2	1.7	2.4	2.4	2.1	2.3	2.3	1.2	1.7	3.4	1.4	2.4	3.1	1.1	2.1	2.8	1.7	2.2
3	Swift judgment	5.5	5.2	5.4	4.1	2.0	3.0	6.6	5.1	5.8	3.7	4.0	3.8	4.5	2.8	3.7	4.1	3.9	4.0	5.2	4.2	4.7
4	No bribe	1.4	1.3	1.3	0.9	0.0	0.5	0.8	1.0	0.9	1.4	0.9	1.2	1.0	1.1	1.0	1.0	0.7	0.9	1.1	0.9	1.0
5	Judgment occur by written application	1.0	1.3	1.1	2.3	2.0	2.1	3.2	1.0	2.1	2.5	1.4	2.0	1.0	1.1	1.0	0.6	0.4	0.5	1.9	1.2	1.5
6	Judgment delivered by proper enquiry	2.7	2.5	2.6	1.8	1.1	1.4	1.7	0.8	1.2	0.9	0.7	0.8	8.8	5.7	7.3	4.2	4.3	4.3	3.0	2.2	2.6
7	Less expensive	3.9	2.6	3.3	2.3	2.0	2.1	6.5	4.2	5.4	2.3	1.4	1.9	0.7	1.1	0.9	1.5	1.3	1.4	3.7	2.6	3.1
8	Court Facility	1.0	0.9	0.9	2.0	0.6	1.3	1.3	0.8	1.0	0.2	0.7	0.5	1.4	1.2	1.3	4.1	3.5	3.8	1.5	1.1	1.3
9	No corruption	0.7	0.5	0.6	1.2	1.1	1.1	0.6	0.4	0.5	0.7	1.4	1.0	0.0	0.0	0.0	1.2	1.9	1.5	0.7	0.7	0.7
10	No Hassle	0.8	0.9	0.8	0.3	0.3	0.3	0.3	0.5	0.4	0.0	0.2	0.1	0.0	0.0	0.0	0.6	0.2	0.4	0.4	0.5	0.4
11	No advantages	1.1	0.1	0.6	0.6	0.2	0.4	0.7	0.0	0.3	0.2	0.0	0.1	0.0	0.2	0.1	4.1	1.9	2.9	1.0	0.3	0.6
98	Don't know	0.1	0.1	0.1	0.2	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.1	0.1	0.0	0.1
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Disadvantages of Formal Court																						
1	Need excessive money	32.5	26.0	29.2	36.0	27.6	31.8	12.5	11.8	12.2	20.0	13.1	16.6	40.9	32.3	36.7	34.2	27.8	30.9	27.3	21.9	24.6
2	Travelling problem	6.3	5.7	6.0	5.8	5.1	5.5	2.7	1.6	2.1	6.0	5.6	5.8	5.5	5.0	5.2	13.5	12.6	13.1	5.8	5.1	5.5
3	Discrimination take place	6.0	4.2	5.1	1.5	0.9	1.2	4.1	3.2	3.7	1.2	0.9	1.0	3.1	3.6	3.3	2.3	2.0	2.2	3.7	2.9	3.3
4	Face unnecessary hassle	5.8	5.9	5.9	7.3	5.1	6.2	5.3	4.3	4.8	6.9	6.8	6.9	11.2	10.1	10.7	17.0	14.7	15.8	7.8	6.8	7.3
5	Need excessive time	15.1	10.7	12.9	11.9	5.9	8.9	11.5	9.2	10.3	17.7	14.1	15.9	24.5	22.2	23.4	19.9	15.6	17.7	15.5	11.7	13.6
6	Not allowed to apply in written	1.0	1.4	1.2	0.0	0.0	0.0	1.8	1.4	1.6	0.2	0.0	0.1	0.7	0.4	0.5	0.2	0.0	0.1	0.9	0.8	0.8
7	Not easy to get proper justice	2.1	1.9	2.0	1.8	0.9	1.4	2.6	2.2	2.4	0.9	1.2	1.0	2.4	1.2	1.8	2.3	2.2	2.3	2.2	1.8	2.0
8	Political pressure	2.7	1.6	2.1	0.8	0.3	0.5	2.4	1.4	1.9	0.0	0.2	0.1	1.2	0.7	1.0	1.4	0.9	1.1	1.8	1.1	1.4
9	Administrative problem	0.5	0.6	0.5	0.5	0.8	0.6	0.7	0.3	0.5	0.0	0.9	0.5	2.1	1.4	1.7	1.2	0.9	1.0	0.8	0.7	0.7
10	Do not maintain the proper enquiry	0.4	0.2	0.3	0.2	0.3	0.2	0.5	0.2	0.3	0.0	0.0	0.0	0.5	0.2	0.3	0.2	0.9	0.6	0.4	0.3	0.3
11	Lack of awareness	0.2	0.1	0.1	0.0	0.2	0.1	1.0	0.5	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.3	0.3	0.3	0.3
	Judgment depends on money transaction	1.4	1.0	1.2	1.2	0.8	1.0	0.7	1.0	0.8	0.7	0.5	0.6	1.6	0.7	1.1	1.2	0.4	0.8	1.1	0.8	1.0
98	Don't know	0.0	0.1	0.1	0.2	0.3	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2	0.2	0.0	0.1	0.1
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total			
Advantages of Informal Court																						
1	Shalishdar's are available	4.4	5.5	5.0	2.1	3.0	2.6	6.5	6.0	6.2	2.1	2.3	2.2	4.5	4.4	4.5	2.3	2.0	2.2	4.3	4.6	4.4
2	Getting swift justice	29.6	30.4	30.0	28.2	28.9	28.5	28.6	30.5	29.6	27.2	25.8	26.5	43.3	38.2	40.8	42.1	38.6	40.3	31.8	31.6	31.7
3	Brings peace for the village	3.2	2.9	3.0	4.1	2.6	3.3	2.1	1.4	1.8	4.8	5.6	5.2	2.6	2.1	2.4	0.8	0.7	0.8	2.8	2.3	2.6
4	Less expensive	27.2	23.2	25.2	37.3	35.8	36.6	19.0	17.1	18.1	23.5	19.9	21.7	30.2	30.2	30.2	36.5	36.2	36.3	27.2	25.0	26.1
5	Less Hassel/Hassel free	6.3	6.9	6.6	7.2	8.8	8.0	7.9	8.1	8.0	14.3	11.9	13.1	5.9	5.2	5.5	2.7	3.0	2.8	7.1	7.3	7.2
6	No need to go to court	2.9	3.0	3.0	6.4	4.2	5.3	3.5	4.2	3.9	14.5	12.9	13.7	4.0	3.7	3.8	1.0	2.4	1.7	4.5	4.4	4.4
7	Advantage of travelling	6.4	6.4	6.4	5.0	3.8	4.4	3.2	2.7	2.9	3.5	3.7	3.6	3.8	4.4	4.1	2.3	3.3	2.8	4.3	4.2	4.3
8	Not that much of advantages	5.0	4.9	4.9	4.4	4.1	4.2	5.1	3.4	4.2	0.2	0.5	0.3	1.6	1.4	1.5	0.0	0.7	0.4	3.6	3.1	3.4
9	Problem resolved by fair judgment	2.4	3.1	2.8	1.2	0.5	0.8	4.4	5.9	5.1	1.2	1.6	1.4	0.7	0.5	0.6	1.0	2.0	1.5	2.4	3.0	2.7
10	Decision is being taken easily	0.8	0.8	0.8	0.3	0.2	0.2	0.5	0.7	0.6	0.5	0.5	0.5	1.4	0.7	1.0	0.2	0.2	0.2	0.6	0.6	0.6
11	Fair Judgment take place	12.8	12.9	12.9	12.8	10.4	11.6	21.4	21.3	21.3	20.5	25.1	22.8	10.7	12.4	11.5	18.1	15.8	16.9	16.2	16.3	16.3
12	Less discrimination	0.4	0.4	0.4	0.0	0.0	0.0	0.5	0.3	0.4	0.5	0.9	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.3	0.3
98	Don't Know	0.8	1.4	1.1	0.0	0.2	0.1	0.7	0.5	0.6	0.0	0.2	0.1	0.0	0.0	0.0	0.6	0.7	0.7	0.5	0.7	0.6
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Disadvantages of Informal Court																						
1	Shalishdar's are taking bribe	20.6	19.7	20.2	7.9	8.9	8.4	13.4	13.1	13.2	23.3	23.7	23.5	7.6	8.9	8.2	9.5	9.6	9.6	14.4	14.4	14.4
2	Proper judgment not take place	27.8	31.9	29.9	20.3	19.9	20.1	23.9	26.1	25.0	33.2	33.0	33.1	15.0	14.7	14.9	18.0	20.0	19.0	23.6	25.5	24.6
3	Misuse of power	15.5	15.7	15.6	19.1	18.7	18.9	11.8	10.5	11.2	17.3	19.7	18.5	32.1	29.0	30.5	23.4	18.4	20.8	17.8	16.7	17.3
4	Excessive fine	3.2	4.2	3.7	0.8	0.8	0.8	1.9	1.4	1.7	5.8	3.3	4.5	4.0	3.9	3.9	2.7	1.1	1.9	2.8	2.5	2.6
5	Verdict not implemented	3.2	3.1	3.2	2.9	3.0	3.0	3.7	5.1	4.4	3.7	6.8	5.2	3.8	4.8	4.3	1.7	2.2	2.0	3.3	4.1	3.7
6	Lack of neutrality	21.4	19.0	20.2	18.6	15.7	17.1	22.1	24.0	23.1	25.1	23.4	24.3	31.9	24.9	28.4	33.4	30.8	32.1	24.0	22.3	23.2
7	No problem	6.3	5.7	6.0	21.8	18.4	20.1	15.5	15.2	15.3	0.7	1.4	1.0	7.8	9.1	8.4	14.7	15.2	14.9	11.5	11.2	11.3
8	Written document not maintained	1.0	0.3	0.6	3.4	3.3	3.3	1.1	1.8	1.5	1.2	0.5	0.8	1.7	1.4	1.6	0.2	0.2	0.2	1.3	1.3	1.3
9	All problems are not addressed and solved	1.9	1.8	1.9	0.5	0.8	0.6	3.2	2.1	2.6	0.7	1.6	1.2	0.7	1.6	1.1	0.4	0.2	0.3	1.7	1.5	1.6
10	Take too much time	2.9	3.1	3.0	1.1	1.2	1.1	1.7	1.6	1.6	16.6	15.2	15.9	0.3	1.4	0.9	1.2	0.7	0.9	3.0	3.0	3.0
11	Insufficient educated people	1.5	1.2	1.3	0.6	0.0	0.3	1.8	1.6	1.7	3.0	2.1	2.6	0.3	0.4	0.3	0.2	0.2	0.2	1.3	1.0	1.2
98	Don't know	1.3	1.3	1.3	0.3	0.5	0.4	0.9	0.8	0.8	0.0	0.0	0.0	0.3	0.2	0.3	0.8	1.9	1.3	0.8	0.9	0.8
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

## C LEGAL AID & COUNSELLING

**Table B.11: Percentage Distribution of Respondents by Opinions about Legal Aid and Counselling**

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total			
Have any Organization for Legal Aid & Counselling																						
1	Yes	23.5	19.8	21.6	25.6	16.3	20.9	27.5	20.3	23.9	25.6	22.2	23.9	7.1	6.6	6.8	7.1	4.3	5.7	21.5	16.6	19.0
2	No	68.2	67.0	67.6	65.5	70.5	68.1	50.9	58.6	54.8	70.3	71.9	71.1	81.9	76.6	79.3	77.4	68.8	73.0	65.6	66.7	66.2
98	Don't know	7.7	12.5	10.2	8.5	11.5	10.0	20.0	19.4	19.7	3.9	4.9	4.4	10.0	15.8	12.9	13.9	25.4	19.8	11.9	15.5	13.7
99	Refused	0.5	0.6	0.6	0.3	1.7	1.0	1.7	1.6	1.7	0.2	0.9	0.6	1.0	1.1	1.0	1.5	1.5	1.5	1.0	1.2	1.1
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Name of Persons/Organization Providing Legal Aid & Counselling																						
1	Teacher/Imam	17.6	19.1	18.3	10.7	5.6	8.7	6.4	6.4	6.4	13.5	17.9	15.5	34.1	10.8	23.1	5.4	13.0	8.3	12.2	12.2	12.2
2	School/Madrassa	5.6	7.2	6.4	1.8	1.9	1.8	2.6	2.7	2.6	8.1	4.2	6.3	0.0	2.7	1.3	2.7	4.3	3.3	3.8	4.3	4.0
3	Village Chief/leader of the village	5.0	5.8	5.4	10.1	15.7	12.3	7.7	5.1	6.5	15.3	10.5	13.1	9.8	13.5	11.5	8.1	8.7	8.3	8.2	7.8	8.0
4	BRAC	33.2	31.0	32.2	17.3	17.6	17.4	27.4	29.6	28.3	24.3	16.8	20.9	12.2	8.1	10.3	18.9	21.7	20.0	26.3	25.9	26.2
5	ASA	12.9	10.1	11.6	4.8	7.4	5.8	7.7	10.1	8.7	14.4	4.2	9.7	17.1	13.5	15.4	2.7	0.0	1.7	9.7	9.0	9.3
6	Member/Chairman	16.9	13.7	15.4	17.9	17.6	17.8	24.8	24.2	24.6	9.0	15.8	12.1	26.8	48.6	37.2	51.4	56.5	53.3	20.7	20.9	20.8
7	Social workers/Human Rights Organizations	0.6	4.3	2.3	10.7	13.0	11.6	6.6	6.1	6.4	29.7	30.5	30.1	12.2	2.7	7.7	0.0	4.3	1.7	7.9	9.0	8.4
8	Local govt. (village govt.)	0.3	1.1	0.7	0.6	0.9	0.7	0.5	0.0	0.3	0.9	0.0	0.5	0.0	0.0	0.0	0.0	4.3	1.7	0.5	0.6	0.5
9	Proshika	1.3	0.7	1.0	1.2	0.9	1.1	1.0	1.3	1.2	21.6	13.7	18.0	0.0	0.0	0.0	0.0	0.0	0.0	3.2	2.4	2.8
10	VDP	0.0	0.0	0.0	4.8	7.4	5.8	0.5	0.0	0.3	1.8	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	1.0	1.1
11	Legal Aid Organizations	0.3	0.7	0.5	10.1	6.5	8.7	18.9	19.2	19.0	0.9	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	8.7	7.9	8.4
12	Grameen Bank	2.8	3.6	3.2	0.6	0.9	0.7	0.8	1.0	0.9	3.6	0.0	1.9	0.0	0.0	0.0	5.4	0.0	3.3	1.8	1.7	1.7
13	Commissioner/Administration	0.6	0.0	0.3	0.6	0.9	0.7	1.3	2.0	1.6	0.9	0.0	0.5	0.0	0.0	0.0	2.7	0.0	1.7	0.9	0.8	0.9
14	Club/Co-operative society	10.7	7.9	9.4	0.6	0.9	0.7	1.3	1.3	1.3	6.3	8.4	7.3	0.0	2.7	1.3	5.4	0.0	3.3	4.6	4.3	4.5
15	Political leaders	0.9	1.4	1.2	0.6	0.0	0.4	0.3	2.4	1.2	6.3	13.7	9.7	0.0	0.0	0.0	2.7	0.0	1.7	1.2	2.9	1.9
16	Lawyer	1.3	0.0	0.7	0.6	0.0	0.4	0.5	0.7	0.6	1.8	3.2	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.6	0.7
17	VARC	0.3	0.0	0.2	0.0	0.0	0.0	0.0	0.3	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1
18	RDRS	2.8	1.8	2.3	0.0	0.0	0.0	0.0	0.3	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.7	0.8
19	SKEYS	0.6	1.8	1.2	0.0	0.0	0.0	1.8	0.7	1.3	0.9	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.8	0.9
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.7	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.2	0.2
99	Refused	7.2	5.8	6.5	11.9	6.5	9.8	7.7	5.4	6.7	0.9	2.1	1.5	17.1	10.8	14.1	8.1	4.3	6.7	7.9	5.5	6.8
Number		319	277	596	168	108	276	391	297	688	111	95	206	41	37	78	37	23	60	1067	837	1904

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Whether people need Counselling																						
1	Yes	42.5	43.1	42.8	50.0	45.0	47.5	48.6	46.3	47.4	34.6	31.1	32.9	29.0	29.7	29.3	40.7	35.3	37.9	42.8	40.9	41.8
2	No	25.0	16.9	20.9	13.3	11.5	12.4	20.9	20.5	20.7	28.6	29.0	28.8	15.2	8.7	12.0	27.2	21.2	24.1	21.7	17.8	19.7
98	Don't know	22.4	29.1	25.8	23.6	29.9	26.8	22.0	24.6	23.3	12.9	14.8	13.8	31.4	35.2	33.2	29.7	38.6	34.2	23.4	28.4	25.9
99	Refused	10.1	11.0	10.5	13.1	13.6	13.4	8.5	8.7	8.6	24.0	25.1	24.5	24.5	26.5	25.5	2.3	5.0	3.7	12.1	12.9	12.5
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Types of Aid & Counselling Require																						
1	Need to organize awareness campaign	17.9	20.6	19.3	26.8	24.8	25.9	19.2	19.2	19.2	25.3	29.3	27.2	33.9	36.5	35.2	19.0	20.5	19.7	21.6	22.6	22.1
2	To obtain fair judgment	10.9	10.1	10.5	10.1	9.4	9.7	7.8	7.8	7.8	7.3	8.3	7.8	14.9	11.4	13.1	9.5	6.3	8.0	9.7	8.9	9.3
3	Legal suggestion	6.3	4.8	5.5	5.2	7.4	6.2	11.6	8.0	9.8	16.7	12.0	14.5	2.4	6.6	4.5	11.4	6.8	9.2	8.8	7.0	7.9
4	Suggestions of village people required	21.9	21.3	21.6	18.0	17.4	17.7	14.0	13.2	13.6	8.7	9.0	8.8	8.3	6.0	7.2	7.1	7.9	7.5	15.2	14.8	15.0
5	Legal Aid needed	33.2	31.7	32.4	34.1	33.2	33.7	40.3	42.3	41.3	38.0	36.1	37.1	22.6	24.6	23.6	43.6	47.4	45.4	36.2	36.5	36.4
6	Anti child marriage institution	0.3	1.3	0.8	0.0	0.3	0.2	0.0	0.4	0.2	0.7	1.5	1.1	3.0	3.0	3.0	2.8	0.5	1.7	0.7	1.0	0.8
7	Anti women trafficking organization	1.4	2.3	1.9	0.9	1.3	1.1	0.6	1.6	1.1	0.7	0.0	0.4	2.4	1.8	2.1	1.4	1.6	1.5	1.1	1.7	1.4
98	Don't know	4.0	3.0	3.5	0.9	1.0	1.0	3.3	4.6	3.9	1.3	0.8	1.1	3.6	6.6	5.1	0.5	2.6	1.5	2.7	3.3	3.0
99	Refused	5.9	5.1	5.5	4.3	6.0	5.1	4.5	4.6	4.5	2.7	3.0	2.8	9.5	5.4	7.5	5.7	6.8	6.2	5.2	5.1	5.2
Number		576	602	1178	328	298	626	692	676	1368	150	133	283	168	167	335	211	190	401	2125	2066	4191

Source: Village Courts in Bangladesh Baseline Survey, 2009

## D ENFORCEMENT AND OVERSIGHT BY VC

Table B.12: Percentage Distribution of Respondents by Opinions about Enforcement and Oversight by VC

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
VC is able to Enforce Decision?																						
1	Yes	80.9	73.0	78.1	92.7	88.1	91.1	68.0	76.1	70.9	84.4	73.6	80.0	84.1	80.0	82.8	75.4	66.1	72.4	79.0	75.3	77.7
2	No	6.8	6.3	6.7	2.8	2.8	2.8	9.8	7.0	8.8	9.4	9.2	9.3	11.1	10.0	10.8	8.9	10.7	9.5	7.9	7.3	7.7
98	Don't know	9.7	17.3	12.4	3.7	8.3	5.2	21.2	16.0	19.3	3.9	10.3	6.5	4.8	6.7	5.4	13.3	19.0	15.2	11.4	14.5	12.5
99	Refused	2.6	3.4	2.9	0.9	0.9	0.9	1.1	0.9	1.0	2.3	6.9	4.2	0.0	3.3	1.1	2.4	4.1	3.0	1.7	2.9	2.1
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
Reasons (Why VC is not able to enforce its Decision?)																						
1	Both party do not agree with the decision	27.6	6.7	20.5	16.7	33.3	22.2	37.8	20.0	32.7	33.3	12.5	25.0	7.1	33.3	15.0	9.1	0.0	5.7	25.0	13.3	21.1
2	No fair justice	41.4	33.3	38.6	0.0	100.0	33.3	24.3	26.7	25.0	50.0	37.5	45.0	57.1	16.7	45.0	36.4	46.2	40.0	35.8	36.7	36.1
3	Biased decision	0.0	0.0	0.0	0.0	0.0	0.0	5.4	6.7	5.8	8.3	0.0	5.0	7.1	0.0	5.0	0.0	0.0	0.0	3.3	1.7	2.8
4	Administrative capacity is not strong	10.3	33.3	18.2	50.0	0.0	33.3	24.3	26.7	25.0	0.0	25.0	10.0	14.3	50.0	25.0	45.5	23.1	37.1	22.5	28.3	24.4
99	Refused	20.7	26.7	22.7	33.3	33.3	11.1	8.1	20.0	11.5	16.7	25.0	20.0	21.4	0.0	15.0	9.1	30.8	17.1	15.0	20.0	16.7
Number		29	15	44	6	3	9	37	15	52	12	8	20	14	6	20	22	13	35	120	60	180
Opinion about how to enforce the village court's decision																						
1	Should accept the verdict/judgement	4.2	8.4	5.7	8.3	8.3	8.3	3.4	5.6	4.2	5.5	8.0	6.5	11.9	5.0	9.7	4.0	7.4	5.1	5.3	7.3	6.0
2	Should ensure proper judgement	20.3	17.7	19.4	18.3	18.3	18.3	19.3	24.9	21.3	20.3	12.6	17.2	35.7	33.3	34.9	32.7	21.5	29.0	23.1	20.8	22.3
3	Elect honest people as a Chairman and Member	6.6	6.3	6.5	5.0	6.4	5.5	3.7	4.2	3.9	3.9	4.6	4.2	3.2	8.3	4.8	4.4	5.8	4.9	4.8	5.7	5.1
4	Need everybody's participation	5.2	5.1	5.1	11.0	9.2	10.4	2.4	2.8	2.5	3.9	8.0	5.6	1.6	3.3	2.2	4.4	3.3	4.1	4.8	5.0	4.9
5	Sensitize the people about village court	7.3	4.6	6.4	11.9	7.3	10.4	7.7	9.4	8.3	7.8	8.0	7.9	10.3	8.3	9.7	12.1	17.4	13.8	9.1	8.7	9.0
6	Nepotism	6.1	4.6	5.6	4.1	0.9	3.1	2.4	4.2	3.0	0.0	0.0	0.0	4.8	5.0	4.8	8.9	5.8	7.9	4.7	3.7	4.4
7	Need administrative interference	4.0	1.3	3.0	3.7	2.8	3.4	11.6	5.2	9.3	6.3	0.0	3.7	4.0	1.7	3.2	0.0	0.0	0.0	5.4	2.2	4.3
8	Need to increase the activities of judgement	3.5	1.3	2.7	0.0	2.8	0.9	2.9	1.9	2.5	1.6	5.7	3.3	0.0	1.7	0.5	3.6	1.7	3.0	2.4	2.2	2.3
9	Form Committee/Board	1.2	2.1	1.5	6.9	8.3	7.3	2.6	2.3	2.5	15.6	11.5	14.0	6.3	3.3	5.4	3.2	3.3	3.3	4.3	4.2	4.3
10	Need to stop taking bribe	1.9	0.0	1.2	0.9	0.9	0.9	0.3	1.9	0.8	3.1	2.3	2.8	0.8	5.0	2.2	2.4	3.3	2.7	1.4	1.7	1.5
99	Refused	42.0	49.4	44.6	29.8	35.8	31.8	46.3	39.9	44.0	33.6	39.1	35.8	23.0	26.7	24.2	30.6	32.2	31.2	37.2	39.9	38.1
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

## E ATTITUDES AND PERCEPTION ABOUT VC

Table B.13: Percentage Distribution of Respondents by Attitude and Perceptions about VC

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Any Crime Faced Personally?																						
1	Yes	22.3	15.3	18.8	17.5	7.4	12.4	24.0	20.4	22.2	38.0	30.2	34.1	21.9	9.1	15.6	12.2	5.4	8.7	22.4	15.3	18.8
2	No	76.8	83.7	80.3	80.9	91.5	86.3	74.4	77.5	76.0	61.1	68.6	64.8	77.9	90.9	84.3	86.7	93.9	90.4	76.5	83.5	80.0
98	Don't know	0.4	0.4	0.4	0.0	0.2	0.1	0.6	1.1	0.8	0.0	0.2	0.1	0.2	0.0	0.1	0.2	0.2	0.2	0.3	0.5	0.4
99	Refused	0.4	0.6	0.5	1.5	0.9	1.2	1.0	1.0	1.0	0.9	0.9	0.9	0.0	0.0	0.0	1.0	0.6	0.8	0.8	0.7	0.7
Number		1356	1397	2753	656	662	1318	1423	1461	2884	434	427	861	580	563	1143	518	539	1057	4967	5049	10016
Types of Crimes Faced																						
1	Quarreling between Husband and Wife	4.0	9.3	6.2	0.0	4.1	1.2	4.4	9.1	6.6	5.5	5.4	5.4	6.3	3.9	5.6	11.1	13.8	12.0	4.6	8.1	6.0
2	Divorce and separation related issues	3.6	2.3	3.1	5.2	4.1	4.9	2.6	0.7	1.7	0.0	1.6	0.7	1.6	2.0	1.7	1.6	3.4	2.2	2.6	1.7	2.2
3	Family conflict	13.2	22.9	17.2	18.3	26.5	20.7	10.5	15.4	12.8	27.3	34.9	30.6	5.5	9.8	6.7	14.3	10.3	13.0	14.2	20.9	16.9
4	Land related issues	43.6	34.1	39.7	51.3	36.7	47.0	44.7	37.2	41.3	46.1	41.9	44.2	49.6	45.1	48.3	55.6	34.5	48.9	46.5	37.5	42.8
5	Violence against women and dowry	8.9	7.5	8.3	2.6	0.0	1.8	5.0	3.4	4.2	1.8	2.3	2.0	1.6	3.9	2.2	1.6	13.8	5.4	4.8	4.5	4.7
6	False case	2.3	1.9	2.1	1.7	0.0	1.2	5.0	2.7	3.9	1.2	0.0	0.7	2.4	0.0	1.7	1.6	6.9	3.3	2.9	1.8	2.4
7	Murder	2.3	0.5	1.5	0.0	0.0	0.0	0.6	0.0	0.3	0.6	0.0	0.3	0.0	2.0	0.6	0.0	0.0	0.0	0.9	0.3	0.6
8	Hijacking/Theft/Stanching	5.3	4.7	5.0	2.6	4.1	3.0	3.2	4.7	3.9	7.3	5.4	6.5	1.6	3.9	2.2	1.6	3.4	2.2	4.0	4.7	4.3
9	Quarrelling with friends	0.7	0.5	0.6	0.0	0.0	0.0	1.8	0.3	1.1	0.0	2.3	1.0	1.6	0.0	1.1	0.0	0.0	0.0	0.9	0.6	0.8
10	Quarrelling with Neighbors	3.3	4.7	3.9	2.6	2.0	2.4	10.5	16.8	13.4	1.8	2.3	2.0	11.0	3.9	9.0	3.2	3.4	3.3	6.1	8.7	7.2
11	Cattle related issues	3.3	1.9	2.7	2.6	0.0	1.8	2.3	2.7	2.5	1.2	1.6	1.4	6.3	2.0	5.1	0.0	0.0	0.0	2.8	1.9	2.4
12	Monetary related concern	2.0	1.9	1.9	2.6	4.1	3.0	5.8	2.7	4.4	3.0	2.3	2.7	5.5	2.0	4.5	1.6	3.4	2.2	3.8	2.5	3.2
13	Anti party political harassment	0.7	0.5	0.6	1.7	2.0	1.8	1.2	0.7	0.9	1.2	0.8	1.0	2.4	0.0	1.7	1.6	0.0	1.1	1.3	0.6	1.0
14	Crops related quarrel	1.0	0.9	1.0	0.0	0.0	0.0	1.8	1.0	1.4	1.8	0.0	1.0	0.0	2.0	0.6	0.0	0.0	0.0	1.1	0.8	1.0
99	Refused	7.6	7.9	7.7	10.4	16.3	12.2	3.2	4.0	3.6	5.5	6.2	5.8	7.1	19.6	10.7	6.3	6.9	6.5	6.1	7.4	6.6
Number		303	214	517	115	49	164	342	298	640	165	129	294	127	51	178	63	29	92	1115	770	1885

Source: Village Courts in Bangladesh Baseline Survey, 2009



Table B.14: Percentage Distribution of Respondents by Experiences with Village Court

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total			
Approached VC																						
1	Yes	51.3	42.6	48.8	53.8	50.0	53.2	35.0	28.1	32.6	59.1	60.7	59.7	37.8	61.5	44.0	54.3	40.0	51.1	46.4	41.8	45.0
2	No	48.7	57.4	51.3	46.2	50.0	46.8	65.0	71.9	67.4	40.9	39.3	40.3	62.2	38.5	56.0	45.7	60.0	48.9	53.6	58.2	55.0
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
VC Decision is Fair or Unfair?																						
1	Yes (Fair)	73.7	75.0	74.0	68.4	50.0	65.2	79.5	83.3	80.7	92.3	81.3	88.1	35.7	57.1	42.9	73.7	25.0	65.2	74.1	72.5	73.7
2	No (Unfair)	26.3	25.0	26.0	31.6	50.0	34.8	20.5	16.7	19.3	7.7	18.8	11.9	64.3	42.9	57.1	26.3	75.0	34.8	25.9	27.5	26.3
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Number		57	20	77	19	4	23	39	18	57	26	16	42	14	7	21	19	4	23	174	69	243
Reasons for Fair Decisions																						
1	Cooperation from Chairman	38.1	20.0	33.3	15.4	0.0	13.3	35.5	20.0	30.4	4.2	0.0	2.7	0.0	0.0	0.0	0.0	0.0	0.0	23.3	12.0	20.1
2	Recovering damage	7.1	6.7	7.0	30.8	0.0	26.7	6.5	13.3	8.7	12.5	7.7	10.8	0.0	0.0	0.0	7.1	0.0	6.7	10.1	8.0	9.5
3	Got fair judgment	40.5	60.0	45.6	46.2	0.0	40.0	45.2	60.0	50.0	66.7	61.5	64.9	80.0	75.0	77.8	57.1	0.0	53.3	50.4	58.0	52.5
4	Cooperation from political leaders	2.4	6.7	3.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	100.0	6.7	0.8	4.0	1.7
5	Cooperation from honorable people	0.0	0.0	0.0	0.0	50.0	6.7	0.0	0.0	0.0	8.3	7.7	8.1	20.0	0.0	0.0	11.1	0.0	13.3	3.9	4.0	3.9
99	Refused	11.9	13.3	12.3	15.4	50.0	20.0	12.9	6.7	10.9	8.3	23.1	13.5	0.0	25.0	11.1	21.4	0.0	20.0	12.4	16.0	13.4
Number		42	15	57	13	2	15	31	15	46	24	13	37	5	4	9	14	1	15	129	50	179
Reasons for Unfair Decisions																						
1	Money or bribe not given	20.0	20.0	20.0	16.7	0.0	12.5	25.0	33.3	27.3	0.0	0.0	0.0	22.2	33.3	25.0	20.0	0.0	12.5	20.0	15.8	18.8
2	Partiality of the VC	26.7	20.0	25.0	66.7	50.0	62.5	50.0	66.7	54.5	100.0	100.0	100.0	66.7	33.3	58.3	60.0	100.0	75.0	51.1	57.9	53.1
3	Insufficient money	33.3	40.0	35.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.1	0.0	8.3	20.0	0.0	12.5	15.6	14.1
99	Refused	20.0	20.0	20.0	16.7	50.0	25.0	37.5	0.0	27.3	0.0	0.0	0.0	0.0	11.1	33.3	16.7	0.0	0.0	17.8	15.8	17.2
Number		15	5	20	6	2	8	8	3	11	2	3	5	9	3	12	5	3	8	45	19	64

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table B.15: Percentage Distribution of Respondents by level of Satisfaction with VC

Code	Indicator	Rajshahi			Khulna			Dhaka			Chittagong			Barisal			Sylhet			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Feeling about Getting Justice																						
1	Very Happy	31.0	15.0	26.9	28.6	50.0	32.0	42.9	50.0	45.0	46.2	47.1	46.5	14.3	25.0	18.2	21.1	0.0	17.4	33.3	33.8	33.5
2	Happy	32.8	55.0	38.5	19.0	25.0	20.0	26.2	16.7	23.3	38.5	23.5	32.6	21.4	37.5	27.3	52.6	25.0	47.8	31.7	32.4	31.9
3	Neutral	0.0	0.0	0.0	4.8	0.0	4.0	0.0	0.0	0.0	0.0	5.9	2.3	0.0	0.0	0.0	0.0	0.0	0.0	0.6	1.4	0.8
4	Unhappy	12.1	10.0	11.5	23.8	25.0	24.0	9.5	11.1	10.0	7.7	5.9	7.0	42.9	25.0	36.4	10.5	0.0	8.7	14.4	11.3	13.5
5	Very Unhappy	3.4	0.0	2.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.8	4.7	7.1	0.0	4.5	0.0	25.0	4.3	1.7	4.2	2.4
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
99	Refused	20.7	20.0	20.5	23.8	0.0	20.0	21.4	22.2	21.7	7.7	11.8	9.3	14.3	12.5	13.6	15.8	50.0	21.7	18.3	18.3	18.3
Number		58	20	78	21	4	25	42	18	60	26	17	43	14	8	22	19	4	23	180	71	251
Relatives Approached to VC?																						
1	Yes	41.0	44.3	42.2	44.0	23.9	37.3	50.0	58.2	53.0	51.6	49.4	50.7	42.1	38.3	40.9	37.1	28.1	34.1	44.0	42.9	43.6
2	No	53.8	48.9	52.0	54.1	72.5	60.2	41.0	32.9	38.1	43.8	41.4	42.8	46.8	50.0	47.8	53.2	56.2	54.2	49.1	48.2	48.8
98	Don't know	3.5	5.1	4.1	1.4	3.7	2.1	9.0	8.9	9.0	3.9	5.7	4.7	9.5	8.3	9.1	7.7	14.0	9.8	5.8	7.5	6.4
99	Refused	1.7	1.7	1.7	0.5	0.0	0.3	0.0	0.0	0.0	0.8	3.4	1.9	1.6	3.3	2.2	2.0	1.7	1.9	1.1	1.3	1.1
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
Received Fair/Unfair Justice?																						
1	Yes	79.9	82.9	81.0	81.3	88.5	82.8	87.3	90.3	88.5	80.3	81.4	80.7	75.5	73.9	75.0	78.3	52.9	71.4	81.6	82.3	81.9
2	No	17.8	12.4	15.8	15.6	11.5	14.8	5.8	7.3	6.4	16.7	16.3	16.5	22.6	17.4	21.1	15.2	44.1	23.0	14.0	14.4	14.1
98	Don't know	1.1	0.0	0.7	1.0	0.0	0.8	2.6	0.8	1.9	1.5	0.0	0.9	1.9	4.3	2.6	1.1	0.0	0.8	1.6	0.6	1.3
99	Refused	1.1	4.8	2.5	2.1	0.0	1.6	4.2	1.6	3.2	1.5	2.3	1.8	0.0	4.3	1.3	5.4	2.9	4.8	2.7	2.8	2.7
Number		174	105	279	96	26	122	189	124	313	66	43	109	53	23	76	92	34	126	670	355	1025
Reasons of Injustice																						
1	Lack of honesty	16.1	0.0	11.4	6.7	0.0	5.6	18.2	22.2	20.0	36.4	0.0	22.2	0.0	0.0	0.0	0.0	0.0	0.0	12.8	3.9	9.7
2	Because required money	3.2	15.4	6.8	0.0	0.0	0.0	0.0	33.3	15.0	9.1	0.0	5.6	8.3	25.0	12.5	0.0	0.0	0.0	3.2	11.8	6.2
3	Because of bribe	9.7	15.4	11.4	0.0	0.0	0.0	18.2	11.1	15.0	9.1	14.3	11.1	25.0	25.0	25.0	28.6	26.7	27.6	13.8	17.6	15.2
4	Politicization	19.4	23.1	20.5	46.7	66.7	50.0	9.1	22.2	15.0	18.2	14.3	16.7	25.0	0.0	18.8	14.3	26.7	20.7	22.3	23.5	22.8
5	Because of influential people	38.7	30.8	36.4	13.3	0.0	11.1	36.4	33.3	35.0	27.3	42.9	33.3	25.0	25.0	25.0	35.7	26.7	31.0	30.9	29.4	30.3
6	Because of revenge	3.2	0.0	2.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	14.3	5.6	0.0	0.0	0.0	0.0	0.0	0.0	1.1	2.0	1.4
99	Refused	12.9	15.4	13.6	33.3	33.3	33.3	27.3	0.0	15.0	9.1	14.3	11.1	25.0	25.0	25.0	28.6	26.7	27.6	21.3	17.6	20.0
Number		31	13	44	15	3	18	11	9	20	11	7	18	12	4	16	14	15	29	94	51	145

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table B.16: Percentage Distribution of Respondents by Perceptions on Usefulness of Village Court

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
VC Useful?																						
1	Yes	97.2	97.0	97.1	99.5	97.2	98.8	97.1	93.9	95.9	96.9	92.0	94.9	98.4	100.0	96.4	90.1	94.3	97.4	94.9	96.6	
2	No	0.7	0.4	0.6	0.0	0.9	0.3	1.3	0.9	1.2	0.8	3.4	1.9	0.8	0.0	0.5	3.2	9.9	5.4	1.2	2.3	1.6
98	Don't know	0.2	0.8	0.5	0.0	0.0	0.0	0.0	0.5	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.4	0.2	
99	Refused	1.9	1.7	1.8	0.5	1.8	0.9	1.6	4.7	2.7	2.3	4.6	3.3	0.8	0.0	0.5	0.4	0.0	0.3	1.3	2.4	1.7
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
Reasons (Usefulness)																						
1	Less expensive	82.3	85.2	83.3	89.4	84.0	87.6	82.3	72.0	78.7	68.5	65.0	67.2	79.0	65.0	74.5	84.9	89.9	86.5	82.3	78.7	81.1
2	Easily approachable	72.1	76.5	73.7	77.9	78.3	78.0	70.6	57.0	65.8	54.0	63.8	57.8	76.6	73.3	75.5	67.8	62.4	66.1	70.7	68.3	69.9
3	Less formal	27.4	31.3	28.8	35.5	27.4	32.8	31.1	26.5	29.5	35.5	33.8	34.8	22.6	20.0	21.7	41.4	24.8	36.2	32.0	28.0	30.6
4	Speedy settlement of cases	61.9	66.1	63.4	70.0	60.4	66.9	67.3	65.0	66.5	56.5	42.5	51.0	75.0	63.3	71.2	71.5	60.6	68.1	66.6	61.7	64.9
5	Brings social peace and harmony	21.8	25.7	23.2	29.5	37.7	32.2	21.5	20.5	21.2	19.4	18.8	19.1	17.7	15.0	16.8	19.2	20.2	19.5	21.9	23.7	22.5
97	Others	2.7	0.4	1.9	0.5	0.0	0.3	0.8	1.5	1.1	9.7	5.0	7.8	4.0	0.0	2.7	4.2	1.8	3.4	2.8	1.3	2.3
99	Refused	1.9	0.0	1.2	0.0	0.0	0.0	0.5	0.5	0.5	0.8	5.0	2.5	0.0	0.0	0.0	0.0	1.8	0.6	0.7	0.9	0.8
Number		412	230	642	217	106	323	367	200	567	124	80	204	124	60	184	239	109	348	1483	785	2268
Other Reasons																						
1	Settlement of cases within locality	18.2	100.0	25.0	0.0	0.0	0.0	66.7	33.3	50.0	16.7	0.0	12.5	0.0	0.0	0.0	10.0	50.0	16.7	16.7	30.0	19.2
2	No need to go Thana	18.2	0.0	16.7	0.0	0.0	0.0	0.0	0.0	0.0	50.0	25.0	43.8	20.0	0.0	20.0	30.0	0.0	25.0	28.6	10.0	25.0
3	Get proper judgement	45.5	0.0	41.7	0.0	0.0	0.0	0.0	33.3	16.7	16.7	50.0	25.0	80.0	0.0	80.0	60.0	50.0	58.3	40.5	40.0	40.4
4	No harassment	18.2	0.0	16.7	100.0	0.0	100.0	33.3	33.3	33.3	16.7	25.0	18.8	0.0	0.0	0.0	0.0	0.0	0.0	14.3	20.0	15.4
Number																						
Reasons (not Useful)																						
1	Because of partiality	66.7	0.0	50.0	40.0	0.0	28.6	100.0	0.0	100.0	66.7	90.9	82.4	0.0	100.0	100.0	0.0	50.0	50.0	60.0	70.6	65.6
2	Lack of honest man	0.0	0.0	0.0	20.0	50.0	28.6	0.0	0.0	0.0	16.7	9.1	11.8	0.0	0.0	0.0	0.0	0.0	0.0	13.3	11.8	12.5
3	Excessive money required	0.0	0.0	0.0	40.0	0.0	28.6	0.0	0.0	0.0	16.7	0.0	5.9	0.0	0.0	0.0	0.0	0.0	0.0	20.0	0.0	9.4
99	Refused	33.3	100.0	50.0	0.0	50.0	14.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	50.0	50.0	6.7	17.6	12.5
Number		3	1	4	5	2	7	1	0	1	6	11	17	0	1	1	0	2	2	15	17	32

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table B. 17: Percentage Distribution of Respondents by Perceptions and Suggestions for Improvement of VC

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
A. Offenses/Disputes to be Handled																						
1	Land related conflict	22.9	21.1	22.2	50.0	55.0	51.7	43.7	39.4	42.1	32.8	23.0	28.8	57.1	45.0	53.2	17.3	14.9	16.5	34.7	31.3	33.5
2	Quarrelling	30.2	30.0	30.1	37.2	34.9	36.4	45.5	59.2	50.4	53.9	47.1	51.2	36.5	50.0	40.9	27.8	38.8	31.4	37.1	42.7	39.1
3	Violence against women	31.6	37.1	33.6	23.4	32.1	26.3	28.8	37.6	32.0	12.5	6.9	10.2	25.4	25.0	25.3	13.3	9.9	12.2	24.6	28.5	26.0
4	Stealing	47.9	59.1	51.9	46.8	43.1	45.6	48.4	54.0	50.4	58.6	44.8	53.0	31.7	33.3	32.3	29.4	35.5	31.4	44.4	48.9	46.0
5	Robbery	16.3	18.6	17.1	21.1	21.1	21.1	16.4	16.0	16.2	25.8	33.3	28.8	10.3	10.0	10.2	8.1	8.3	8.1	16.0	17.7	16.6
6	Killing/Case/False accusation	6.1	2.1	4.7	5.0	4.6	4.9	9.0	6.6	8.1	14.8	12.6	14.0	2.4	1.7	2.2	12.5	19.0	14.6	8.1	7.1	7.8
7	Divorce	2.1	2.1	2.1	11.5	14.7	12.5	6.9	4.2	5.9	6.3	2.3	4.7	4.8	5.0	4.8	5.2	5.8	5.4	5.7	5.1	5.5
8	Snatching/Hijacking	2.8	7.6	4.5	2.8	0.9	2.1	5.6	2.3	4.4	3.9	2.3	3.3	1.6	6.7	3.2	2.4	2.5	2.4	3.4	4.0	3.6
9	Criminal activities	0.9	0.8	0.9	2.8	0.9	2.1	0.5	0.0	0.3	1.6	1.1	1.4	0.0	1.7	0.5	1.2	0.8	1.1	1.1	0.7	1.0
10	Child marriage	4.5	3.8	4.2	4.1	4.6	4.3	5.3	4.2	4.9	1.6	0.0	0.9	0.8	1.7	1.1	2.8	0.8	2.2	3.8	3.0	3.5
11	Female/Child trafficking	0.9	0.0	0.6	1.8	1.8	1.8	0.3	0.5	0.3	0.0	0.0	0.0	0.0	1.7	0.5	0.4	0.8	0.5	0.7	0.6	0.6
12	Political revenge	0.0	0.8	0.3	0.0	0.9	0.3	1.1	0.5	0.8	1.6	0.0	0.9	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.5	0.4
98	Don't know	15.8	11.8	14.4	5.5	4.6	5.2	10.3	9.4	10.0	18.0	29.9	22.8	14.3	10.0	12.9	13.3	9.9	12.2	12.6	11.7	12.3
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
B: Decision Making Process																						
1	Decision should be taken through investigation	9.0	5.9	7.9	17.4	13.8	16.2	28.8	28.6	28.8	35.2	28.7	32.6	22.2	23.3	22.6	11.7	6.6	10.0	18.9	16.6	18.1
2	All concern's opinion should be taken in to account	24.1	19.4	22.4	24.8	28.4	26.0	20.4	17.4	19.3	32.0	32.2	32.1	31.7	25.0	29.6	28.6	16.5	24.7	25.3	21.4	23.9
3	Only Chairman's decision should not be considered	5.2	2.5	4.2	1.8	3.7	2.4	8.7	10.3	9.3	4.7	5.7	5.1	0.0	0.0	0.0	3.6	6.6	4.6	4.9	5.4	5.1
4	Quick and proper decision should be taken	42.5	46.0	43.7	29.4	25.7	28.1	23.8	23.0	23.5	18.8	17.2	18.1	26.2	36.7	29.6	35.5	52.9	41.2	31.5	34.7	32.6
5	Decision should be finalized by the concerned respectable persons	1.4	2.1	1.7	2.8	0.9	2.1	5.8	8.5	6.8	1.6	0.0	0.9	4.8	1.7	3.8	0.0	1.7	0.5	2.8	3.3	2.9
	It is better if the decision is made by representative of Administration	0.9	0.4	0.8	1.8	0.0	1.2	1.1	0.5	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.3	0.8	0.4	0.6
6	Decision should be made by forming a board	0.9	1.7	1.2	1.8	2.8	2.1	5.6	4.7	5.2	17.2	17.2	17.2	2.4	0.0	1.6	4.4	2.5	3.8	4.3	4.2	4.3
98	Don't know	2.4	1.3	2.0	0.0	0.0	0.0	0.8	2.8	1.5	6.3	0.0	3.7	0.0	0.0	0.0	2.8	2.5	2.7	1.8	1.5	1.7
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code		Indicator		Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total											
				M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total									
C. Controlling and Monitoring of VC Activities																											
1	Monitoring should be made timely by Chairman			5.0	5.5	5.1	4.6	4.6	4.6	6.9	5.6	6.4	10.2	12.6	11.2	6.3	3.3	5.4	6.6	5.4	5.9	6.2	6.0				
2				TNO should facilitate and monitor the VC activities			37.5	30.8	35.1	26.1	25.7	26.0	35.4	33.3	34.7	11.7	10.3	11.2	41.3	36.7	39.8	37.2	37.9	33.6	30.0	32.4	
3							UNO should monitor the VC activities			7.3	11.4	8.8	10.6	8.3	9.8	13.5	10.3	12.4	36.7	29.9	34.0	7.9	6.7	7.5	8.1	7.4	12.0
4	VC activities should monitor by a neutral person			9.9	4.6	8.0				11.0	13.8	11.9	5.0	4.7	4.9	4.7	2.3	3.7	14.3	20.0	16.1	6.6	6.0	8.1	7.0	7.7	
5				Divisional Police Commissioner should control and monitor the VC activities			2.4	1.7	2.1	1.4	0.9	1.2	1.1	2.3	1.5	1.6	1.1	1.4	1.6	0.0	1.1	3.6	3.3	2.0	1.8	1.9	
6	Forming different board to do this job						0.9	0.0	0.6	2.8	0.9	2.1	1.6	0.9	1.4	5.5	5.7	5.6	2.4	5.0	3.2	2.8	1.7	2.4	2.2	1.6	2.0
98				Don't know			5.9	5.9	5.9	0.5	0.0	0.3	2.9	4.2	3.4	3.9	10.3	6.5	0.0	1.7	0.5	5.2	5.8	5.4	3.6	4.8	4.0
Number							424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
D. Accountability																											
1	Need proper accountability			49.1	42.6	46.7	47.2	48.6	47.7	55.0	54.9	55.0	46.1	47.1	46.5	65.1	55.0	61.8	78.2	73.6	76.7	56.1	52.5	54.8			
2				To the administration			11.1	13.5	12.0	5.0	7.3	5.8	16.1	13.6	15.2	21.9	20.7	21.4	7.9	5.0	7.0	7.3	7.4	7.3	11.5	12.0	11.7
3							To the neutral person			4.0	3.8	3.9	4.1	4.6	4.3	2.9	1.9	2.5	4.7	2.3	3.7	2.4	6.7	3.8	1.2	5.0	2.4
98	Don't Know			4.2	4.2	4.2				0.0	0.0	0.0	1.1	0.9	1.0	2.3	8.0	4.7	0.0	3.3	1.1	1.6	0.8	1.4	1.9	2.7	2.2
Number				424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349			
E. Investigation of Cases																											
1	Investigation should be in proper way			53.1	48.9	51.6	52.3	51.4	52.0	45.5	42.7	44.5	53.9	58.6	55.8	58.7	48.3	55.4	55.6	60.3	57.2	52.0	50.3	51.4			
2				Should investigate the root cause			1.9	0.8	1.5	0.5	0.9	0.6	2.1	2.3	2.2	2.3	4.6	3.3	0.8	3.3	1.6	0.0	0.0	1.4	1.7	1.5	
3							Chairman should be neutral			4.5	6.3	5.1	0.0	1.8	0.6	0.3	0.5	0.3	0.8	0.0	0.5	0.0	0.0	0.8	0.0	0.5	1.5
4	Should be more careful and conscious			0.9	0.8	0.9				0.9	0.0	0.6	0.8	0.0	0.5	0.0	1.1	0.5	0.8	0.0	0.5	0.8	1.7	1.1	0.8	0.6	0.7
5				It is better if it done by administration			1.9	2.5	2.1	2.8	0.0	1.8	5.6	5.2	5.4	6.3	1.1	4.2	10.3	15.0	11.8	4.4	2.5	3.8	4.4	3.6	4.1
98	Don't know						3.1	4.2	3.5	0.0	0.0	0.0	0.8	3.3	1.7	5.5	5.7	5.6	0.0	0.0	3.2	4.1	3.5	2.0	3.3	2.5	
Number				424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349			

Source: Village Courts in Bangladesh Baseline Survey, 2009

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Continuation..

Code	Indicator	Rajshahi		Khulna		Dhaka		Chittagong		Barisal		Sylhet		Total								
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total						
F. Gender Dimension																						
1	Male-Female consensus should be maintained/should be gender balance	67.2	65.4	66.6	59.2	66.1	61.5	59.3	60.6	59.7	67.2	73.6	69.8	59.5	46.7	55.4	77.8	88.4	81.3	65.2	67.1	65.9
2	Equal justice for all	2.6	2.5	2.6	3.7	3.7	3.7	4.0	0.9	2.9	0.8	1.1	0.9	9.5	10.0	9.7	0.4	0.8	0.5	3.2	2.4	2.9
3	There should be female member in the VC/Female participation is essential	2.4	3.0	2.6	1.4	0.0	0.9	1.6	2.3	1.9	0.8	0.0	0.5	4.8	5.0	4.8	1.6	0.0	1.1	2.0	1.8	1.9
4	No need of equality	2.8	0.4	2.0	6.9	3.7	5.8	1.9	0.0	1.2	1.6	0.0	0.9	2.4	1.7	2.2	0.0	1.7	0.5	2.6	1.0	2.0
5	It is necessary to keep female rights	4.2	3.4	3.9	0.5	2.8	1.2	3.7	3.8	3.7	1.6	0.0	0.9	2.4	1.7	2.2	5.2	0.8	3.8	3.4	2.5	3.1
98	Don't know	1.9	1.3	1.7	0.0	0.9	0.3	0.8	0.0	0.5	0.8	2.3	1.4	1.6	1.7	1.6	0.4	0.0	0.3	1.0	0.8	0.9
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349
G. Others (Suggestions)																						
1	Educated people should have in the VC	2.4	2.5	2.4	0.5	0.0	0.3	1.9	0.9	1.5	0.8	0.0	0.5	4.0	3.3	3.8	0.8	0.0	0.5	1.7	1.2	1.5
2	Should have to be same mentality	0.7	0.4	0.6	0.5	0.0	0.3	0.3	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.1	0.3	
3	Law enforcement representatives should have to be in the process	0.9	0.4	0.8	0.0	0.0	0.0	1.3	0.9	1.2	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.3	0.7	0.4	0.6
4	Should have to be free from of political influence	0.5	0.0	0.3	1.4	0.9	1.2	1.1	1.9	1.4	0.0	0.0	0.0	4.8	10.0	6.5	0.0	0.8	0.3	1.0	1.5	1.1
5	Awareness regarding the VC should be made	0.7	0.4	0.6	0.5	0.9	0.6	3.4	2.8	3.2	0.8	2.3	1.4	4.0	5.0	4.3	6.5	4.1	5.7	2.6	2.2	2.4
6	Administrative power/capacity should be increased	0.0	0.0	0.0	1.4	0.9	1.2	2.1	0.9	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.7	0.4	0.6	
7	Financial scope and budget allocation should be strengthen	0.2	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0
98	Don't know	5.2	2.1	4.1	0.0	0.9	0.3	1.1	0.0	0.7	2.3	3.4	2.8	1.6	1.7	1.6	1.6	0.8	1.4	2.3	1.3	2.0
Number		424	237	661	218	109	327	378	213	591	128	87	215	126	60	186	248	121	369	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

## Detail Findings of the Quantitative Survey (Faridpur &amp; Madaripur)

## C. Personal Profile of the Respondents

Set - C

Table C.1: Percentage Distribution of Respondents by Gender by Selected Districts

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Gender		50.1	49.9	100.0	48.1	51.9	100.0	49.3	50.7	100.0	50.4	49.6	100.0	49.6	50.4	100.0
	Number	481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Table C.2: Percentage Distribution of Respondents by Gender and Age Group by Selected Districts

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Average Age		40	34	37	41	35	38	41	35	38	41	37	39	41	36	38
1	18-23	7.7	16.9	12.3	10.5	17.1	13.9	8.7	17.0	12.9	10.0	17.4	13.7	9.8	17.3	13.6
2	24-29	12.5	19.8	16.1	17.0	19.1	18.1	14.1	19.5	16.9	12.9	21.0	17.0	13.1	20.8	17.0
3	30-35	17.3	21.5	19.4	13.0	22.1	17.7	15.7	21.7	18.8	18.6	24.4	21.5	18.2	24.0	21.1
4	36-41	12.9	12.9	12.9	13.7	13.4	13.5	13.2	13.1	13.2	14.7	13.3	14.0	14.5	13.3	13.9
5	42-50	21.4	18.6	20.0	22.4	20.4	21.4	21.8	19.3	20.5	21.5	16.2	18.8	21.6	16.7	19.1
6	50+	28.3	10.2	19.3	23.5	8.0	15.5	26.5	9.4	17.8	22.2	7.7	14.9	22.9	8.0	15.4
	Number	481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Table C.3: Percentage Distribution of Respondents by Education Level by Selected Districts

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Somewhat or less than primary	29.7	44.5	37.1	42.6	50.2	46.5	34.4	46.7	40.6	36.2	42.6	39.4	35.9	43.3	39.6
2	Primary	17.9	18.4	18.1	18.4	17.1	17.7	18.1	17.9	18.0	16.4	20.7	18.5	16.7	20.2	18.5
3	Somewhat secondary	26.2	24.4	25.3	19.1	12.0	15.5	23.6	19.7	21.6	20.5	20.9	20.7	21.0	20.7	20.9
4	Secondary	14.3	8.1	11.3	8.7	7.4	8.0	12.3	7.8	10.0	13.4	8.5	10.9	13.2	8.4	10.8
5	Somewhat Higher Secondary Certificate	8.5	3.8	6.1	6.9	7.4	7.1	7.9	5.1	6.5	8.3	3.9	6.1	8.2	4.1	6.2
6	Vocational Training	0.2	0.0	0.1	0.7	1.7	1.2	0.4	0.6	0.5	0.9	0.6	0.7	0.8	0.6	0.7
7	University education or more	3.1	0.4	1.8	1.4	0.7	1.0	2.5	0.5	1.5	2.9	0.7	1.8	2.8	0.7	1.7
98	Don't know	0.0	0.0	0.0	1.1	2.7	1.9	0.4	1.0	0.7	0.7	1.0	0.8	0.7	1.0	0.8
99	Refused	0.0	0.4	0.2	1.1	1.0	1.0	0.4	0.6	0.5	0.8	1.1	1.0	0.7	1.0	0.9
	Number	481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009



**Table C.4: Percentage Distribution of Respondents by Profession by Selected Districts**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Business	28.9	10.4	19.7	25.3	4.0	14.2	27.6	8.0	17.6	29.2	10.9	20.0	28.9	10.4	19.6
2	Government service	5.4	0.8	3.1	2.9	0.3	1.6	4.5	0.6	2.5	3.7	0.9	2.3	3.8	0.9	2.3
3	Teacher	2.7	1.3	2.0	1.4	1.7	1.6	2.2	1.4	1.8	2.2	1.3	1.8	2.2	1.3	1.8
4	Religious leader	0.4	0.0	0.2	0.0	0.0	0.0	0.3	0.0	0.1	1.1	0.0	0.6	1.0	0.0	0.5
5	Local Leader	0.2	0.0	0.1	0.4	0.0	0.2	0.3	0.0	0.1	0.5	0.0	0.3	0.5	0.0	0.2
6	Student	4.2	3.5	3.9	2.9	0.3	1.6	3.7	2.3	3.0	4.4	4.0	4.2	4.3	3.7	4.0
7	Cultivation/Farmer	42.6	0.2	21.5	50.2	0.0	24.1	45.4	0.1	22.5	41.0	1.6	21.2	41.6	1.4	21.4
8	Political Leader/Activist	0.2	0.0	0.1	0.4	0.3	0.3	0.3	0.1	0.2	0.6	0.1	0.4	0.6	0.1	0.3
97	Others	14.6	82.5	48.4	16.2	83.9	51.4	15.2	83.0	49.5	16.0	77.7	47.1	15.9	78.5	47.4
98	Don't know	0.0	0.8	0.4	0.0	0.0	0.0	0.0	0.5	0.3	0.3	2.1	1.2	0.3	1.9	1.1
99	Refused	0.8	0.4	0.6	0.4	9.4	5.0	0.7	3.9	2.3	1.0	1.3	1.2	0.9	1.7	1.3
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

**Table C.5: Percentage Distribution of Respondents by Monthly Income by Selected Districts**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Below Tk 2,000	11.9	3.8	7.8	23.1	8.7	15.6	16.0	5.7	10.7	22.8	9.9	16.3	21.7	9.2	15.4
2	TK 2,001-5,000	38.5	0.8	19.7	35.4	4.7	19.4	37.3	2.3	19.6	34.4	5.0	19.6	34.8	4.6	19.6
3	TK 5,001-8,000	25.4	2.3	13.9	13.4	1.3	7.1	21.0	1.9	11.3	16.9	2.2	9.5	17.5	2.2	9.8
4	TK 8,001-10,000	9.8	1.3	5.5	5.1	0.7	2.8	8.0	1.0	4.5	7.3	0.7	4.0	7.4	0.8	4.1
5	TK 10,001-15,000	4.0	0.4	2.2	4.3	0.3	2.3	4.1	0.4	2.2	3.6	0.4	2.0	3.6	0.4	2.0
6	TK 15,001-20,000	1.5	0.2	0.8	1.1	0.3	0.7	1.3	0.3	0.8	1.4	0.2	0.8	1.4	0.2	0.8
7	TK 20,001 and above	0.6	0.4	0.5	0.0	0.7	0.3	0.4	0.5	0.5	1.0	0.2	0.6	0.9	0.3	0.6
8	No Income	8.3	89.4	48.8	16.6	82.9	51.0	11.3	86.9	49.6	11.7	79.5	45.8	11.7	80.6	46.4
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.1	0.1
99	Refused	0.2	1.5	0.8	1.1	0.3	0.7	0.5	1.0	0.8	0.9	1.8	1.3	0.8	1.7	1.2
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016
Mean Income		5388	5909	5435	4281	4180	4263	5010	4989	5007	4797	3376	4829	4956	3603	4726

Source: Village Courts in Bangladesh Baseline Survey, 2009

## D. Issues Pertaining to Village Court

Set - D

Table D.1: Percentage Distribution of Respondents by Type of Disputes Occurs and knowledge about VC by Selected Districts

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Type of Disputes Occurs																
1	Land related	55.1	37.6	46.4	52.0	44.8	48.3	54.0	40.4	47.1	51.0	42.8	46.9	51.5	42.4	46.9
2	Quarrel between husband & wife	1.2	2.9	2.1	5.8	6.7	6.3	2.9	4.4	3.6	3.5	4.6	4.1	3.4	4.5	4.0
3	Persecution of a women	21.0	23.0	22.0	20.2	24.7	22.6	20.7	23.7	22.2	16.9	17.1	17.0	17.5	18.1	17.8
4	Fight each other/Quarrel	28.9	39.0	34.0	50.9	47.2	49.0	36.9	42.2	39.6	40.3	42.2	41.3	39.8	42.2	41.0
5	Act of stealing	52.6	52.8	52.7	40.1	40.1	40.1	48.0	47.9	48.0	44.5	42.7	43.6	45.1	43.5	44.3
6	Family confliction	8.7	12.7	10.7	15.2	13.0	14.1	11.1	12.9	12.0	22.0	23.2	22.6	20.4	21.6	21.0
7	Hijacking/Un-authorized money collection	9.6	8.6	9.1	1.1	1.7	1.4	6.5	5.9	6.2	5.4	5.2	5.3	5.6	5.3	5.4
8	Dowry	7.3	9.4	8.3	18.8	24.1	21.5	11.5	15.0	13.3	5.1	5.6	5.4	6.1	7.0	6.6
9	Killing	0.4	0.6	0.5	0.4	1.7	1.0	0.4	1.0	0.7	1.5	1.5	1.5	1.3	1.4	1.4
10	Divorce	1.5	1.9	1.7	4.0	2.3	3.1	2.4	2.1	2.2	3.7	3.7	3.7	3.5	3.4	3.5
11	Loan	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.5	0.7	0.7	0.5	0.6
12	Child marriage	4.0	2.9	3.4	4.0	4.7	4.3	4.0	3.6	3.8	3.6	2.9	3.2	3.6	3.0	3.3
13	Robbery	26.8	21.3	24.1	5.1	6.7	5.9	18.9	15.7	17.3	17.3	15.5	16.4	17.6	15.5	16.5
14	Adulterate Goods	0.2	0.4	0.3	0.0	0.0	0.0	0.1	0.3	0.2	0.2	0.1	0.1	0.2	0.1	0.1
15	Extra marrifal affairs	0.4	0.8	0.6	0.4	0.3	0.3	0.4	0.6	0.5	0.2	0.3	0.2	0.2	0.4	0.3
16	Political propaganda	4.6	2.5	3.5	3.2	0.7	1.9	4.1	1.8	2.9	4.8	3.6	4.2	4.7	3.3	4.0
17	Drug business/Gambling	12.9	9.8	11.4	0.0	0.0	0.0	8.2	6.0	7.1	3.1	2.6	2.9	3.9	3.1	3.5
18	Disturbance by Notorious	0.2	0.6	0.4	0.7	0.3	0.5	0.4	0.5	0.5	0.8	0.8	0.8	0.8	0.8	0.8
19	Corruption	0.6	0.2	0.4	0.4	1.0	0.7	0.5	0.5	0.5	0.4	0.3	0.4	0.4	0.3	0.4
20	Child molestation	0.4	0.2	0.3	0.0	0.0	0.0	0.3	0.1	0.2	0.1	0.0	0.1	0.1	0.0	0.1
21	Related to crops/the cattle	4.6	1.9	3.2	1.4	3.3	2.4	3.4	2.4	2.9	1.4	1.3	1.3	1.7	1.5	1.6
22	Confliction with money	1.5	0.6	1.0	5.8	3.3	4.5	3.0	1.7	2.3	1.6	1.0	1.3	1.8	1.1	1.4
23	Acid throughing	0.2	0.2	0.2	0.0	0.0	0.0	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
24	Multi marriage	0.2	0.6	0.4	0.4	0.0	0.2	0.3	0.4	0.3	0.6	0.4	0.5	0.6	0.4	0.5
98	Don't know	0.2	0.0	0.1	0.0	0.7	0.3	0.1	0.3	0.2	0.2	0.3	0.3	0.2	0.3	0.3
99	Refused	1.5	3.1	2.3	7.6	4.3	5.9	3.7	3.6	3.6	2.8	3.6	3.2	3.2	4.0	3.6
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

## Knowledge about Village Court

1	Yes	25.2	10.6	17.9	41.5	27.8	34.4	31.1	17.2	24.1	30.6	16.2	23.3	30.6	16.4	23.5
2	No	74.6	89.4	82.0	58.5	72.2	65.6	68.7	82.8	75.8	69.4	83.6	76.5	69.3	83.5	76.4
98	Don't know	0.2	0.0	0.1	0.0	0.0	0.0	0.1	0.0	0.1	0.1	0.2	0.1	0.1	0.1	0.1
<b>Number</b>		<b>481</b>	<b>479</b>	<b>960</b>	<b>277</b>	<b>299</b>	<b>576</b>	<b>758</b>	<b>778</b>	<b>1536</b>	<b>4209</b>	<b>4271</b>	<b>8480</b>	<b>4967</b>	<b>5049</b>	<b>10016</b>

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D.2: Percentage Distribution of Respondents by Opinion about How People Settle their Disputes and Offences**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Shalish																
1	Go to Village Leaders (Matbar, etc.)	90.0	90.7	90.4	73.5	65.3	68.8	84.9	82.1	83.4	75.3	77.6	76.6	76.8	78.3	77.6
2	Go to School Teachers	18.1	18.0	18.0	3.1	10.2	7.1	13.4	15.4	14.5	9.6	8.3	8.9	10.2	9.4	9.7
3	Go to Religious Leaders (Imam, etc.)	16.9	18.2	17.6	1.9	5.6	4.0	12.3	14.0	13.2	7.1	6.5	6.8	7.9	7.6	7.7
4	Go to UP Chairman/Member	75.3	69.2	72.0	64.2	67.6	66.1	71.8	68.6	70.1	69.9	67.0	68.3	70.2	67.2	68.5
5	Go to Local Political Leader	21.1	18.9	19.9	6.2	5.6	5.8	16.5	14.4	15.4	12.7	11.1	11.8	13.2	11.6	12.3
97	Others	1.1	0.7	0.9	0.6	0.5	0.5	1.0	0.6	0.8	0.8	0.7	0.7	0.8	0.7	0.7
98	Don't know	0.0	0.2	0.1	0.6	0.0	0.3	0.2	0.2	0.2	0.2	0.1	0.1	0.2	0.1	0.1
99	Refused	0.3	98.6	0.0	0.0	0.0	0.0	0.2	0.0	0.1	0.5	0.4	0.4	3.9	2.3	3.0
Number		360	428	788	162	216	378	522	644	1166	2923	3578	6501	3445	4222	7667

**Shalish (Others)**

1	From Mother & Father in law	33.3	100.0	66.7	0.0	0.0	20.0	50.0	75.0	62.5	69.6	70.8	70.2	66.7	71.4	69.1
2	From Village Court	66.7	0.0	33.3	0.0	0.0	0.0	50.0	0.0	25.0	8.7	20.8	14.9	14.8	17.9	16.4
3	From Doctor's	0.0	0.0	0.0	0.0	100.0	20.0	0.0	25.0	12.5	17.4	8.3	12.8	14.8	10.7	12.7
<b>Number</b>		<b>3</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>8</b>	<b>23</b>	<b>24</b>	<b>47</b>	<b>27</b>	<b>28</b>	<b>55</b>

**Ways of Resolving Disputes**

1	Filing case in Thana	20.8	17.5	19.0	14.2	7.4	10.3	18.8	14.1	16.2	25.9	24.0	24.9	24.8	22.5	23.5
2	Filing case in Court	25.8	18.9	22.1	8.0	6.5	7.1	20.3	14.8	17.2	21.8	19.0	20.3	21.6	18.4	19.8
3	Mending disputes within family	41.1	47.9	44.8	63.0	73.1	68.8	47.9	56.4	52.6	32.8	35.4	34.3	35.1	38.6	37.0
4	Solving problem by the community leaders	5.0	7.0	6.1	11.1	10.6	10.8	6.9	8.2	7.6	10.1	11.3	10.8	9.6	10.8	10.3
5	Solving by the friends & neighbors	1.9	2.6	2.3	1.9	1.4	1.6	1.9	2.2	2.1	2.3	1.7	1.9	2.2	1.8	2.0
6	Go to the local political leaders	0.0	0.5	0.3	0.0	0.0	0.0	0.0	0.3	0.2	1.8	1.8	1.8	1.5	1.6	1.6
7	Go to the school teacher	0.3	1.4	0.9	0.0	0.0	0.0	0.2	0.9	0.6	0.6	0.7	0.7	0.6	0.7	0.7
8	Go to the religious school teacher	0.0	0.2	0.1	0.0	0.5	0.3	0.0	0.3	0.2	0.8	0.4	0.6	0.6	0.4	0.5
9	Go to the co-operative society	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.2	0.2	0.2	0.2	0.2
98	Don't know	0.0	5.1	2.8	0.0	0.0	0.0	0.0	3.4	1.9	5.4	5.0	5.2	4.6	4.7	4.7
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.5	1.6	1.6	1.3	1.3	1.3
<b>Number</b>		<b>360</b>	<b>428</b>	<b>788</b>	<b>162</b>	<b>216</b>	<b>378</b>	<b>522</b>	<b>644</b>	<b>1166</b>	<b>2923</b>	<b>3578</b>	<b>6501</b>	<b>3445</b>	<b>4222</b>	<b>7667</b>

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D.3: Percentage Distribution of Respondents by Opinions about Justice from Shalish**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Yes	88.6	88.8	88.7	89.5	90.7	90.2	88.9	89.4	89.2	84.5	86.0	85.3	85.1	86.5	85.9
2	No	9.7	8.4	9.0	6.2	6.5	6.3	8.6	7.8	8.1	12.9	11.1	11.9	12.2	10.6	11.3
98	Don't know	0.6	1.4	1.0	0.0	0.9	0.5	0.4	1.2	0.9	1.0	2.0	1.6	0.9	1.9	1.5
99	Refused	1.1	1.4	1.3	4.3	1.9	2.9	2.1	1.6	1.8	1.6	0.8	1.2	1.7	0.9	1.3
Number		360	428	788	162	216	378	522	644	1166	2923	3578	6501	3445	4222	7667

**Table D.4: Percentage Distribution of Respondents by Opinions about dealings with VAW & Effectiveness of Shalish**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Very Effective	29.5	28.7	29.0	28.3	31.1	29.9	29.1	29.5	29.3	29.4	26.7	27.9	29.4	27.1	28.1
2	Effective	60.5	63.4	62.1	67.6	66.8	67.2	62.7	64.6	63.8	62.0	66.2	64.4	62.2	66.0	64.3
3	Not Much Effective	8.2	6.3	7.2	2.8	2.0	2.3	6.5	4.9	5.6	6.0	5.4	5.7	6.1	5.3	5.6
4	Not Effective	0.6	1.6	1.1	0.7	0.0	0.3	0.6	1.0	0.9	1.7	1.0	1.3	1.6	1.0	1.3
98	Don't know (Do not Read)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
99	Refused (Do not Read)	1.3	0.0	0.6	0.7	0.0	0.3	1.1	0.0	0.5	0.7	0.7	0.7	0.8	0.6	0.7
Number		319	380	699	145	196	341	464	576	1040	2469	3078	5547	2933	3654	6587

**Reasons of not Effective**

1	Take bribe	21.4	26.7	24.1	20.0	25.0	22.2	21.2	26.5	23.9	8.9	7.7	8.2	10.7	10.4	10.5
2	Political influence/Influence from the powerful persons	3.6	3.3	3.4	0.0	0.0	0.0	3.0	2.9	3.0	13.0	14.8	13.9	11.6	13.0	12.3
3	Do not get fair judgement	10.7	6.7	8.6	40.0	25.0	33.3	15.2	8.8	11.9	6.3	11.7	9.0	7.6	11.3	9.5
4	Lack of impartiality/Nepotism	10.7	10.0	10.3	20.0	0.0	11.1	12.1	8.8	10.4	14.6	13.8	14.2	14.2	13.0	13.6
5	Take extra fine	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.5	0.5	0.4	0.4	0.4
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.9	0.9
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	62.2	60.4	61.3
Number		28	30	58	5	4	9	33	34	67	192	196	388	225	230	455

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D.5: Percentage Distribution of Respondents about Usefulness & Reasons of a Village Court**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Usefulness																
1	Yes	94.4	94.9	94.7	85.2	86.6	86.0	91.6	92.1	91.9	90.6	92.2	91.5	90.8	92.2	91.5
2	No	3.1	3.5	3.3	5.6	6.5	6.1	3.8	4.5	4.2	3.1	3.2	3.2	3.3	3.4	3.4
98	Don't know	1.4	1.6	1.5	4.3	4.6	4.5	2.3	2.6	2.5	3.5	3.1	3.2	3.3	3.0	3.1
99	Refused	1.1	0.0	0.5	4.9	2.3	3.4	2.3	0.8	1.5	2.8	1.5	2.1	2.7	1.4	2.0
Number		360	428	788	162	216	378	522	644	1166	2923	3578	6501	3445	4222	7667
Yes-Reasons																
1	Easily will get judgement	31.2	32.0	31.6	51.4	36.9	43.1	37.0	33.6	35.1	34.2	33.4	33.7	34.6	33.4	33.9
2	Will get fair judgement	19.7	20.9	20.4	10.1	23.5	17.8	16.9	21.8	19.6	24.9	25.8	25.4	23.7	25.2	24.5
3	Will be less harassment	13.2	9.6	11.3	6.5	4.3	5.2	11.3	7.9	9.4	7.8	6.1	6.9	8.3	6.4	7.3
4	Will not need to go to the court/Thana	13.2	11.6	12.3	22.5	16.6	19.1	15.9	13.2	14.4	11.2	11.6	11.4	11.9	11.8	11.9
5	Will control bribe	0.9	1.2	1.1	0.0	0.0	0.0	0.6	0.8	0.7	1.0	1.3	1.2	1.0	1.2	1.1
6	Will be less expenses	25.0	26.8	26.0	12.3	17.1	15.1	21.3	23.8	22.7	20.9	19.9	20.3	20.9	20.5	20.7
7	Will be ensured chairman, member and local people's participation	1.5	1.0	1.2	0.0	1.1	0.6	1.0	1.0	1.0	0.9	1.3	1.1	0.9	1.3	1.1
8	Will be controlled illogical activities	5.0	4.2	4.6	2.9	3.7	3.4	4.4	4.0	4.2	2.3	3.3	2.9	2.7	3.4	3.1
9	Will get judgement within a short time	15.6	14.3	14.9	5.8	7.5	6.8	12.8	12.1	12.4	12.9	10.5	11.6	12.9	10.7	11.7
10	Judgement will according to be act.	0.9	1.5	1.2	0.0	0.0	0.0	0.6	1.0	0.8	0.3	0.3	0.3	0.4	0.4	0.4
11	Will be no impartiality	0.0	1.0	0.5	1.4	0.0	0.6	0.4	0.7	0.6	0.2	0.2	0.2	0.2	0.2	0.2
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.4	0.4	0.3	0.3	0.3
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.4	0.3	0.1	0.3	0.2
Number		340	406	746	138	187	325	478	593	1071	2649	3298	5947	3127	3891	7018
No-Reasons																
1	It will increase the power of powerfull people	36.4	0.0	15.4	11.1	42.9	30.4	25.0	20.7	22.4	35.9	20.7	27.4	33.9	20.7	26.5
2	Union Parishod is better than Village Court in terms of getting proper judgement	0.0	0.0	0.0	11.1	7.1	8.7	5.0	3.4	4.1	6.5	6.9	6.7	6.3	6.2	6.2
3	Will be expensive	45.5	26.7	34.6	77.8	28.6	47.8	60.0	27.6	40.8	-3.3	1.7	-0.5	8.0	6.9	7.4
4	Will not be proper judgement	36.4	6.7	19.2	0.0	35.7	21.7	20.0	20.7	20.4	19.6	20.7	20.2	19.6	20.7	20.2
5	Will increase opportunity to take bribe	9.1	6.7	7.7	0.0	0.0	0.0	5.0	3.4	4.1	13.0	20.7	17.3	11.6	17.2	14.8
6	We have no clear idea	0.0	0.0	0.0	0.0	21.4	13.0	0.0	10.3	6.1	2.2	0.0	1.0	1.8	2.1	1.9
7	Will increase corruption	0.0	13.3	7.7	0.0	0.0	0.0	0.0	6.9	4.1	5.4	7.8	6.7	4.5	7.6	6.2
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.2	2.6	2.4	1.8	2.1	1.9
Number		11	15	26	9	14	23	20	29	49	92	116	208	112	145	257

Source: Village Courts in Bangladesh Baseline Survey, 2009



**Table D.7: Percentage Distribution of Respondents by Knowledge about Types of Offences/Cases Handling by Village Court**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
1	Of stealing	44.6	56.9	48.3	42.6	41.0	41.9	43.6	47.0	44.9	48.8	49.2	49.0	48.0	48.9	48.3
2	Fighting each other/Quarrel	33.1	33.3	33.1	41.7	42.2	41.9	37.3	38.8	37.8	37.3	33.9	36.1	37.3	34.7	36.4
3	Hijacking/Unauthorised money collection	7.4	9.8	8.1	0.9	2.4	1.5	4.2	5.2	4.6	3.9	6.5	4.8	3.9	6.3	4.8
4	Robbery	23.1	23.5	23.3	7.8	3.6	6.1	15.7	11.2	14.1	18.3	18.9	18.5	17.9	17.7	17.8
5	Violence against women	26.4	31.4	27.9	26.1	27.7	26.8	26.3	29.1	27.3	24.8	24.0	24.5	25.0	24.8	24.9
6	Family conflict between husband & wife	7.4	0.0	5.2	9.6	18.1	13.1	8.5	11.2	9.5	16.5	14.1	15.7	15.2	13.7	14.7
7	Land related	21.5	23.5	22.1	40.0	42.2	40.9	30.5	35.1	32.2	34.6	25.7	31.5	34.0	27.2	31.6
8	Monetary related	8.3	2.0	6.4	3.5	2.4	3.0	5.9	2.2	4.6	1.8	1.0	1.5	2.4	1.2	2.0
9	Divorce related	2.5	2.0	2.3	0.0	1.2	0.5	1.3	1.5	1.4	7.2	4.8	6.4	6.3	4.2	5.6
10	Loan related	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.3	0.3	0.2	0.2	0.2
11	Child marriage	3.3	5.9	4.1	2.6	18.1	9.1	3.0	13.4	6.8	2.4	1.0	1.9	2.5	3.0	2.7
12	All sorts of small scale problems	28.9	23.5	27.3	21.7	0.0	12.6	25.4	9.0	19.5	15.6	23.2	18.2	17.1	20.9	18.4
13	Disturbance by Notorious	0.8	0.0	0.6	0.0	0.0	0.0	0.4	0.0	0.3	0.7	0.9	0.8	0.7	0.7	0.7
98	Don't know	0.8	0.0	0.6	0.9	0.0	0.5	0.8	0.0	0.5	1.3	0.9	1.2	1.2	0.7	1.1
99	Refused	0.0	2.0	0.6	0.0	0.0	0.0	0.0	0.7	0.3	1.2	0.9	1.1	2.8	3.7	3.1
	<b>Number</b>	<b>121</b>	<b>51</b>	<b>172</b>	<b>115</b>	<b>83</b>	<b>198</b>	<b>236</b>	<b>134</b>	<b>370</b>	<b>1286</b>	<b>693</b>	<b>1979</b>	<b>1522</b>	<b>827</b>	<b>2349</b>

**Table 8: Percentage Distribution of Respondents by Level of Knowledge about Financial Jurisdiction, Formation and Decision Making Process of VC**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Know about Financial Jurisdiction																
1	Yes	84.3	78.4	82.6	53.9	57.8	55.6	69.5	65.7	68.1	69.8	55.1	64.6	69.7	56.8	65.2
2	No	11.6	15.7	12.8	43.5	41.0	42.4	27.1	31.3	28.6	28.1	41.4	32.8	28.0	39.8	32.1
99	Refused	4.1	5.9	4.7	2.6	1.2	2.0	3.4	3.0	3.2	2.1	3.5	2.6	2.3	3.4	2.7
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349
Amount																
1	Tk. 25,000	51.0	42.5	48.6	24.2	35.4	29.1	40.9	38.6	40.1	29.1	27.7	28.7	30.9	29.8	30.6
2	Tk. 5,000 - 25,000	33.3	45.0	36.6	37.1	41.7	39.1	34.8	43.2	37.7	51.2	56.5	52.8	48.6	54.0	50.3
3	Tk. 26,000	14.7	10.0	13.4	24.2	22.9	23.6	18.3	17.0	17.9	6.4	4.7	5.9	8.2	7.0	7.8
4	Tk. 5,000	1.0	5.0	2.1	8.1	4.2	6.4	3.7	4.5	4.0	7.5	7.9	7.6	6.9	7.2	7.0
5	Tk. 40,000 and above.	2.9	0.0	2.1	6.5	0.0	3.6	4.3	0.0	2.8	5.8	3.7	5.2	5.6	3.0	4.8
99	Refused	1.0	0.0	0.7	1.6	0.0	0.9	1.2	0.0	0.8	0.8	0.3	0.6	2.2	1.7	2.0
Number		102	40	142	62	48	110	164	88	252	897	382	1279	1061	470	1531

Source: Village Courts in Bangladesh Baseline Survey, 2009



Continuation...

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total

**Know about Formation of VC**

1	Yes	80.2	78.4	79.7	74.8	75.9	75.3	77.5	76.9	77.3	80.6	71.7	77.5	80.1	72.6	77.4
2	No	16.5	15.7	16.3	24.3	22.9	23.7	20.3	20.1	20.3	18.4	26.4	21.2	18.7	25.4	21.0
99	Refused	3.3	5.9	4.1	0.9	1.2	1.0	2.1	3.0	2.4	1.1	1.9	1.4	1.2	2.1	1.5
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

**How (Formation of VC)**

1	Chairman, Member and honourable persons	93.8	90.0	92.7	82.6	87.3	84.6	88.5	88.3	88.5	90.3	90.7	90.5	90.1	90.3	90.2
2	Selected people from both sides	58.8	50.0	56.2	19.8	11.1	16.1	40.4	26.2	35.3	18.4	16.9	17.9	21.7	18.5	20.7
99	Refused	2.1	2.5	2.2	0.0	1.6	0.7	1.1	1.9	1.4	1.4	0.8	1.2	1.9	1.5	1.8
Number		97	40	137	86	63	149	183	103	286	1036	497	1533	1219	600	1819

**Knowledge about Decision Making Process**

1	Yes	58.7	58.8	58.7	61.7	49.4	56.6	60.2	53.0	57.6	74.9	58.4	69.1	72.6	57.6	67.3
2	No	38.0	35.3	37.2	37.4	45.8	40.9	37.7	41.8	39.2	23.9	38.1	28.9	26.0	38.7	30.5
99	Refused	3.3	5.9	4.1	0.9	4.8	2.5	2.1	5.2	3.2	1.2	3.5	2.0	1.4	3.7	2.2
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

**How (Decision Making ways)**

1	By forming board/committee	38.0	36.7	37.6	29.6	31.7	30.4	33.8	33.8	33.8	32.2	34.6	32.9	32.4	34.5	33.0
2	By implementing the judgement of majority	16.9	10.0	14.9	7.0	17.1	10.7	12.0	14.1	12.7	16.8	14.6	16.2	16.2	14.5	15.7
3	Together with chairman and member	38.0	40.0	38.6	52.1	48.8	50.9	45.1	45.1	45.1	26.6	23.7	25.7	29.0	26.9	28.3
4	Two group together	5.6	10.0	6.9	12.7	7.3	10.7	9.2	8.5	8.9	24.2	28.1	25.4	22.3	25.2	23.1
99	Refused	1.4	3.3	2.0	1.4	0.0	0.9	1.4	1.4	1.4	1.5	0.2	1.1	1.5	0.6	1.3
Number		71	30	101	71	41	112	142	71	213	963	405	1368	1105	476	1581

**Appeal against VC**

1	Yes	57.9	51.0	55.8	57.4	48.2	53.5	57.6	49.3	54.6	65.3	52.5	60.8	64.1	52.0	59.9
2	No	9.9	11.8	10.5	16.5	25.3	20.2	13.1	20.1	15.7	17.8	21.5	19.1	17.1	21.3	18.6
98	Don't know	28.9	33.3	30.2	23.5	24.1	23.7	26.3	27.6	26.8	15.9	23.2	18.5	17.5	23.9	19.8
99	Refused	3.3	3.9	3.5	2.6	2.4	2.5	3.0	3.0	3.0	0.9	2.7	1.6	1.2	2.8	1.8
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation..

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
How (Appeal against VC)																
1	To court	58.6	53.8	57.3	81.8	95.0	86.8	69.9	78.8	72.8	82.5	81.0	82.1	80.7	80.7	80.7
2	To UNO	37.1	38.5	37.5	4.5	5.0	4.7	21.3	18.2	20.3	4.0	2.2	3.5	6.5	4.7	5.9
3	Make GD at Thana	1.4	11.5	4.2	10.6	2.5	7.5	5.9	6.1	5.9	13.9	19.0	15.4	12.8	17.0	14.1
99	Refused	2.9	0.0	2.1	3.0	0.0	1.9	2.9	0.0	2.0	1.5	1.1	1.4	1.7	0.9	1.5
Number		70	26	96	66	40	106	136	66	202	840	364	1204	976	430	1406

#### Any Institutes/Organizations for Providing Legal Aid & Counselling?

1	Yes	48.8	52.9	50.0	60.0	62.7	61.1	54.2	59.0	55.9	27.8	24.5	26.6	31.9	30.1	31.2
2	No	32.2	31.4	32.0	33.0	28.9	31.3	32.6	29.9	31.6	62.0	61.2	61.7	57.4	56.1	57.0
98	Don't know	16.5	13.7	15.7	2.6	7.2	4.5	9.7	9.7	9.7	7.0	10.0	8.0	7.4	9.9	8.3
99	Refused	2.5	2.0	2.3	4.3	1.2	3.0	3.4	1.5	2.7	3.3	4.3	3.6	3.3	3.9	3.5
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

#### Name of the Institutes/Organizations Providing Legal Aid & Counselling

1	BRAC	42.4	59.3	47.7	76.8	69.2	73.6	60.9	65.8	62.8	68.9	69.4	69.1	66.8	68.3	67.3
2	Social worker/Human rights organization	15.3	18.5	16.3	8.7	23.1	14.9	11.7	21.5	15.5	10.9	8.2	10.1	11.1	12.4	11.6
3	Chairman and Member	1.7	3.7	2.3	1.4	0.0	0.8	1.6	1.3	1.4	5.9	5.9	5.9	4.7	4.4	4.6
4	Club/Co-operative Society	47.5	22.2	39.5	2.9	3.8	3.3	23.4	10.1	18.4	5.6	4.7	5.3	10.3	6.4	9.0
5	Mosque/Temple/Church	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.6	0.6	0.4	0.4	0.4
6	Bank	0.0	0.0	0.0	7.2	3.8	5.8	3.9	2.5	3.4	3.4	3.5	3.4	3.5	3.2	3.4
7	Administration	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.4	3.5	2.1	1.0	2.4	1.5
8	Legal Aid	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.2	1.8	3.4	3.1	1.2	2.5
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.7	1.8	1.7	3.9	5.2	4.4
Number		59	27	86	69	52	121	128	79	207	357	170	527	485	249	734

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table D.9: Percentage Distribution of Respondents by Opinions on Adjudication by VC

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
VC is Active?																
1	Yes	17.9	9.6	13.8	47.7	38.5	42.9	28.8	20.7	24.7	37.0	24.8	30.9	35.8	24.1	29.9
2	No	62.4	66.4	64.4	34.7	43.1	39.1	52.2	57.5	54.9	51.2	57.9	54.6	51.4	57.9	54.6
98	Don't know	19.8	24.0	21.9	17.7	18.4	18.1	19.0	21.9	20.4	11.8	17.3	14.6	12.9	18.0	15.5
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016
People usually Go to VC?																
1	Yes	67.4	6.1	9.1	37.9	27.8	32.6	21.5	14.4	17.9	28.2	17.3	22.7	76.1	69.8	73.5
2	No	31.4	3.1	4.4	8.7	9.4	9.0	6.7	5.5	6.1	7.3	6.1	6.7	20.1	24.9	22.1
98	Don't know	0.0	0.4	0.2	0.4	1.3	0.9	0.1	0.8	0.5	1.1	0.9	1.0	2.6	3.7	3.0
99	Refused	1.2	90.4	86.4	53.1	61.5	57.5	71.6	79.3	75.5	63.4	75.7	69.6	1.2	1.6	1.3
Number		86	479	960	277	299	576	758	778	1536	4209	4271	8480	1777	1219	2996
Advantages of VC																
1	Can get fair Justice	31.0	24.1	28.7	26.7	34.9	30.3	28.2	32.1	29.8	30.0	31.0	30.4	29.8	31.1	30.3
2	Free from Hassel	10.3	17.2	12.6	8.6	4.8	6.9	9.2	8.0	8.7	8.3	6.2	7.5	8.4	6.5	7.7
3	Need a few time	24.1	24.1	24.1	21.0	22.9	21.8	22.1	23.2	22.5	19.8	19.5	19.7	20.0	20.0	20.0
4	No expenses	12.1	0.0	8.0	1.0	1.2	1.1	4.9	0.9	3.3	10.3	7.4	9.2	9.6	6.6	8.4
5	Can get Justice at a low cost	39.7	17.2	32.2	45.7	34.9	41.0	43.6	30.4	38.2	30.1	28.8	29.6	31.7	29.0	30.7
6	Can solve easily	19.0	31.0	23.0	23.8	26.5	25.0	22.1	27.7	24.4	24.0	24.6	24.2	23.7	25.0	24.2
7	Not needed to go to Thana/Court	3.4	6.9	4.6	8.6	6.0	7.4	6.7	6.3	6.5	4.5	4.2	4.4	4.8	4.5	4.7
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Number		58	29	87	105	83	188	163	112	275	1189	739	1928	1352	851	2203
Disadvantages of VC																
1	Biasedness/Nepotism	29.3	41.4	33.3	21.9	34.9	27.7	24.5	36.6	29.5	38.4	33.4	36.5	36.7	33.8	35.6
2	No disadvantage	12.1	17.2	13.8	6.7	9.6	8.0	8.6	11.6	9.8	18.4	17.6	18.1	17.2	16.8	17.1
3	Need money	10.3	6.9	9.2	11.4	8.4	10.1	11.0	8.0	9.8	10.4	11.0	10.6	10.5	10.6	10.5
4	Problem arises by Chairman and Member	0.0	0.0	0.0	1.0	0.0	0.5	0.6	0.0	0.4	2.9	3.4	3.1	2.7	2.9	2.8
5	Need to extend the activities of court	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.7	0.8	0.8	0.6	0.7
6	Most of the time one group did not attend	5.2	0.0	3.4	5.7	3.6	4.8	5.5	2.7	4.4	1.2	0.9	1.1	1.7	1.2	1.5
7	Excessive time/expensive	15.5	13.8	14.9	4.8	4.8	4.8	8.6	7.1	8.0	3.4	3.9	3.6	4.1	4.3	4.2
8	Village court not arranged weekly	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.5	0.5	0.4	0.5	0.5
9	Not ensured of fair judgement	20.7	13.8	18.4	34.3	30.1	32.4	29.4	25.9	28.0	19.4	19.5	19.5	20.6	20.3	20.5
10	Political harrassment	8.6	6.9	8.0	10.5	4.8	8.0	9.8	5.4	8.0	4.8	4.2	4.6	5.4	4.3	5.0
98	Don't know	5.2	0.0	3.4	1.0	0.0	0.5	2.5	0.0	1.5	0.5	0.1	0.4	6.7	8.3	7.3
Number		58	29	87	105	83	188	163	112	275	1189	739	1928	1352	851	2203

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D. 10: Percentage Distribution of the Respondents by Opinions about why people do not go to Village court and how to motivate them to go to Village Court**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Why (Do not go to VC)																
1	No fair justice	41.7	46.2	43.2	57.1	58.3	57.8	48.9	54.1	51.2	47.2	50.6	48.8	55.6	63.2	59.1
2	Because of political pressure	8.3	7.7	8.1	4.8	0.0	2.2	6.7	2.7	4.9	10.1	7.9	9.1	11.5	9.2	10.4
3	Lack of neutrality	29.2	23.1	27.0	9.5	12.5	11.1	20.0	16.2	18.3	15.7	16.5	16.1	19.0	20.4	19.6
4	Take bribe	16.7	23.1	18.9	33.3	12.5	22.2	24.4	16.2	20.7	10.1	7.6	9.0	13.7	10.5	12.2
5	Because of prestige loss	20.8	0.0	13.5	4.8	16.7	11.1	13.3	10.8	12.2	2.4	1.2	1.8	4.2	2.6	3.5
6	Because of imposing fine	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.9	0.6	1.3	2.0	0.7	1.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.7	19.4	17.5	16.5	21.7	18.9
Number		24	13	37	21	24	45	45	37	82	375	340	715	358	304	662
Ways to Make people to go to VC																
1	Should ensure a fair justice	44.0	46.2	44.7	73.7	41.7	55.8	56.8	43.2	50.6	44.2	42.0	43.1	42.7	38.2	40.6
2	Need to avoid discrimination	24.0	15.4	21.1	5.3	4.2	4.7	15.9	8.1	12.3	13.6	8.7	11.3	12.3	8.9	10.7
3	Should take awareness building activities on village court	24.0	15.4	21.1	15.8	45.8	32.6	20.5	35.1	27.2	14.4	15.0	14.7	10.9	14.1	12.4
4	Should be free from political influence	4.0	7.7	5.3	0.0	4.2	2.3	2.3	5.4	3.7	7.2	7.5	7.4	6.7	6.6	6.6
5	Need to increase the power of member of village court	0.0	15.4	5.3	10.5	8.3	9.3	4.5	10.8	7.4	1.4	0.9	1.2	2.0	2.3	2.1
6	Should ensure transparency and accountability of the village court members	4.0	0.0	2.6	0.0	4.2	2.3	2.3	2.7	2.5	2.5	4.5	3.5	2.5	4.6	3.5
7	Should ensure the administrative interference	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.9	2.4	3.2	2.5	2.3	2.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	16.1	21.0	18.5	23.7	26.3	24.9
Number		25	13	38	19	24	43	44	37	81	360	333	693	358	304	662
Disadvantages of Formal Court																
1	Need more money	2.7	1.7	2.2	16.6	9.4	12.8	7.8	4.6	6.2	30.8	25.1	27.9	27.3	21.9	24.6
2	Traveling problem	1.5	0.2	0.8	3.2	1.7	2.4	2.1	0.8	1.4	6.5	5.9	6.2	5.8	5.1	5.5
3	Discrimination	2.9	1.7	2.3	6.1	5.7	5.9	4.1	3.2	3.6	3.7	2.9	3.3	3.7	2.9	3.3
4	Unnecessary Hassel	3.3	1.0	2.2	3.6	1.7	2.6	3.4	1.3	2.3	8.5	7.8	8.2	7.8	6.8	7.3
5	Need much time	7.5	2.9	5.2	7.6	2.3	4.9	7.5	2.7	5.1	16.9	13.4	15.1	15.5	11.7	13.6
6	Not able to apply in written	0.4	0.8	0.6	6.1	4.3	5.2	2.5	2.2	2.3	0.6	0.6	0.6	0.9	0.8	0.8
7	Not easy to get proper justice	2.5	1.7	2.1	2.5	2.3	2.4	2.5	1.9	2.2	2.1	1.7	1.9	2.2	1.8	2.0
8	Political pressure	1.2	0.0	0.6	4.7	4.0	4.3	2.5	1.5	2.0	1.7	1.0	1.3	1.8	1.1	1.4
9	Administrative problem	0.2	0.0	0.1	1.1	0.7	0.9	0.5	0.3	0.4	0.8	0.7	0.8	0.8	0.7	0.7
10	Do not maintain the proper enquiry	0.4	0.2	0.3	0.7	2.0	1.4	0.5	0.9	0.7	0.3	0.2	0.2	0.4	0.3	0.3
11	Lack of awareness	0.8	0.2	0.5	1.8	3.0	2.4	1.2	1.3	1.2	0.2	0.1	0.1	0.3	0.3	0.3
12	Take bribe/Judgement depends on money	0.0	0.0	0.0	1.8	0.0	0.9	0.7	0.0	0.3	1.2	1.0	1.1	1.1	0.8	1.0
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.1	0.1
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation. ....

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total			
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	
Advantages of Formal Court																	
1	Fair justice		7.3	2.9	5.1	16.2	9.4	12.7	10.6	5.4	7.9	35.7	31.5	33.5	31.8	27.5	29.6
2	Less discrimination		0.8	2.3	1.6	5.1	2.0	3.5	2.4	2.2	2.3	2.9	1.6	2.2	2.8	1.7	2.2
3	Swift judgement		3.3	1.0	2.2	11.9	14.0	13.0	6.5	6.0	6.3	5.0	3.9	4.4	5.2	4.2	4.7
4	No bribe		0.4	0.2	0.3	1.1	1.7	1.4	0.7	0.8	0.7	1.1	0.9	1.0	1.1	0.9	1.0
5	Judgement occur by written application		6.9	1.7	4.3	2.2	1.3	1.7	5.1	1.5	3.3	1.3	1.1	1.2	1.9	1.2	1.5
6	Judgement delivered by proper enquiry		1.0	0.4	0.7	2.5	1.7	2.1	1.6	0.9	1.2	3.3	2.4	2.8	3.0	2.2	2.6
7	Less expense		3.5	0.8	2.2	11.2	7.7	9.4	6.3	3.5	4.9	3.2	2.4	2.8	3.7	2.6	3.1
8	Court Facility		0.2	0.0	0.1	2.5	1.7	2.1	1.1	0.6	0.8	1.6	1.2	1.4	1.5	1.1	1.3
9	No corruption		0.4	0.4	0.4	2.2	0.7	1.4	1.1	0.5	0.8	0.6	0.7	0.7	0.7	0.7	0.7
10	No Hassel		0.2	0.0	0.1	0.4	0.3	0.3	0.3	0.1	0.2	0.4	0.5	0.5	0.4	0.5	0.4
11	No advantages		0.2	0.0	0.1	1.4	0.0	0.7	0.7	0.0	0.3	1.1	0.3	0.7	1.0	0.3	0.6
98	Don't know		0.0	0.0	0.0	0.4	0.0	0.2	0.1	0.0	0.1	0.1	0.0	0.1	0.1	0.0	0.1
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016	

**Disadvantages of Informal Court**

1	Shalishdar's are taking bribe	14.3	12.9	13.6	14.1	11.4	12.7	14.2	12.3	13.3	14.4	14.8	14.6	14.4	14.4	14.4
2	Don't maintain proper judgement	24.9	28.2	26.6	22.4	32.4	27.6	24.0	29.8	27.0	23.6	24.8	24.2	23.6	25.5	24.6
3	Misuse of power	8.1	7.3	7.7	8.3	5.7	6.9	8.2	6.7	7.4	19.6	18.5	19.0	17.8	16.7	17.3
4	Excessive fine	1.2	0.4	0.8	1.1	1.0	1.0	1.2	0.6	0.9	3.1	2.8	2.9	2.8	2.5	2.6
5	Verdict not implemented	3.1	4.6	3.9	8.7	10.4	9.5	5.1	6.8	6.0	2.9	3.6	3.2	3.3	4.1	3.7
6	Lack of impartiality	23.7	26.1	24.9	14.1	13.0	13.5	20.2	21.1	20.6	24.7	22.5	23.6	24.0	22.3	23.2
7	No problem	22.0	18.0	20.0	16.2	15.1	15.6	19.9	16.8	18.4	10.0	10.1	10.1	11.5	11.2	11.3
8	Written document not maintained	1.0	2.3	1.7	0.4	1.0	0.7	0.8	1.8	1.3	1.4	1.2	1.3	1.3	1.3	1.3
9	All problems are not solved	2.9	1.3	2.1	2.5	2.3	2.4	2.8	1.7	2.2	1.5	1.5	1.5	1.7	1.5	1.6
10	Take too much time	2.1	1.0	1.6	1.1	1.0	1.0	1.7	1.0	1.4	3.3	3.4	3.3	3.0	3.0	3.0
11	Insufficient educated people	2.5	1.9	2.2	0.4	1.0	0.7	1.7	1.5	1.6	1.2	1.0	1.1	1.3	1.0	1.2
98	Don't know	0.0	0.2	0.1	1.4	1.7	1.6	0.5	0.8	0.7	0.8	0.9	0.8	0.8	0.9	0.8
<b>Number</b>		<b>481</b>	<b>479</b>	<b>960</b>	<b>277</b>	<b>299</b>	<b>576</b>	<b>758</b>	<b>778</b>	<b>1536</b>	<b>4209</b>	<b>4271</b>	<b>8480</b>	<b>4967</b>	<b>5049</b>	<b>10016</b>

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation....

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Advantages of Informal Court																
1	Shalishdar's are available	5.6	5.4	5.5	7.9	6.4	7.1	6.5	5.8	6.1	3.9	4.3	4.1	4.3	4.6	4.4
2	Getting swift justice	30.4	31.5	30.9	35.7	38.5	37.2	32.3	34.2	33.3	31.7	31.1	31.4	31.8	31.6	31.7
3	Brings peace for the village	1.9	1.3	1.6	0.7	1.0	0.9	1.5	1.2	1.3	3.1	2.6	2.8	2.8	2.3	2.6
4	Less expense	13.7	11.9	12.8	19.9	21.4	20.7	16.0	15.6	15.8	29.2	26.7	27.9	27.2	25.0	26.1
5	Less Hassel	9.1	10.2	9.7	10.1	9.0	9.5	9.5	9.8	9.6	6.7	6.9	6.8	7.1	7.3	7.2
6	No need to go to court	1.7	3.3	2.5	9.4	8.0	8.7	4.5	5.1	4.8	4.5	4.2	4.4	4.5	4.4	4.4
7	Advantage of communication	4.4	2.9	3.6	4.3	3.7	4.0	4.4	3.2	3.8	4.3	4.4	4.4	4.3	4.2	4.3
8	Not that much of advantages	4.0	3.1	3.5	1.1	1.3	1.2	2.9	2.4	2.7	3.8	3.3	3.5	3.6	3.1	3.4
9	Problem resolved by fair judgement	5.4	4.6	5.0	6.1	8.4	7.3	5.7	6.0	5.9	1.8	2.5	2.1	2.4	3.0	2.7
10	Decision is being taken easily	1.0	0.8	0.9	0.0	0.0	0.0	0.7	0.5	0.6	0.6	0.6	0.6	0.6	0.6	0.6
11	Fair Judgement	24.5	25.7	25.1	8.3	10.0	9.2	18.6	19.7	19.1	15.8	15.7	15.7	16.2	16.3	16.3
12	Less discrimination	0.6	0.8	0.7	0.7	0.0	0.3	0.7	0.5	0.6	0.2	0.2	0.2	0.3	0.3	0.3
98	Don't Know	0.4	0.2	0.3	0.4	1.3	0.9	0.4	0.6	0.5	0.5	0.7	0.6	0.5	0.7	0.6
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Table D.11: Percentage Distribution of Respondents by Opinions about Legal Aid and Counselling

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Any Place/Organization Providing Legal Aid & Counselling																
1	Yes	26.4	21.7	24.1	36.8	26.1	31.3	30.2	23.4	26.8	19.9	15.3	17.6	21.5	16.6	19.0
2	No	53.4	59.7	56.6	43.3	52.2	47.9	49.7	56.8	53.3	68.5	68.5	68.5	65.6	66.7	66.2
98	Don't know	20.2	17.7	19.0	19.9	21.7	20.8	20.1	19.3	19.7	10.5	14.8	12.6	11.9	15.5	13.7
99	Refused	0.0	0.8	0.4	0.0	0.0	0.0	0.0	0.5	0.3	1.1	1.4	1.3	1.0	1.2	1.1
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

Source: Village Courts in Bangladesh Baseline Survey, 2009

Continuation....

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Name of Person/Organization Providing Legal Aid & Counselling																
1	Teacher/Imam	11.0	14.4	12.6	2.0	0.0	1.1	7.0	8.2	7.5	13.6	13.3	13.5	12.2	12.2	12.2
2	School/Madrasa	0.0	0.0	0.0	2.0	6.4	3.9	0.9	2.7	1.7	4.7	4.7	4.7	3.8	4.3	4.0
3	Village Chief	15.0	5.8	10.8	2.9	3.8	3.3	9.6	4.9	7.5	7.8	8.5	8.1	8.2	7.8	8.0
4	BRAC	21.3	23.1	22.1	2.9	5.1	3.9	13.1	15.4	14.1	30.0	28.9	29.5	26.3	25.9	26.2
5	ASA	0.8	1.9	1.3	0.0	0.0	0.0	0.4	1.1	0.7	12.2	11.1	11.7	9.7	9.0	9.3
6	Member/Chairman	43.3	42.3	42.9	21.6	14.1	18.3	33.6	30.2	32.1	17.2	18.3	17.7	20.7	20.9	20.8
7	Social worker/Human Rights Organization	14.2	9.6	12.1	5.9	5.1	5.6	10.5	7.7	9.2	7.2	9.3	8.1	7.9	9.0	8.4
8	Local govt. (village govt.)	0.8	1.0	0.9	0.0	0.0	0.0	0.4	0.5	0.5	0.5	0.6	0.5	0.5	0.6	0.5
9	Proshika	0.8	0.0	0.4	0.0	0.0	0.0	0.4	0.0	0.2	3.9	3.1	3.5	3.2	2.4	2.8
10	VDP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.4	1.2	1.3	1.1	1.0	1.1
11	Legal Aid	5.5	5.8	5.6	60.8	60.3	60.6	30.1	29.1	29.7	2.9	2.0	2.5	8.7	7.9	8.4
12	Grameen Bank	0.0	1.0	0.4	1.0	0.0	0.6	0.4	0.5	0.5	2.1	2.0	2.1	1.8	1.7	1.7
13	Commissioner/Administration	3.1	3.8	3.5	0.0	2.6	1.1	1.7	3.3	2.4	0.7	0.2	0.5	0.9	0.8	0.9
14	Club/Co-operative society	2.4	3.8	3.0	1.0	0.0	0.6	1.7	2.2	1.9	5.4	4.9	5.2	4.6	4.3	4.5
15	Political leaders	0.8	2.9	1.7	0.0	3.8	1.7	0.4	3.3	1.7	1.4	2.7	2.0	1.2	2.9	1.9
16	Lawyer	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	0.8	0.9	0.8	0.6	0.7
17	VARC	0.0	1.0	0.4	0.0	0.0	0.0	0.0	0.5	0.2	0.1	0.0	0.1	0.1	0.1	0.1
18	RDRS	0.0	1.0	0.4	0.0	0.0	0.0	0.0	0.5	0.2	1.1	0.8	0.9	0.8	0.7	0.8
19	SKEYS	1.6	0.0	0.9	0.0	0.0	0.0	0.9	0.0	0.5	1.0	1.1	1.0	0.9	0.8	0.9
98	Don't know	0.0	0.0	0.0	1.0	0.0	0.6	0.4	0.0	0.2	0.0	0.3	0.1	0.1	0.2	0.2
99	Refused	0.0	1.0	0.4	0.0	0.0	0.0	0.0	0.5	0.2	2.0	1.8	1.9	7.9	5.5	6.8
	Number	127	104	231	102	78	180	229	182	411	838	655	1493	1067	837	1904

**Whether People Need Legal Aid & Counselling**

1	Yes	38.3	36.1	37.2	48.4	44.1	46.2	42.0	39.2	40.6	42.9	41.2	42.1	42.8	40.9	41.8
2	No	16.6	11.3	14.0	21.3	31.1	26.4	18.3	18.9	18.6	22.3	17.6	19.9	21.7	17.8	19.7
98	Don't know	27.7	34.7	31.1	26.0	21.7	23.8	27.0	29.7	28.4	22.8	28.1	25.5	23.4	28.4	25.9
99	Refused	17.5	18.0	17.7	4.3	3.0	3.6	12.7	12.2	12.4	12.0	13.1	12.5	12.1	12.9	12.5
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

**Types of Legal Aid and Counselling Require**

1	Need to build awareness	30.4	32.9	31.7	26.1	18.9	22.6	28.6	26.9	27.8	20.4	21.9	21.1	21.6	22.6	22.1
2	Fair judgement	4.3	8.7	6.4	6.0	4.5	5.3	5.0	6.9	5.9	10.5	9.3	9.9	9.7	8.9	9.3
3	Legal suggestion	21.7	13.9	17.9	6.7	3.0	4.9	15.4	9.2	12.4	7.6	6.6	7.1	8.8	7.0	7.9
4	Suggestions for the village people	12.0	13.9	12.9	6.0	0.8	3.4	9.4	8.2	8.8	16.3	16.0	16.1	15.2	14.8	15.0
5	Legal Aid	27.2	20.8	24.1	45.5	64.4	54.9	34.9	39.7	37.2	36.4	36.0	36.2	36.2	36.5	36.4
6	Child marriage	0.5	0.6	0.6	1.5	0.0	0.8	0.9	0.3	0.6	0.6	1.1	0.8	0.7	1.0	0.8
7	Women Trafficking	2.7	2.3	2.5	4.5	1.5	3.0	3.5	2.0	2.7	0.7	1.6	1.1	1.1	1.7	1.4
98	Don't know	0.5	5.2	2.8	4.5	2.3	3.4	2.2	3.9	3.0	2.8	3.2	3.0	2.7	3.3	3.0
99	Refused	0.0	1.2	0.6	0.0	4.5	2.3	0.0	2.6	1.3	3.6	2.3	2.9	3.1	2.3	2.7
Number		184	173	357	134	132	266	318	305	623	1807	1761	3568	2125	2066	4191

Source: Village Courts in Bangladesh Baseline Survey, 2009



## Enforcement and Oversight by VC

Table D.12: Percentage Distribution of Respondents by Opinions about Enforcement and Oversight by VC

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
VC is Able to Enforce Decision?																
1	Yes	49.6	66.7	54.7	81.7	89.2	84.8	65.3	80.6	70.8	81.6	74.3	79.0	79.0	75.3	77.7
2	No	9.9	3.9	8.1	10.4	7.2	9.1	10.2	6.0	8.6	7.5	7.5	7.5	7.9	7.3	7.7
98	Don't know	39.7	29.4	36.6	7.8	3.6	6.1	24.2	13.4	20.3	9.0	14.7	11.0	11.4	14.5	12.5
99	Refused	0.8	0.0	0.6	0.0	0.0	0.0	0.4	0.0	0.3	1.9	3.5	2.5	1.7	2.9	2.1
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

## Reasons (Why VC is not able to Enforce its Decision?)

1	Both party do not agree with the decision	16.7	0.0	14.3	41.7	50.0	44.4	29.2	37.5	31.3	24.0	9.6	18.9	25.0	13.3	21.1
2	No fair justice	41.7	50.0	42.9	16.7	16.7	16.7	29.2	25.0	28.1	37.5	38.5	37.8	35.8	36.7	36.1
3	Biasedness/Conspiracy	0.0	0.0	0.0	16.7	0.0	11.1	8.3	0.0	6.3	2.1	1.9	2.0	3.3	1.7	2.8
4	Administrative power is not strong	8.3	0.0	7.1	16.7	0.0	11.1	12.5	0.0	9.4	25.0	32.7	27.7	22.5	28.3	24.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Number</b>		<b>12</b>	<b>2</b>	<b>14</b>	<b>12</b>	<b>6</b>	<b>18</b>	<b>24</b>	<b>8</b>	<b>32</b>	<b>96</b>	<b>52</b>	<b>148</b>	<b>120</b>	<b>60</b>	<b>180</b>

## Opinions about How to Enforce the Village Court's Decision

1	Should accept the verdict/judgement	4.1	7.8	5.2	0.9	3.6	2.0	2.5	5.2	3.5	5.8	7.6	6.5	5.3	7.3	6.0
2	Should ensure proper judgement	5.0	15.7	8.1	43.5	36.1	40.4	23.7	28.4	25.4	22.9	19.3	21.7	23.1	20.8	22.3
3	Elect honest people as a Chairman and Member	0.8	2.0	1.2	7.0	4.8	6.1	3.8	3.7	3.8	5.0	6.1	5.4	4.8	5.7	5.1
4	Need everybody's participation	0.0	0.0	0.0	3.5	2.4	3.0	1.7	1.5	1.6	5.4	5.6	5.5	4.8	5.0	4.9
5	Sensitize the people about village court	3.3	9.8	5.2	12.2	9.6	11.1	7.6	9.7	8.4	9.4	8.5	9.1	9.1	8.7	9.0
6	Need to stop grouping and nepotism	2.5	7.8	4.1	0.9	4.8	2.5	1.7	6.0	3.2	5.3	3.3	4.6	4.7	3.7	4.4
7	Need administrative interference	24.0	11.8	20.3	4.3	1.2	3.0	14.4	5.2	11.1	3.7	1.6	3.0	5.4	2.2	4.3
8	Need to increase the activities of judgement	2.5	0.0	1.7	1.7	2.4	2.0	2.1	1.5	1.9	2.5	2.3	2.4	2.4	2.2	2.3
9	Form Committee/Board	3.3	2.0	2.9	1.7	2.4	2.0	2.5	2.2	2.4	4.7	4.6	4.6	4.3	4.2	4.3
10	Need to stop taking bribe	52.1	0.0	36.6	6.1	0.0	3.5	29.7	0.0	18.9	-3.7	2.0	-1.7	1.4	1.7	1.5
99	Refused	0.0	2.0	0.6	0.0	1.2	0.5	0.0	1.5	0.5	14.3	12.1	13.5	12.1	10.4	11.5
<b>Number</b>		<b>121</b>	<b>51</b>	<b>172</b>	<b>115</b>	<b>83</b>	<b>198</b>	<b>236</b>	<b>134</b>	<b>370</b>	<b>1286</b>	<b>693</b>	<b>1979</b>	<b>1522</b>	<b>827</b>	<b>2349</b>

Source: Village Courts in Bangladesh Baseline Survey, 2009

## Attitude and Perception about VC

Table D.13: Percentage distribution of Respondents Attitude and Perceptions about VC

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Any Crime Faced (Personally)?																
1	Yes	15.6	10.0	12.8	31.0	31.1	31.1	21.2	18.1	19.7	22.7	14.7	18.7	22.4	15.3	18.8
2	No	83.4	88.7	86.0	67.5	68.2	67.9	77.6	80.8	79.2	76.3	84.0	80.2	76.5	83.5	80.0
98	Don't know	0.2	0.6	0.4	0.0	0.0	0.0	0.1	0.4	0.3	0.3	0.5	0.4	0.3	0.5	0.4
99	Refused	0.8	0.6	0.7	1.4	0.7	1.0	1.1	0.6	0.8	0.7	0.7	0.7	0.8	0.7	0.7
Number		481	479	960	277	299	576	758	778	1536	4209	4271	8480	4967	5049	10016

## Types of Crimes Faced

1	Quarrel between Husband and Wife	0.0	2.1	0.8	5.8	5.4	5.6	3.1	4.3	3.6	4.8	8.9	6.4	4.6	8.1	6.0
2	Divorce related	1.3	2.1	1.6	0.0	1.1	0.6	0.6	1.4	1.0	2.9	1.7	2.5	2.6	1.7	2.2
3	Family confliction	5.3	12.5	8.1	15.1	19.4	17.3	10.6	17.0	13.6	14.8	21.8	17.6	14.2	20.9	16.9
4	Land related	44.0	39.6	42.3	50.0	40.9	45.3	47.2	40.4	44.0	46.3	36.9	42.6	46.5	37.5	42.8
5	Women violence/dowry	8.0	4.2	6.5	4.7	2.2	3.4	6.2	2.8	4.6	4.5	4.9	4.7	4.8	4.5	4.7
6	False case	10.7	6.3	8.9	2.3	0.0	1.1	6.2	2.1	4.3	2.3	1.7	2.1	2.9	1.8	2.4
7	Murder	1.3	8.3	4.1	0.0	0.0	0.0	0.6	2.8	1.7	0.9	-0.3	0.4	0.9	0.3	0.6
8	Hijacking/Theft	5.3	25.0	13.0	0.0	16.1	8.4	2.5	19.1	10.3	4.3	1.4	3.2	4.0	4.7	4.3
9	Quarrel with friends	1.3	0.0	0.8	0.0	5.4	2.8	0.6	3.5	2.0	0.9	0.0	0.6	0.9	0.6	0.8
10	Quarrel with Neighbors	17.3	0.0	10.6	4.7	3.2	3.9	10.6	2.1	6.6	5.3	10.2	7.3	6.1	8.7	7.2
11	Cattle related	0.0	2.1	0.8	3.5	0.0	1.7	1.9	0.7	1.3	2.9	2.2	2.7	2.8	1.9	2.4
12	Monetary related	4.0	0.0	2.4	8.1	1.1	4.5	6.2	0.7	3.6	3.4	2.9	3.2	3.8	2.5	3.2
13	Anti party political harrassment	4.0	0.0	2.4	0.0	0.0	0.0	1.9	0.0	1.0	1.2	0.8	1.0	1.3	0.6	1.0
14	Crops related quarrel	0.0	0.0	0.0	2.3	0.0	1.1	1.2	0.0	0.7	1.0	1.0	1.0	1.1	0.8	1.0
99	Refused	4.0	0.0	2.4	1.2	0.0	0.6	2.5	0.0	1.3	1.8	3.2	2.3	6.1	7.4	6.6
Number		75	48	123	86	93	179	161	141	302	954	629	1583	1115	770	1885

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D. 14: Percentage Distribution of Respondents by Experiences with Village Court**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Approached VC																
1	Yes	15.7	10.6	13.7	19.0	13.2	16.0	17.5	12.3	15.1	26.3	17.3	22.7	46.4	41.8	45.0
2	No	84.3	89.4	86.3	81.0	86.8	84.0	82.5	87.7	84.9	73.5	82.3	77.0	53.6	58.2	55.0
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.5	0.3	0.0	0.0	0.0
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349
Types of Disputes																
1	Women violence	9.1	0.0	6.3	12.5	8.3	10.7	11.1	5.9	9.1	13.6	16.8	14.6	11.1	14.1	12.0
2	Land related problem	63.6	80.0	68.8	81.3	75.0	78.6	74.1	76.5	75.0	52.7	37.4	48.0	58.9	45.1	55.0
3	Tree related problem	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.6	1.9	1.7	2.2	1.4	2.0
4	Family problem	0.0	0.0	0.0	0.0	8.3	3.6	0.0	5.9	2.3	7.0	13.1	8.9	5.6	11.3	7.2
5	Divorce related	9.1	0.0	6.3	0.0	0.0	0.0	3.7	0.0	2.3	3.3	7.5	4.6	2.8	2.8	2.8
6	Animal related problem	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.5	1.9	2.3	1.7	4.2	2.4
7	Child violence	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.9	0.6	0.0	0.0	0.0
8	Loan related	0.0	0.0	0.0	0.0	8.3	3.6	0.0	5.9	2.3	2.1	2.8	2.3	1.7	1.4	1.6
9	Stealing/Hijacking/Robbery	9.1	20.0	12.5	0.0	0.0	0.0	3.7	5.9	4.5	7.4	10.3	8.3	8.9	11.3	9.6
10	Fighting/Quarrel	9.1	0.0	6.3	0.0	0.0	0.0	3.7	0.0	2.3	5.3	4.7	5.1	3.9	4.2	4.0
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.3	5.0	4.2	4.8
Number		11	5	16	16	12	28	27	17	44	153	27	180	180	71	251
VC Decision is Fair or Unfair																
1	Yes (Fair)	81.8	60.0	75.0	76.5	78.6	77.4	78.6	73.7	76.6	63.4	63.4	63.4	74.1	72.5	73.7
2	No (Unfair)	18.2	40.0	25.0	23.5	21.4	22.6	21.4	26.3	23.4	36.6	36.6	36.6	25.9	27.5	26.3
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Number		11	5	16	17	14	31	28	19	47	146	22	168	174	69	243
Reasons for Fair Decisions																
1	Cooperation from Chairman	0.0	33.3	8.3	38.5	36.4	37.5	22.7	35.7	27.8	28.9	13.0	24.1	28.2	16.9	24.6
2	Receiving damage	11.1	0.0	8.3	7.7	18.2	12.5	9.1	14.3	11.1	10.7	10.1	10.5	10.5	10.8	10.6
3	Got fair judgement	77.8	66.7	75.0	38.5	36.4	37.5	54.5	42.9	50.0	45.3	55.1	48.2	46.4	53.0	48.5
4	Cooperation from political leaders	11.1	0.0	8.3	0.0	0.0	0.0	4.5	0.0	2.8	0.0	2.9	0.9	0.6	2.4	1.1
5	Cooperation from honorable people	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.8	5.8	4.4	3.3	4.8	3.8
99	Refused	0.0	0.0	0.0	0.0	9.1	4.2	0.0	7.1	2.8	1.9	4.3	2.6	1.7	4.8	2.7
Number		9	3	12	13	11	24	22	14	36	159	69	228	181	83	264
Reasons for Unfair Decisions																
1	Because of money or bribe	33.3	33.3	33.3	25.0	25.0	25.0	28.6	28.6	28.6	14.3	11.8	13.5	15.5	14.6	15.2
2	Because of partiality of the VC	33.3	33.3	33.3	25.0	25.0	25.0	28.6	28.6	28.6	68.8	64.7	67.6	65.5	58.5	63.2
3	Because of insufficient money	33.3	33.3	33.3	50.0	50.0	50.0	42.9	42.9	42.9	11.7	17.6	13.5	14.3	22.0	16.8
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	7.8	5.9	7.2	7.1	4.9	6.4
Number		9	3	6	4	4	8	7	7	14	38	12	50	45	19	64

Source: Village Courts in Bangladesh Baseline Survey, 2009

Table D. 15: Percentage Distribution of Respondents level of Satisfaction with VC

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Feelings about Getting Justice																
1	Very Happy	77.8	75.0	76.9	60.0	60.0	60.0	66.7	64.3	65.8	33.3	35.2	33.9	33.3	33.8	33.5
2	Happy	11.1	0.0	7.7	33.3	30.0	32.0	25.0	21.4	23.7	39.7	36.4	38.7	31.7	32.4	31.9
3	Neutral	11.1	25.0	15.4	6.7	10.0	8.0	8.3	14.3	10.5	0.5	0.0	0.3	0.6	1.4	0.8
4	Unhappy	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	20.1	20.5	20.2	14.4	11.3	13.5
5	Very Unhappy	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.4	8.0	4.8	1.7	4.2	2.4
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	1.4	0.0	0.0	0.0
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.7	18.3	18.3	18.3
Number		9	4	13	15	10	25	24	14	38	156	57	213	180	71	251

**Any Relatives Approached to VC for Justice?**

1	Yes	48.8	56.9	51.2	60.0	69.9	64.1	54.2	64.9	58.1	42.1	38.7	40.9	44.0	42.9	43.6
2	No	36.4	31.4	34.9	33.0	24.1	29.3	34.7	26.9	31.9	51.8	52.4	52.0	49.1	48.2	48.8
98	Don't know	14.9	11.8	14.0	7.0	6.0	6.6	11.0	8.2	10.0	4.8	7.4	5.7	5.8	7.5	6.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	1.6	1.4	1.1	1.3	1.1
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

**Received Fair/Unfair Justice**

1	Yes	89.8	96.6	92.0	89.9	89.7	89.8	89.8	92.0	90.7	79.7	79.1	79.5	81.6	82.3	81.9
2	No	1.7	3.4	2.3	4.3	6.9	5.5	3.1	5.7	4.2	16.6	17.2	16.8	14.0	14.4	14.1
98	Don't know	5.1	0.0	3.4	2.9	0.0	1.6	3.9	0.0	2.3	1.1	0.7	1.0	1.6	0.6	1.3
99	Refused	3.4	0.0	2.3	2.9	3.4	3.1	3.1	2.3	2.8	2.6	3.0	2.7	2.7	2.8	2.7
Number		59	29	88	69	58	127	128	87	215	542	268	810	670	355	1025

**Reasons of Injustice**

1	Lack of honesty	0.0	0.0	0.0	0.0	50.0	28.6	0.0	40.0	22.2	13.3	0.0	8.8	12.8	3.9	9.7
2	Because of money	0.0	100.0	50.0	0.0	100.0	57.1	0.0	100.0	55.6	3.3	2.2	2.9	3.2	11.8	6.2
3	Because of bribe	100.0	100.0	100.0	0.0	0.0	0.0	25.0	20.0	22.2	13.3	17.4	14.7	13.8	17.6	15.2
4	Politicization	0.0	0.0	0.0	33.3	25.0	28.6	25.0	20.0	22.2	22.2	23.9	22.8	22.3	23.5	22.8
5	Because of influential people	0.0	0.0	0.0	66.7	0.0	28.6	50.0	0.0	22.2	30.0	32.6	30.9	30.9	29.4	30.3
6	Because of revenge	100.0	0.0	50.0	0.0	0.0	0.0	25.0	0.0	11.1	0.0	2.2	0.7	1.1	2.0	1.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.2	8.7	11.0	21.3	17.6	20.0
Number		1	1	2	3	4	7	4	5	9	90	46	136	94	51	145

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D.16: Percentage Distribution of Respondents Perceptions on Usefulness of Village Court**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
VC Useful?																
1	Yes	95.9	92.2	94.8	98.3	95.2	97.0	97.0	94.0	95.9	97.5	95.1	96.7	97.4	94.9	96.6
2	No	1.7	0.0	1.2	0.9	1.2	1.0	1.3	0.7	1.1	1.2	2.6	1.7	1.2	2.3	1.6
98	Don't know	0.0	0.0	0.0	0.9	2.4	1.5	0.4	1.5	0.8	0.0	0.1	0.1	0.1	0.4	0.2
99	Refused	2.5	7.8	4.1	0.0	1.2	0.5	1.3	3.7	2.2	1.3	2.2	1.6	1.3	2.4	1.7
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

**Reasons (Usefulness)**

1	Less expensive	89.7	87.2	89.0	83.2	72.2	78.6	86.5	77.8	83.4	81.6	78.9	80.7	82.3	78.7	81.1
2	Easily approachable	77.6	72.3	76.1	65.5	49.4	58.9	71.6	57.9	66.8	70.6	70.3	70.5	70.7	68.3	69.9
3	Less formal	43.1	46.8	44.2	13.3	11.4	12.5	28.4	24.6	27.0	32.7	28.7	31.3	32.0	28.0	30.6
4	Speedy settlement of cases	68.1	68.1	68.1	60.2	58.2	59.4	64.2	61.9	63.4	67.1	61.6	65.2	66.6	61.7	64.9
5	Brings social peace and harmony	22.4	8.5	18.4	13.3	25.3	18.2	17.9	19.0	18.3	22.6	24.6	23.3	21.9	23.7	22.5
97	Others	0.9	4.3	1.8	1.8	1.3	1.6	1.3	2.4	1.7	3.1	1.1	2.4	2.8	1.3	2.3
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.1	0.7	0.9	0.8
Number		116	47	163	113	79	192	229	126	355	1254	659	1913	1483	785	2268

**Reasons (Others)**

1	Settlement of cases within locality	0.0	50.0	33.3	100.0	0.0	66.7	66.7	33.3	50.0	12.8	28.6	15.2	16.7	30.0	19.2
2	No need to go Thana	0.0	0.0	0.0	0.0	0.0	33.3	0.0	33.3	16.7	30.8	0.0	26.1	28.6	10.0	25.0
3	Get proper judgement	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	43.6	57.1	45.7	40.5	40.0	40.4
4	No harassment	100.0	50.0	66.7	0.0	0.0	0.0	33.3	33.3	33.3	12.8	14.3	13.0	14.3	20.0	15.4
Number		1	2	3	2	1	3	3	3	6	39	7	46	42	10	52

**Reasons (Not Useful)**

1	Because of partiality	66.7	0.0	66.7	0.0	0.0	0.0	50.0	0.0	40.0	63.6	75.0	70.4	60.0	70.6	65.6
2	Lack of honest man	0.0	0.0	0.0	100.0	100.0	100.0	25.0	0.0	40.0	9.1	6.3	7.4	13.3	11.8	12.5
3	More expenses	33.3	0.0	33.3	0.0	0.0	0.0	25.0	0.0	20.0	18.2	0.0	7.4	20.0	0.0	9.4
99	Refused	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.1	18.8	14.8	6.7	17.6	12.5
Number		3	0	3	1	1	2	4	1	5	11	16	27	15	17	32

Source: Village Courts in Bangladesh Baseline Survey, 2009

**Table D.17: Percentage Distribution of Respondents by Perceptions and Suggestions for Improvement of VC**

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
A. Offenses/Disputes to be Handled																
1	Land related confliction	45.5	45.1	45.3	43.5	39.8	41.9	44.5	41.8	43.5	32.9	29.3	31.6	34.7	31.3	33.5
2	Quarrel	49.6	62.7	53.5	46.1	61.4	52.5	47.9	61.9	53.0	35.1	39.0	36.5	37.1	42.7	39.1
3	Women violence	28.9	43.1	33.1	25.2	42.2	32.3	27.1	42.5	32.7	24.2	25.8	24.8	24.6	28.5	26.0
4	Stealing	33.9	37.3	34.9	41.7	51.8	46.0	37.7	46.3	40.8	45.6	49.4	46.9	44.4	48.9	46.0
5	Robbery	15.7	11.8	14.5	7.8	6.0	7.1	11.9	8.2	10.5	16.7	19.5	17.7	16.0	17.7	16.6
6	Killing/Case/False accusation	4.1	2.0	3.5	12.2	8.4	10.6	8.1	6.0	7.3	8.2	7.4	7.9	8.1	7.1	7.8
7	Divorce	7.4	5.9	7.0	7.8	3.6	6.1	7.6	4.5	6.5	5.4	5.2	5.3	5.7	5.1	5.5
8	Snatching/Hijacking	9.9	2.0	7.6	0.9	1.2	1.0	5.5	1.5	4.1	3.0	4.5	3.5	3.4	4.0	3.6
9	Criminal work	1.7	5.9	2.9	0.0	3.6	1.5	0.8	4.5	2.2	1.2	0.0	0.8	1.1	0.7	1.0
10	Child marriage	4.1	2.0	3.5	3.5	0.0	2.0	3.8	0.7	2.7	3.8	3.5	3.7	3.8	3.0	3.5
11	Female/Child trafficking	0.8	2.0	1.2	0.0	12.0	5.1	0.4	8.2	3.2	0.7	-0.9	0.2	0.7	0.6	0.6
12	Political revenge	0.0	0.0	0.0	1.7	0.0	1.0	0.8	0.0	0.5	0.3	0.6	0.4	0.4	0.5	0.4
98	Don't know	5.0	0.0	3.5	17.4	0.0	10.1	11.0	0.0	7.0	12.9	14.0	13.3	12.6	11.7	12.3

**B: Decision Making Process**

1	Decision should be taken after investigation	22.3	21.6	22.1	24.3	24.1	24.2	23.3	23.1	23.2	18.0	15.3	17.1	18.9	16.6	18.1
2	All concern's opinion should be taken in to account	20.7	13.7	18.6	9.6	15.7	12.1	15.3	14.9	15.1	27.1	22.7	25.6	25.3	21.4	23.9
3	Only Chairman's decision should not be finalized	2.5	0.0	1.7	17.4	18.1	17.7	9.7	11.2	10.3	4.0	4.3	4.1	4.9	5.4	5.1
4	Quick and proper decision should be taken	27.3	19.6	25.0	32.2	34.9	33.3	29.7	29.1	29.5	31.8	35.8	33.2	31.5	34.7	32.6
5	Decision should be finalized with the concern of respectful persons	5.0	11.8	7.0	7.8	10.8	9.1	6.4	11.2	8.1	2.1	1.7	2.0	2.8	3.3	2.9
6	It is better if the decision is made by representative of Admin	1.7	2.0	1.7	1.7	0.0	1.0	1.7	0.7	1.4	0.6	0.3	0.5	0.8	0.4	0.6
7	Decision should be made by forming a board	4.1	3.9	4.1	5.2	1.2	3.5	4.7	2.2	3.8	4.2	4.6	4.3	4.3	4.2	4.3
98	Don't know	0.0	0.0	0.0	0.0	1.2	0.5	0.0	0.7	0.3	2.2	1.6	2.0	1.8	1.5	1.7
<b>Number</b>		<b>121</b>	<b>51</b>	<b>172</b>	<b>115</b>	<b>83</b>	<b>198</b>	<b>236</b>	<b>134</b>	<b>370</b>	<b>1286</b>	<b>693</b>	<b>1979</b>	<b>1522</b>	<b>827</b>	<b>2349</b>

Continuation....

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total

### C: Monitoring & Controlling of VC Activities

1	Monitoring should be made timely by Chairman	3.3	2.0	2.9	7.8	8.4	8.1	5.5	6.0	5.7	6.0	6.2	6.1	5.9	6.2	6.0
2	TNO should control and monitor the VC activities	50.4	52.9	51.2	33.9	37.3	35.4	42.4	43.3	42.7	32.0	27.4	30.4	33.6	30.0	32.4
3	VC activities should monitor by a neutral person	1.7	5.9	2.9	8.7	3.6	6.6	5.1	4.5	4.9	8.6	7.5	8.2	8.1	7.0	7.7
4	Divisional Police Commissioner should control and monitor the VC activities	0.0	0.0	0.0	0.9	2.4	1.5	0.4	1.5	0.8	2.3	1.9	2.1	2.0	1.8	1.9
5	Forming different board to do this job	1.7	0.0	1.2	0.9	1.2	1.0	1.3	0.7	1.1	2.3	1.7	2.1	2.2	1.6	2.0
6	UNO should control and monitor the VC activities	8.3	3.9	7.0	21.7	18.1	20.2	14.8	12.7	14.1	11.4	11.5	11.5	12.0	11.7	11.9
98	Don't know	0.8	0.0	0.6	2.6	0.0	1.5	1.7	0.0	1.1	4.0	5.8	4.6	3.6	4.8	4.0
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

### D: Accountability

1	Need proper accountability	52.9	56.9	54.1	63.5	67.5	65.2	58.1	63.4	60.0	55.8	50.4	53.9	56.1	52.5	54.8
2	To the administration	11.6	2.0	8.7	16.5	20.5	18.2	14.0	13.4	13.8	11.0	11.7	11.3	11.5	12.0	11.7
3	To the neutral person	1.7	0.0	1.2	1.7	0.0	1.0	1.7	0.0	1.1	3.5	4.3	3.8	3.2	3.6	3.4
98	Don't Know	0.0	0.0	0.0	2.6	0.0	1.5	1.3	0.0	0.8	2.0	3.2	2.4	1.9	2.7	2.2
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

### E: Investigation of Cases

1	Investigation should be in proper way	34.7	35.3	34.9	55.7	54.2	55.1	44.9	47.0	45.7	53.3	50.9	52.5	52.0	50.3	51.4
2	Should investigate the root cause	1.7	2.0	1.7	2.6	4.8	3.5	2.1	3.7	2.7	1.2	1.3	1.3	1.4	1.7	1.5
3	Chairman should be neutral	0.0	0.0	0.0	0.9	1.2	1.0	0.4	0.7	0.5	1.7	2.5	2.0	1.5	2.2	1.7
4	Should be more careful and conscious	4.1	0.0	2.9	3.5	0.0	2.0	3.8	0.0	2.4	0.2	0.7	0.4	0.8	0.6	0.7
5	It is better if it done by administration	0.0	0.0	0.0	0.9	0.0	0.5	0.4	0.0	0.3	5.1	4.3	4.9	4.4	3.6	4.1
98	Don't know	0.0	0.0	0.0	0.0	1.2	0.5	0.0	0.7	0.3	2.4	3.8	2.9	2.0	3.3	2.5
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009



Continuation..

Code	Indicator	Faridpur			Madaripur			Total (Faridpur and Madaripur)			Total (Others n.i.e.)			Total		
		M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
F: Gender Dimension																
1	Male-Female ratio should be maintained	60.3	62.7	61.0	71.3	71.1	71.2	65.7	67.9	66.5	65.1	67.0	65.7	65.2	67.1	65.9
2	Equal judgement for all	2.5	2.0	2.3	3.5	1.2	2.5	3.0	1.5	2.4	3.2	2.6	3.0	3.2	2.4	2.9
3	There should be female member in the VC	1.7	0.0	1.2	0.9	1.2	1.0	1.3	0.7	1.1	2.1	2.0	2.1	2.0	1.8	1.9
4	No need of equality	2.5	2.0	2.3	0.9	3.6	2.0	1.7	3.0	2.2	2.7	0.6	2.0	2.6	1.0	2.0
5	It is necessary to keep female rights	3.3	0.0	2.3	4.3	0.0	2.5	3.8	0.0	2.4	3.3	3.0	3.2	3.4	2.5	3.1
98	Don't know	0.0	0.0	0.0	2.6	0.0	1.5	1.3	0.0	0.8	0.9	1.0	1.0	1.0	0.8	0.9
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

**G. Others (Suggestions)**

1	Educated people should have in the VC	3.3	2.0	2.9	0.9	0.0	0.5	2.1	0.7	1.6	1.6	1.3	1.5	1.7	1.2	1.5
2	Should have to be same mentality	0.0	2.0	0.6	0.9	0.0	0.5	0.4	0.7	0.5	0.3	0.0	0.2	0.3	0.1	0.3
3	Law enforcement representative should have to be in the process	3.3	0.0	2.3	0.0	3.6	1.5	1.7	2.2	1.9	0.5	0.0	0.3	0.7	0.4	0.6
4	Should have to be free from of political influence	1.7	0.0	1.2	1.7	7.2	4.0	1.7	4.5	2.7	0.9	0.9	0.9	1.0	1.5	1.1
5	Awareness regarding the VC should be build	2.5	2.0	2.3	7.8	1.2	5.1	5.1	1.5	3.8	2.1	2.3	2.2	2.6	2.2	2.4
6	Administrative power should be increased	5.8	0.0	4.1	0.0	0.0	0.0	3.0	0.0	1.9	0.3	0.4	0.4	0.7	0.4	0.6
7	Financial range should be increased	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.1	0.1	0.0	0.0
98	Don't know	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.7	1.6	2.3	2.3	1.3	2.0
Number		121	51	172	115	83	198	236	134	370	1286	693	1979	1522	827	2349

Source: Village Courts in Bangladesh Baseline Survey, 2009



## **Annex II**

### **Case Studies**

#### **Baseline Survey Report on Village Courts in Bangladesh, 2009**



# Settlement of Dispute/Offences through Village Court

## Case Study -1

### Physical Assault for Cattle Trespassing

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Rahima</b> Vill: Billmamudpur P.O. Baitul Aman, Union: Aliabad Upazila: Kotwali, Faridpur	<b>Md Shahjahan</b> Father. Dr Mannan Vill: Billmamudpur P.O. Baitul Aman, Union: Alimabad Upazila: Kotwali, Faridpur
<p>Rahima complained against Shajahan of the same village on 6<sup>th</sup> May 2008 that when she went to the nearby paddy field (which is owned by Shahjahan) to graze her cow, the respondent rebuked her with obscene language. Being offended, she was about to beat him with a stick. Then the respondent rushed to her to beat her with a stick. But because of the intervention of his wife, he could not beat her. Rahima then complained to the UP Chairman to punish Shahjahan for misbehavior with her. After receiving the complaint, Chairman served a notice to the respondent to appear before the Village Court. The Village Court was formed as per rule in the following way.</p> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">UP Chairman - Chairman, Village Court</div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 10px; width: 45%;"> <p><b>(Nominated by Petitioner)</b></p> <ol style="list-style-type: none"> <li>1. Asad (Member, Union Council)</li> <li>2. Nuru Patadon (Local Matbor)</li> </ol> <p><b><u>Witness:</u></b></p> <ol style="list-style-type: none"> <li>i) Malek Mollah (Community Member)</li> <li>ii) Bablu (Community Member)</li> </ol> </div> <div style="border: 1px solid black; padding: 10px; width: 45%;"> <p><b>(Nominated by Respondent)</b></p> <ol style="list-style-type: none"> <li>1. Tarap Hafez (Member, Union Council)</li> <li>2. Safi Mollah (Local Matbor)</li> </ol> <p><b><u>Witness:</u></b></p> <ol style="list-style-type: none"> <li>i) Hafiz</li> <li>ii) Sattar</li> </ol> </div> </div> </div>	
<p>Majibur Rahman, husband of Rahima Begum represented his wife in the case. Respondent Shahjahan himself was present there.</p> <p>Hearing of the Respondent: Shahjahan reported that complain of misbehavior with the petitioners is false and fabricated. She tied her cow in his cultivable land and it destroyed his crops. Then he told her to take away her cow. At the time of altercation he attempted to beat her at the heat of the moment, but his wife restrained him from doing so. So eventually he did not beat her.</p> <p>The Village Court heard the statement of both the parties. They decided that because there is no monetary involvement in this case, it will not be wise to fine or charge any compensation. However the respondent should seek apology to the petitioner.</p> <p>After investigation it was proved that complain of Rahima is true. Village Court ordered the respondent not to repeat the same misbehavior again. Then Shahjahan sought apology for his misbehavior. The village court settled the issue amicably. Cadet Md. Sulaiman documented the case.</p>	
<p><b>Comments:</b> The above case study indicates that Village Court was formed as per the Village Courts Act. The court settled the dispute amicably.</p>	

## Case Study-2

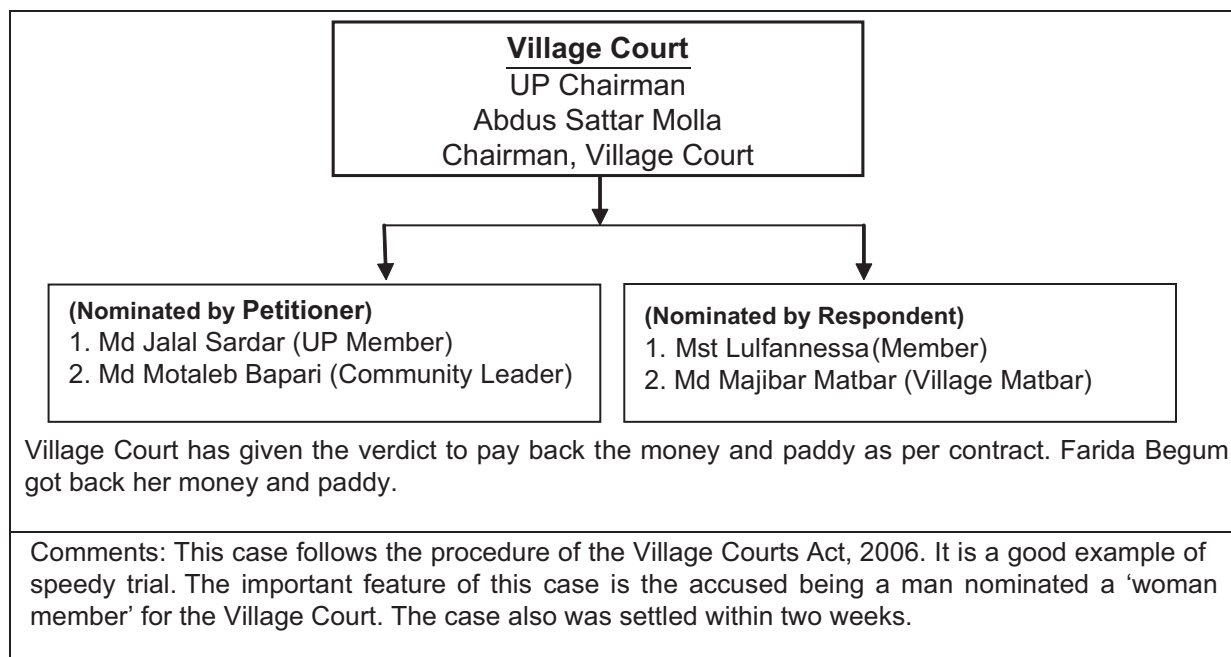
### Land/Property Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Khushia Begum</b> Husband: Late Nisaruddin Munshi Vill: Sannyasir Char Union: Sannyasir Char Upzila: Shibchar Dist: Madaripur	<b>Md Ranjan Munshi</b> Father: A. Rashid Munshi Vill: Sannyasir Char Union: Sannyasir Char Upzila: Shibchar Dist: Madaripur
<p>Khushia Begum complained to the UP Chairman that she and the respondent was living in the same compound for long years. But after the death of her husband, Ranjan Munshi started misbehavior with her. On 10th January 2009, when Khushia Begum was selling a teak tree at the price of Tk 1200, the respondent has created obstacle so that she could not sell the tree. Khushia Begum appealed to the Chairman so that she could get the price of the tree without any obstacle.</p> <p>Second party Ranjan Munshi also submitted an application stating that the complaint is not fully true. He informed that because he was living in the same compound of the tree, he demanded fifty percent share of the price of the tree. Chairman of the Union Parishad formed a village court in the following way.</p> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 200px;">UP Chairman - Chairman, Village Court</div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; width: 30%;"> <p><b>(Nominated by Petitioner)</b></p> <ol style="list-style-type: none"> <li>1. Matiur Rahman (UP Member)</li> <li>2. Sadek Mollah (Community Member)</li> </ol> </div> <div style="border: 1px solid black; padding: 5px; width: 30%;"> <p><b>(Nominated by Respondent)</b></p> <ol style="list-style-type: none"> <li>1. Ohab Mirdha (UP Member)</li> <li>2. Israfil Munshi (Community Member)</li> </ol> </div> </div> <p>After examining all the evidence and based on the statement of the witness, honorable Village Court ordered for the equal share of the money (price of the tree) to be given to the accused. Both the parties accepted the verdict.</p> <p>Comments: This case followed the procedure of Village Courts Act, 2006.</p> </div>	

## Case Study -3

### Loan Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Farida Begum (Rina)</b> Father: Motahar Bepari Village: Mahisher Char Union : Panchkhola Upzila: Madaripur Sadar Madaripur	<b>Md Abul Mia</b> Village: Mahisher Char Union : Panchkhola Upzila: Madaripur Sadar District: Madaripur
<p>Farida Begum has given loan of Tk 10,000 to Md Abul Mia one year ago, with the condition that Abul Mia will pay back Tk 10,000 and 20 kgs paddy to her. But the accused did not pay back the money and paddy as per contract. She filed a petition to the Chairman. Village Court was formed by the Chairman. The case started on 15.09.07 and ended on 28.09.0</p>	



#### Case Study -4

##### Rent/Money Suit

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Majibar Millat</b> Father: Late Md Kharshed Mimdat Village: Bill Mamudpur Union : Aliabad Upzila: Baitul Aman Faridpur	<b>1. Md Raihan Mondal</b> Father: Md Khalek Village: Bill Mamudpur Union : Aliabad Upzila: Baitul Aman Faridpur

Majibar Millat is the owner of a Rickshaw. He submitted an application to the UP Chairman complaining against Md Raihan Mandol that he did not pay the rent of the Rickshaw (Tk.700) (from 01.07.07 to 28.07.07). He already complained to the local leaders but Raihan Mondol did not pay heed to their decision. Raihan also said that he would not give the money, the complainant could do whatever he likes. Chairman immediately formed the Village Court in the following way.

UP Chairman - Chairman, Village Court

**(Nominated by Petitioner)**  
1. Asad (UP Member)  
2. Latif Matabbar (Community Leader)

**(Nominated by Respondent)**  
1. Amin (UP Member)  
2. Shajahan (Community Leader)

Chairman sent a notice to both the parties to be present in the Village Court. Village Court had given passionate hearing to both petitioner and respondent. The respondent at first denied the complaint. He said that he has paid the rent of the Rickshaw. But the Village Court along with the witness found the respondent guilty. Then the court fined Tk 500 for his offence. The respondent paid the fine of Tk 500 in the court and promised not to repeat this type of unethical behavior in future.

**Comments:** In the above case the Village Court was constituted as per the Village Courts Act, 2006.

### Case Study -5

#### Domestic Conflict

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Shiraj Ali</b> Father: Nazimuddin Village: Ramnagar P.O: Kunjunagar P.S: Nagarkendi Faridpur	<b>Mst Aklima</b> Husband: Shiraj Ali Village: Ramnagar P.O: Kunjunagar P.S: Nagarkendi Faridpur
<p>Mr Shiraj Ali submitted an application to the Village Court against his wife. Being influenced by her brother-in-law, his wife spent lot of money to go abroad for job. Despite repeated objection of the husband, she did not pay heed to him. She was pregnant at that time. Because she was moving too much here and there for preparation of going abroad, she had miscarriage of the baby. Lot of money has been spent for her treatment. Being disgusted, the husband lodged suit to the Village Court to divorce her.</p> <p>Witness of the Petitioner</p> <ol style="list-style-type: none"> <li>1. Nazimuddin (father)</li> <li>2. Kuddus Pramanik</li> <li>3. Bakul Pramanik</li> </ol> <p>Mst Aklima has confessed the complaint partially. She stated that her brother-in-law allured her to go abroad. She did not pay heed to her husband's advice. Now she is repented for her mistake. She sought apology to her husband through the Village Court. She expressed her desire to stay in her family. Aklima appealed that she would abide by the decision of the court.</p> <p>Under the above circumstances based on the evidence and confession of the accused, the Village Court realized that Aklima is repented for her behavior. She sought apology to the husband, Father-in-law and mother-in-law. Village Court ordered that she should abide by the advice of her husband in future, otherwise she would have to suffer severe punishment. The case was settled amicably and Aklima's husband accepted his wife. The case was prepared by cadet Md Solaiman.</p> <p>Comment: The case can not go under the jurisdiction of Village Court, Village Court was also not formed as per rule. It seems that Shalish was arranged to settle the issue.</p>	

### Case Study -6

#### Divorce due to non -payment of Dowry

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Mst Reshma Khatun</b> Husband: Md Nazrul Islam Village: Ambalpur Upzila: Goalando Dist: Rajbari	<b>Md Nazrul Islam</b> Father: Md Abul Hossain Village: West Ambalpur Upzila: Goalando Dist: Rajbari
<p>Reshma Khatun was married to Nazrul Islam six years ago. Nazrul has taken Tk 25,000 as dowry at that time. They led happy life for two years. After that her husband and mother -in-law started quarrel with her based on trifling issues. Her husband used to beat her for bringing more money from her parents. Her father perused them not to persecute her but in vain. Then he tried his best to arrange money for his daughter but failed. Husband and father -in-law began more</p>	



violence against her. They also abused her father. At last they told her to leave their house. So, she went to her parents' house. Her family sued a case against the husband in Village Court. Her father deposited Tk 50 as fee. The village court called both the party on 14.10.2009. Both the parties were present before the court.

Village Court heard everything from her husband and his family. But most of the people applied their influence on the court and her husband divorced her and he was fined ten thousand taka. Reshma is not at all satisfied with the verdict. Because she and her family were poor and not influential, Village Court did not do justice for her, she says. Because her father is socially and financially weak, they could not appeal to the higher court.

After the divorce she broke down mentally. Now she lives on sewing with the assistance of an NGO. Reshma has a daughter aged 4 years.

**Comment:** This is seemingly not under the jurisdiction of Village Court. Though the torture on the wife may come under the village Court as an offence, dealing with divorce was entirely the out of the jurisdiction of a Village Court. From the available information from the parties, it seems that the case was actually settled through Shalish. Because, neither the people nor the Chairman was aware of Village Court jurisdiction. And the Village Court was not formed as per the legal provisions.

## Case Study-7

### Land Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Shukur Ali</b> Father: Md Mahtab Ali Village: Chandpur P.O: Chandpur U P Zilla : Katiadi Dist: Kishoreganj	<b>Md Aynul</b> Father: Israfil Village: Chandpur P.O: Chandpur U P Zilla : Katiadi Dist: Kishoreganj
<p>Once the goat of Aynal destroyed the crops of Shukur Ali. His land is situated near the house of Aynal. There was a dispute about the goat. After that Aynal threatened Shukur that he would occupy the land of Shukur. At last he forcibly occupied 5 decimal land of Shukur's land.</p> <p>Shukur informed it to the influential people of the village but in vain. They advised him to place the issue in the shalish. There was a shalish but the respondent did not show up and hence Shalish could not solve the problem. They advised him to apply to the UP Chairman. He submitted an application to the Village Court. But he did not get the justice. Because according to the version of the petitioner, Aynal is an influential person of the village. The Chairman, local Matabbar and the other witnesses also supported Aynal. Village court advised him to sell the land to Aynal for a small amount of money. But petitioner refused to accept the verdict.</p> <p>But Shukur did not appeal to the Higher court because he lost all confidence on the legal procedure. Because Aynal is a leader, law is at his side, he concluded.</p>	
<p><b>Comment:</b> In this case procedure of village court was not followed. The court was also not constituted as per rule.</p>	

## Case Study -8

### DOWRY

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Mst Marium Akhter</b> Father: Md Mokhesuddin Village: Rajballev P.O: Rajgherte U P Zilla : Gongachora Dist: Rangpur	<b>Md. Awlad Hossain</b> Father: Md Kuddus Ali Village: Rajballev P.O: Rajgherte U P Zilla : Gongachora Dist: Rangpur
<p>During Jan-Feb 2009, Marium Begum fell in love with Awlad Hossain. Both of them became very intimate. After sometime, Marium Begum became pregnant. She informed it to Awlad. Awlad told her to do abortion. She did not agree to this proposal. Then she informed it to her mother. Her mother informed it to the mother of Awlad.</p> <p>The mother promised to arrange marriage with her son but requested Marium's mother to do abortion of her daughter secretly. Her mother has done it secretly. Afterwards the mother of Awlad refused to arrange the marriage. Whole story was informed to the father of the girl. Then her father lodged complaint to local UP Members and other distinguished persons of the village. Whole village was divided into two groups about this issue. One group supported the boy's side. Another group stood on behalf of Marium. They arranged meeting two/three times but the issue could not be settled. The group of Awlad was too influential.</p> <p>Then Marium's father informed it to the UP Chairman. A new committee was formed with the Members, distinguished persons and Matbars of the village headed by the Chairman. Marium's father requested the village people to attend the shalish.</p> <p>But the respondent was absent in the Shalish. So the villagers did not accept the 'Shalish'. Then Mokhesuddin, father of the Marium decided to file a case against Awlad Hossain. Being afraid, Awlad's father appealed to the Chairman to arrange a 'Shalish' and promised to abide by the decision of Shalish. But Chairman himself was absent in the Shalish. The Shalish committee seriously responded and blamed the girl and her parents in obscene language. Awlad told that he will marry Marium if she can give back the child or to repay 10 lac Taka. Otherwise he will not marry Marium. At last 'Shalish' has given verdict that Marium's family will give two lac Taka then Awlad will marry her. Chairman supported the decision. Marium's father has given Tk 50 thousand and marriage was solemnized keeping 150 thousand Taka as credit.</p> <p>Now Awlad is always giving pressure to Marium for rest of Tk. 150,000.</p>	
<p><b>Comment:</b> As the formation of the forum shows, it was not a Village Court; rather a Shalish forum. Moreover, the case does not fall under the jurisdiction of the Village Courts. The case study depicts serious gender discrimination and power practice in Shalish.</p>	

## Case Study -9

### Land Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Sharoda Mohan</b> Village: Chaporhal P.O: Chondrapur Union : Kaligonj U P Zilla: Kaligonj Dist: Lalmonihat	<b>Ramanikante</b> Village: Chaporhal P.O: Chondrapur Union : Kaligonj U P Zilla: Kaligonj Dist: Lalmonihat

Complainant Sharoda Mohan has given 10 decimal lands to Ramanikante as lease in January, 2007 for cultivation. In 2009, when Sharoda Mohan wanted to get back his land Ramanikante threatened him. He demanded that he is the owner of this land. Under the above circumstances. Sharoda Mohan filed a G.D. in Kaliganja Police Station. Police station sent the case to Chairman of Kaliganja Union Parishad.

Chairman sent notice to both the parties. Ramanikante has good relationship with the Chairman. He has purchased the land from the Chairman.

In the hearing Ramanikante demanded that he had purchased this 10 decimal land. Most of the members of Village Court supported him. Huge quarrel started in the court. Examining all the evidence, the Chairman declared the verdict in favor of Ramanikante.

Petitioner refused to accept this judgment. He said that the respondent influenced the court through bribing and as a result he has been denied justice.

Comment: Issue of the case is under the jurisdiction of Village Court. But the financial jurisdiction is not clear. Because the price of 10 decimal land may be more than Tk 25,000. So Village Court can not handle this case. Chairman had actually conducted Shalish.

### Case Study-10

#### Dispute over Extra-Marital Affairs

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Azizur Rahman</b> Father: Gaziur Rahman Village: Boalmari P.O: Nilmoniganj U P Zilla: Chuadaga Sador	<b>Mst Kohinur Begum</b> Father: Kitab Ali Village: Boalmari P.O: Nilmoniganj U P Zilla: Chuadaga Sador
<p>Azizur married Kohinur in 2008. They were happy couple. But after one year, She started ill-behavior with her husband, father-in-law and mother-in-law. She became indifferent about family matters. Suddenly she went to her parent's house. After some days, Azizur along with his parents went to bring her back. But she did not come. Then after some days, his father along with some senior distinguished persons of his village went to bring her. But she did not come. Then he heard that Kohinur is in love with her cousin. Again after two months, Azizur went to bring her. Then Kohinur told that she will never go to her husband's house. Then Azizur appealed to the Chairman of Union Parishad to get back his wife.</p> <p>Then Village Court was formed. Chairman has given passionate hearing to both husband and wife. Kohinur categorically declared that she will not live with her husband. She wants divorce. Then Kohinur sent the divorce letter to Azizur. Afterwards she married her cousin.</p>	
<p>Comment: This case falls beyond the jurisdiction of a Village Court. It seems that Chairman has basically organized Shalish and settled the dispute, an indication of the ignorance of the UP Chairman about the jurisdiction of Village Court.</p>	

## Case Study-11

### Land Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Belal Hossain</b> Father: Jamal Uddin Village: Boragori P.O: Boragori P.S: Damor Nilphamari	<b>Mst Jinnah Begum</b> Husband: Dulal Hossain Village: Boragori P.O: Boragori P.S: Damor Nilphamari
<p>In January 2009 a severe dispute occurred between Ms Jinnah Begum and Belal Hossain based on the distribution of land owned by the family. Jinnah Begum is the sister -in-law of Belal. Belal requested his elder brother to distribute their land as per share. Then Mrs Jinnah Begum wife of elder brother severely beat Belal Hossain.</p> <p>Belal lodged complaint to the Village Court. Chairman on behalf of the Village Court served notice to both the complainant and the accused to be present before the Village Court.</p> <p>Jinnah Begum confessed that she had beaten Belal. She begged pardon to Belal before Village Court. But Belal was not satisfied with the judgment. He said that as Jinnah Begum influenced the Chairman and paid money, her punishment was relaxed.</p> <p>So, Belal refused to accept the verdict of the Village Court. But he did not also proceed for further appeal.</p> <p>Comment: This case is under the jurisdiction of Village Court. But it is not clear whether Village Court has been constituted in the right way. The Accused is dissatisfied with the judgment and complained about the partiality of the Chairman.</p>	

## Case Study-12

### Land Dispute/VAW

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Nurul Islam</b> Father: Late Jainal Ali (Ex-Member Ward No.2) Village: Baliatali Barguna	<b>Sohrab Hossain Majlis</b> Village: Baliatali Barguna
<p>Md Nurul Islam and Sohrab Hossain Majlis got involved in clash with lethal weapons due to land dispute. But this led to violence against woman. One day son of Sohrab severely beat the adolescent daughter of Nurul Islam on the road. Nurul Islam submitted written application to the UP Chairman. But UP Chairman did not form any Village Court. Then Nurul Islam and his daughter Mursheda Akhter filed a petition to a NGO "Jago Nari".</p> <p>They also informed the issue to the nearby police station. Some distinguished persons of the village brought back the applications from Jago Nari and thana and revived the case in Village Court on 10.10.09. Village Court seriously dealt with the case. After hearing both the parties, Village Court fined the accused Tk. 10,000 for treatment of Mursheda Akhter. Conflict over land was also settled. Both the parties accepted the decision of the Village Court.</p>	

All the people hailed the judgment of the Village Court.

Comment: This Village Court did not deal the case properly at first. Because of the failure of the UP Chairman, the complainant informed it to the local NGO and police station. Then, under pressure from the community leaders, the Chairman formed the Village Court. It is not clear, whether Village Court was formed properly. However, it shows that VC is running on the whim of the UP Chairman. However it can resolve disputes with good intention.

### Case Study-13

#### VAW Based on Dowry

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Mukta Begum</b> Father: Habibur Mollah Kalora Norail	<b>Mintu Shank</b> Father: Sher Ali Shank Kalora Norail
<p>Mukta Begum was subjected to severe physical and mental torture from her husband during July to Sept 2009 period. He demanded either Mobile or Tempo (Nasimun) or Tk 50,000 as dowry. Mukta's father is a poor van driver. Being disgusted with her husband's torture, Mukta submitted written complaint to the Chairman on 7 October, 2009. Village Court was formed and both the petitioner and respondent were called for hearing on 27/10/09.</p> <p>After long hearing, Village Court took decision for divorce with the consent of Mutka and fined the husband Tk 25,000.00 as 'Den Mohar' and living cost of Mukta. Mukta is satisfied with the verdict. She decided to buy a sewing machine and run a poultry farm with the money. She was subjected to inhuman torture by the husband. Now she is living a secured life.</p> <p>Comment: Apparently this case does not fall under the jurisdiction of Village Court, as it deals with dowry. But UP Chairman formed the Village Court and settled it. It implies that UP Chairman does not know about the legal jurisdiction of Village Court. Yet, this case is a good example of the decision of Shalish which stood against violence and dowry.</p>	

### Case Study-14

#### VAW Based on Cattle Trespass

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Saiful Islam</b> Father: Md Alauddin Vill: West Kashiani Upzilla: Kashiani Dist: Gopalganja	<b>Md Atiar Rahuman</b> Father :AbdurRashid Vill: West Kashid Dist: Gopalganja
<p>Cow of Atiar Rahman destroyed the crops of Saiful Islam. They caught the cow and kept it confined. On hearing the news, father of Atiar went to Saiful's home. They said that either they will kill the cow &amp; eat the meat or will keep it in the 'Khoar'. Saiful's wife abused the old father of Atiar. His father requested him not to quarrel. Then Atiar's sister Rahima came there and also requested not to abuse and to give the cow in 'khoar' or confinement for cows. Then Saiful and his wife abused her like anything and started beating her. Hearing the sound of Rahima crying, Atiar's mother came and protested. Then they beat his mother and sister also. Then Atiar took his sister and mother to the Kashiani General Hospital. After primary treatment, they transferred them to Faridpur Hospital. They were in the hospital for 15 days. After three days of the occurrence, Atiar came to know that Saiful filed a case against Atiar and his brother. Police came to Aliar's house and advised to settle the issue through Village Court. Atiar then went to Village</p>	

Court. But it could not settle the case in VC. All the members of Village Court supported Saiful, because he has money and he is a musclemans.

Then Atiar went to the Officer -in-Charge of Police Station and sought justice from him. OC called both the parties in dispute. But Saiful's wife said that she would not accept the decision of the Officer-in-Charge. After some days, one journalist of the village along with distinguished persons assembled to settle the issue. A board constituted by seven members was set up to bring an end to this problem. Before the hearing, they took the signature of both the parties on the condition that they will accept the decision of the court. After passionate hearing from both the parties, the Board decided that Saiful will give Atiar Tk 7,000 as fine and they must seek apology to Atiar publicly for their misbehavior to his family. Saiful refused to accept this decision. Chairman tore the paper which was signed by them. Brother-in-law of Saiful threatened that he would take away the fence of Atiar's house. Chairman also threatened Atiar to kill.

The case ended in this stage without enforcement of the judgment.

**Comment:** This case did not follow the real procedure of Village Court. Chairman being the head of the Village Court sided in favour of the accused. The composition of Village Court was also not as per the Village Courts Act, 2006. It indicates that Chairman can be influenced by power and money.

## Case Study -15

### Land Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Md Jalaluddin</b> Vill: Pairul Union: Jongal Khain Upzilla: Patia Dist: Chittagong	<b>Faiz Mallic</b> Vill: Pairul Union: Jongal Khain Upzilla: Patia Dist: Chittagong
<p>Jalaluddin is residing in Pairul village for the last ten years. There is a road in front of his house. He has donated land for the construction of the road. But Faiz Mallic who resides near the road refused to offer land for the road. So it was difficult for the people of that area to use the narrow road. Jalal went to the Chairman to solve the problem but as the valuation of the land is above Tk 25,000, UP Chairman could not form the Village Court.</p> <p>However, Chairman along with the distinguished persons of the village, arranged "Shalish" to solve the problem. Shalish ordered Faiz Mallic to give land equivalent to land given by Jalal for the construction of the road. But Faiz refused to accept the order. Chairman told Jalal to go to higher court. But because he is poor, Jalal could not file case in the higher court. Finding him helpless, Faiz Mallic threatened and later beat him. He was sick. Still the accused kept threatening him.</p> <p>Because the road is narrow no development work can be done there. So all the people of that area are suffering.</p> <p>Jalaluddin felt that Village Court failed to do justice for the poor people (because of the pretext of the financial jurisdiction of Tk 25,000). So what is the utility of village court if it cannot solve the problems of the common people?</p>	
<p><b>Comment:</b> In this case, it is clear that due to the limitation of financial jurisdiction of the Village Court, Chairman could not form the VC to settle the case. On the other hand, Shalish is also not effective due to lack of legal coverage</p>	

## Case Study-16

### Theft Case

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Amena Begum</b> WO: Ruhul Amin Union: Dhanishafa Upazilla: Mothbaria Dist: Pirozpur	<b>Al Amin</b> S/O, Ayub Molla Union: Dhanishafa Upazilla: Mothbaria Dist: Pirozpur
<p style="text-align: center;"><b>15 November 2009</b></p> <p>Al Amin was caught red handed while stealing nut from the tree of Amena Begum. Being caught, he abused Amena Begum with obscene language. Amena Begum lodged written complaint to the UP Chairman on 6 November 2009. Secretary of UP gave written notice to the Petitioner and the Respondent to be present before the Village Court on 15 November 2009. Both of them were present in the Village Court on that day. After hearing from both the parties, Village Court fined TK. 500 on the respondent. VC also warned Al Amin not to repeat theft in future, failing which he will be given severe punishment. Verdict was given in presence of Members of the Village Court. Petitioner was satisfied with the verdict of Village Court.</p> <p><b>Comment:</b> This case was under the legal jurisdiction of Village Court. But the composition of Village Court is not clear. Complainant was satisfied with the judgment. Speedy trial was done.</p>	

## Case Study-17

### Family Property Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Amir Ali Matbbar</b> S/O Late Raham Matbbar Vill: Goalbera Union: Chandra P.O: Maligram Upjilla: Bhanga Faridpur	<b>Joynal Matabbar</b> S/O Late Raham Matbbar Vill: Goalbera Union: Chandra P.O: Maligram Upjilla: Bhanga Faridpur
<p>Case No: 1/2010  Starting date: 20.01.10  Verdict on: 23.02.10</p> <p>Amir Ali Matabbar submitted written complaint on 20.01.10 against his elder brother for illegal occupation of the property inherited from his father. He reported that Joynal Matabbar forcibly occupied his share of land and sold the trees thereon.</p> <p>Notice was served to Joynal Matabbar to be present in the court on 07.02.10 for hearing. After the 1st hearing Chairman served the second notice to both parties for settlement of the case on 23.02.10. Accordingly, the case was settled amicably as follows:</p> <p>1. The respondent will legally transfer 2 decimals land to the complainant who in return would give Tk. 25,000 to the respondent.</p> <p><b>Comments:</b> In the initial stage of the case, they followed the procedure of the Village Court. Since the dispute was settled under rule 33 of the Village Courts Rules, 1976, therefore no VC was required to be constituted. Final verdict was given in presence of the Chief Judicial Magistrate of Faridpur.</p>	



## Case Study-18

### Dispute for Road Blocking

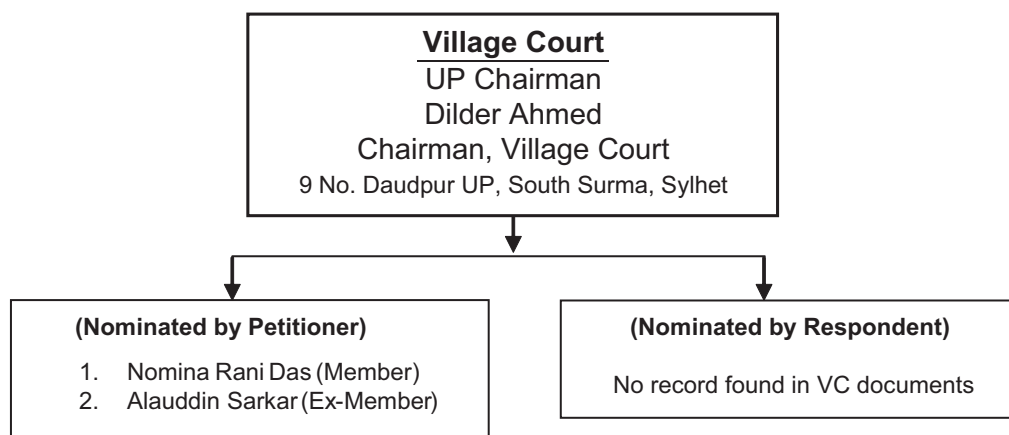
Name & Address of the Petitioner	Name & Address of the Respondent
<b>1. Md Enam Uddin</b> S/O late Nasim uddin  <b>2. Usnar Ali</b> S/O late Ajmat Ali Union: Daudpur P.O. Renga Union: 9, Daudpur Upzilla: South Surma	<b>1. Siraj Ali</b> S/O Tariqull  <b>2. Tariqullah</b> S/O Majidullah Union: Daudpur P.O : Renga Daudpur Upzilla: South Surma Sylhet

Case No: 07/2009

Starting date: 23.04.09

Settled: 18.02.10

Md Enam Uddin lodged a complaint on 23.04.09 to the UP Chairman that Siraj Ali and Tarikullah planted trees on the road and surrounded it with fence which made the road narrow. This created serious problem for the people, they could not use the road. When both Enam Uddin and Usner Ali protested against this, the respondent persons rebuked them with obscene language and tried to beat them. As such they appealed to the UP Chairman for legal remedy. On behalf of the Village Court the Chairman sent notice on 14.01.10 to both parties to nominate two members each by 21.01.2010. Both the parties nominated two members each and the Village Court was formed in the following manner.



The UP Chairman served notice to both parties for 1<sup>st</sup> hearing to be held on 14.02.10. But the defendant did not attend the hearing. So the UP Chairman served the 2<sup>nd</sup> notice on 18.02.10. This time both parties attended the hearing and the case was settled with the verdict to remove the fence which was accepted by the accused.

**Comments:** This case was under the jurisdiction of Village Court. But it is very interesting to note that Chairman used the word “Shalish Member” for the Members of Village Court and there was no record found in VC register about the name of the representative from respondent

## Case Study-19

### Family Property Dispute

Name & Address of the Petitioner	Name & Address of the Respondent
<b>Hafez Md Abul Kashem</b> Vill: Madhym Ziri Union: Ziri Upzilla: Patia Dist: Chittagong	<b>Abul Hashem</b> Abu Taher Vill: : Madhym Ziri Union: Ziri Upzilla: Patia Dist: Chittagong
<p>Case No. 01/10  Case Started on: 6.11.09  Settled on: 15.2.10</p> <p>Abul Kashem lodged complaint to the UP Chairman against his two step brothers, Abul Hashem and Abu Taher. They have conflict over family property since long. According to the petitioner, the respondent brothers always used to torture his family through abuse and persecution. He had to stay outside the village for job. The respondent brothers then grabbed a road belonging to the petitioner. When he protested, they threatened to kill him. In the initial stage, he approached the community leaders who examined the documents of both the parties and then fixed the demarcation of land. But the respondent brothers did not accept it. So, the petitioner submitted application to the UP Chairman to settle the Case in VC.</p> <p>Chairman at first delegated the power to a UP Member to handle the case. Designated UP Member, Abdus Sultan could not settle the dispute due to lack of cooperation from the respondent brothers. They refused to obey the verdict of the Member given on 15/12/09. The Chairman then sent notice to the respondent to be present in the VC hearing on 18/12/09.</p> <p>Three separate hearings took place on 18/12/09, 25.12.09 and 22.01.10 and both the parties attended all the hearings. In the 3<sup>rd</sup> hearing, the case was settled.</p>	
Comments: This case was amicably settled by the Village Court.	

## Case Study-20

### Harassment due to Land Disputes

Name & Address of the Petitioner	Name & Address of the Accused
<b>Abdul Halim Mia</b> S/O. Parashulla Sheik Vill: Bilokdia Union: Laskardia Nagarkanda, Faridpur	<b>Gopal Chandra Pal</b> S/O. Goshai Das Pal Vill: Bilokdia Union: Laskardia Nagarkanda, Faridpur
<p>Case No. 1/2010  Starting Date: 25.7.09  Verdict on: 24.02.2010</p> <p>Abdul Halim Mia submitted a non FIR case to the Officer-In-Charge of Nagarkanda P.S. against Gopal Chandra Pal for harassment and abuse to his wife Ambia Begum and threat to murder him. Both the families were involved in dispute over land for a long time.</p> <p>A.S.I Nagarkanda sent the case to the Chief Judicial Magistrate, Faridpur on 01.11.08 seeking permission for investigation.</p> <p>A.S.I investigated the case on the basis of the complaint and based on evidence, he found the complaint to be valid.</p> <p>The case was sent to Chief Judicial Magistrate of Faridpur. The accused was given bail. The Judicial Magistrate referred the case to VC. The UP Chairman served notice to both parties.</p> <p>Both the parties attended the hearing and the Case was settled on 24.02.10.</p>	
<p><b>Comments:</b> The case was settled under rule 33 of the Village Courts Rules, 1976 without constituting the VC by the UP Chairman.</p>	



## **Annex III**

### **Process Documentation**

### **Baseline Survey Report on Village Courts**

### **in Bangladesh, 2009**



**Summary of Process Documentation [VC Real Life Practice]  
Law: Village Court Act, 2006**

SI No.	Union Parishad	Upazilla	District	Evaluation Indicators*							
				1	2	3	4	5	6	7	8
1	Boragari	Domar	Nilphamary	information not available	Criminal	yes	no only verbal	information not available	yes	yes	defendant not satisfied and accepted under duress of the UP Chairman
2	Gojhghanta	Gangachara	Rangpur	information not available	Criminal	yes	no only verbal	information not available	yes	yes	defendant not satisfied and accepted under duress of the UP Chairman
3	Mominpur	Sadar	Chuadanga	information not available	Criminal	yes	no only verbal	information not available	yes	yes	defendant not satisfied
4	Chandrapur	Kaliganj	Lalmonirhat	information not available	Criminal	yes	yes	information not available	yes	yes	yes
5	Debgram	Goalondo	Rajbari	No	Acted beyond jurisdiction	Acted beyond jurisdiction	Info not available	No	yes	yes	yes
6	Maira	Sadar	Kishoreganj	yes	Criminal	yes	Info not available	yes	yes	yes	yes
7	Chandpur	Kotiadi	Kishoreganj	yes	Criminal	yes	Info not available	yes	yes	yes	yes
8	Kashiani	Kashiani	Gopalganj	no	Criminal	yes	Info not available	no	yes	yes	defendant not satisfied
9	Ramnagar	Nagarakanda	Faridpur	yes	Criminal	No	yes	yes	yes	info not available	information not available
10	Shannashir Char	Shib Char	Madaripur	yes	civil	yes	yes	yes	yes	yes	yes
11	Panchola	Sadar	Madaripur	yes	civil	yes	yes	yes	Compromised by the litigants		

SI No.	Union Parishad	Upazilla	District	Evaluation Indicators*							
				1	2	3	4	5	6	7	8
12	Aliabad	Sadar	Faridpur	The complaint was made to 1 <sup>st</sup> Class Magistrate. Thereafter it was sent to UP Chairman and again it was called back, as such proceedings was incomplete in the village court							
13	Baliatali	Sadar	Barguna	information not available	civil	yes	info not available	information not available	yes	yes	yes
14	Badarpur	Sadar	Patuakhali	information not available	civil	yes	the case dismissed as it was beyond the jurisdiction of VC				
15	Dhanisafa	Mathbaria	Pirojpur	yes	criminal	yes	yes	yes	yes	yes	yes
16	Kalora	Sadar	Narail	information not available	civil	yes	yes	yes	yes	yes	yes
17	Pekua	Chakaria	Cox's Bazar	yes	civil	yes	yes	yes	yes	yes	yes
18	Zangal Khain	Patia	Chittagong	yes	civil	yes	yes	yes	trial continuing		
19	Tuker Bazar	Sadar	Sylhet	yes	civil	information not available	yes	yes	yes	yes	yes
20	Khalipur	Sadar	Moulvibazar	no	criminal	no	yes	yes	Compro-mised by the litigants		

Source: Village Courts in Bangladesh Baseline Survey, 2009

#### Evaluation Indicators:

1. Whether the court was constituted in accordance with law?
2. Nature of complaint; civil or criminal
3. Whether the jurisdictions either pecuniary or other were as per law?
4. Whether notice was served upon the defendant as per law?
5. Whether the parties were represented in accordance with law?
6. Whether judgment was pronounced?
7. Compliance of the judgment
8. Satisfaction of the judgment





## **Annex IV**

### **Approach & Methodology**

#### **Baseline Survey Report on Village Courts in Bangladesh, 2009**



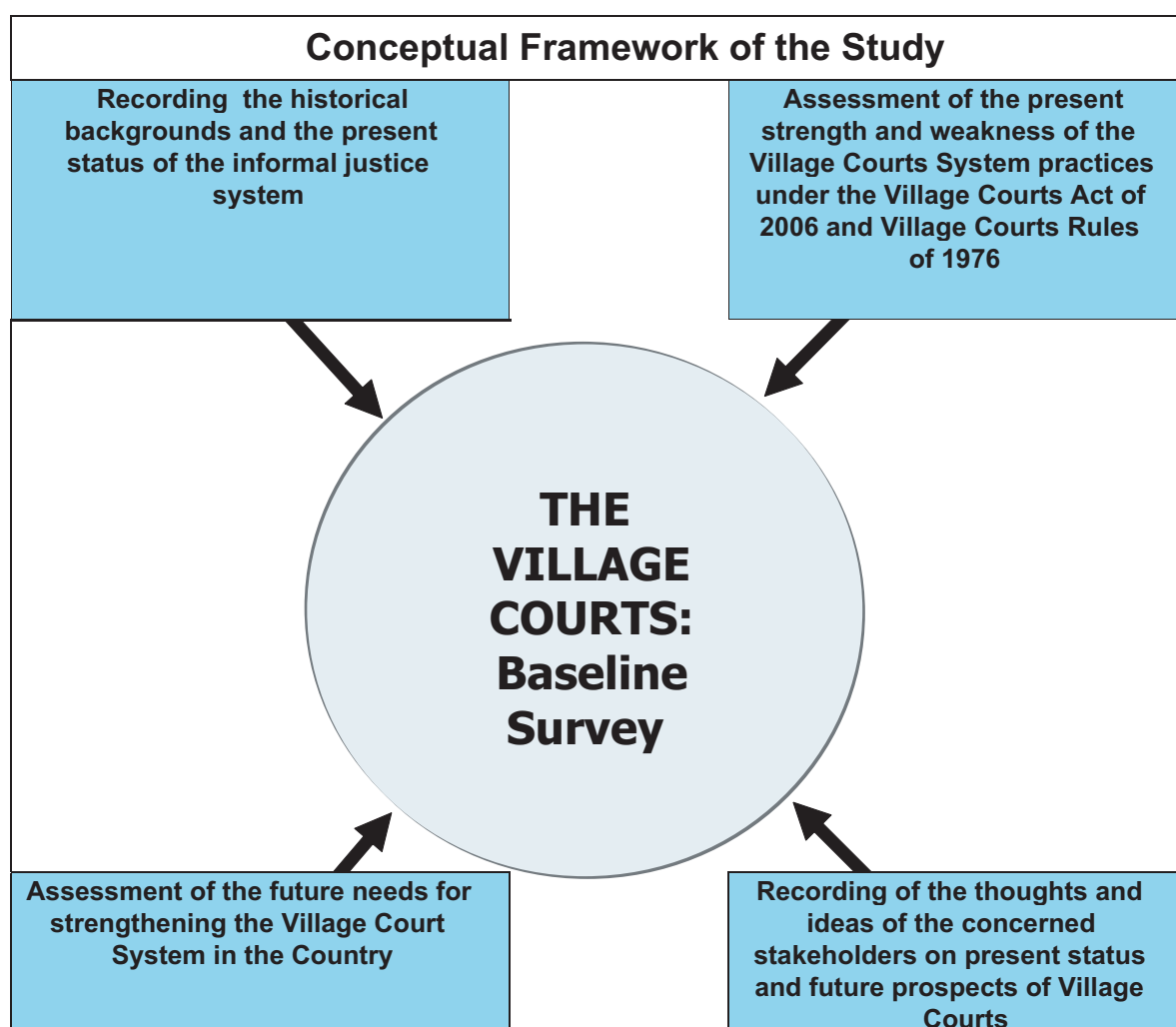
## APPROACH & METHODOLOGY

### 1.0 Introduction

The survey, being a benchmark study, has been perceived as a resource to be used after the completion of project operation of the Village Courts Project to compare the difference of outcomes in the operational areas. Besides, the findings can also be used in present operational level of the project for assessing the actual needs of the targeted beneficiaries, allocate resources and monitor the project activities.

Hence the project needs perception study of the community, the present status of the women's empowerment, capacity strengthening of Union Parishad, its resources, management and financial operation, satisfaction level to the community, awareness of community, etc.

Based on the TOR and the other project documents, following is the conceptual framework outlined for the extensive understanding of the present study.



### 2.0 Study Variables

The baseline survey developed baseline information regarding different aspects of justice and human rights situation at the rural level.

The list of variables has been finalized based on the agreement with the UNDP and the Village Court Project Management team. As per the TOR, the consultant developed the following variables after assessing the objectives of the study:

- Recording the historical backgrounds and the present status of the informal/formal justice system in the rural Bangladesh.

- Assessment of the present strength and weakness of the Village Courts System practices under the Village Courts Act of 2006 and Village Courts Rules of 1976.
- Assessment of the future needs for strengthening the Village Court System in the country
- Recording of the thoughts and ideas of the concerned stakeholders on present status and future prospects of Village Courts.

Followings are the variables and the broad areas of the specific requirements of information for the baseline of the project.

The Variables of the Study	
General Requirements of the Information for the Project	Specific Requirements of the Information for the Project
Recording the historical backgrounds and the present status of the informal/formal justice system in the rural Bangladesh	<ul style="list-style-type: none"> <li>▪ Conception of rural informal/formal justice system, its anthropological viewpoint and its various nomenclatures: Salish, Samaj, Panchayet, Religious informal court, etc.</li> <li>▪ History of informal justice system in the rural Bangladesh including the ethnic societies</li> <li>▪ Community involvements in rural justice system</li> <li>▪ Community's perception on the difference between Salish and Fatwa</li> <li>▪ Informal justice system and the human rights situation in the country</li> <li>▪ Arbitration process in the informal rural justice system</li> <li>▪ Scopes of traditional rural informal justice system</li> <li>▪ Chronicles of the relevant acts :The Village Courts Ordinance 1976; the Council of Disputes (Municipal Areas) Ordinance 1979; and the Village Council Act 1989</li> <li>▪ Religious interpretations used in the traditional informal</li> </ul>
Assessment of the present strength and weakness of the Village Courts System Practices under the Village Courts Act of 2006 and Village Courts Rules of 1976.	<ul style="list-style-type: none"> <li>▪ Present Composition of the Village Court</li> <li>▪ Scope of getting access to formal justice system;</li> <li>▪ Status of victims in terms of access to justice</li> <li>▪ Level of satisfaction over current formal justice system;</li> <li>▪ Nature of problems encountered with the existing justice system;</li> <li>▪ Level of awareness on human rights issues;</li> <li>▪ Level of capacity of Union Parishad over resolving local disputes;</li> <li>▪ Level of confidence in settling disputes with Union Parishad;</li> <li>▪ Gender Concerns in the Village Courts</li> <li>▪ Coordination with other concerned organizations;</li> <li>▪ Monitoring the village court activities by concerned government authority;</li> <li>▪ Expenditure incurred for the implementation of the rural informal justice system</li> <li>▪ Payment procedures</li> <li>▪ Background and educational level of adjudicators (shalisder)</li> </ul>
Assessment of the future needs for strengthening the Village Court System in the Country	<ul style="list-style-type: none"> <li>▪ Institutional supports: legal, financial, educational,</li> <li>▪ Training Needs of the concern personnel</li> <li>▪ Recognition from the higher judiciary</li> <li>▪ Social communication and educating the society</li> <li>▪ Role of NGOs and other Supporting organizations</li> <li>▪ Future needs for the gender concerns in the village courts</li> <li>▪ Coordination mechanism with other related organizations such as Ministry of Women and Children Affairs (MOWCA), Bangladesh Rural Development Board (BRDB), etc.</li> </ul>

The Variables of the Study	
General Requirements of the Information for the Project	Specific Requirements of the Information for the Project
Recording of the thoughts and ideas of the concerned stakeholders on present status and future prospects of Village Courts	<ul style="list-style-type: none"> <li>▪ Village Court and its reformation process</li> <li>▪ Positive and negative ideas on the village court</li> <li>▪ Communication of village courts with other social organizations</li> <li>▪ Training prospects of the village court members</li> <li>▪ Future needs for the gender concerns in the village courts</li> </ul>

### 3.0 Respondents of the Study

As identified in the TOR, following are the study population of the present the Village Courts Project baseline study:

- Households
- Union Council Member
- Local Elites
- NGO workers
- Civil Society Members
- Project Personnel

### 4.0 Study Methods

After analyzing the TOR, this has been perceived by the consultant that the Village Courts Project management needs two types of information: quantitative and qualitative.

Accordingly, the study followed two approaches for study methods for data collection:

- Quantitative Approach and
- Qualitative Approach

#### 4.1 Quantitative Approach

##### ❖ Face to Face Interview (F2F)

Quantitative approach used face to face interview (F&F) method with the community household members based on a semi-structure questionnaire.

Face to Face Interview (F2F) or the structured interview is the reliable source of the quantitative data in this study to ensure that each interviewee is presented with exactly the same questions in the same order. This ensures that answers can be reliably aggregated and that comparisons can be made with confidence between sample subgroups or between different survey periods.

#### 4.2 Qualitative Approach

In this study, the qualitative method embraces the Participatory Rapid Appraisal (PRA) techniques which are, in broad sense, a combination of methods that enable people to share, enhance, and analyze their responses in a group condition. After assessing the needs of the study variables following methods were used for the Qualitative Approach:

- Literature Review
- Focus Group Discussions (FGD);
- Roundtable Discussion (RTD);
- Key Informant Interview (KII)/In-depth Interview (IDI);
- Process Documentation (PD); and
- Case Studies

Followings are the details descriptions of the study methods.

##### ❖ Literature Review

Since study on the village justice system and its historical development need a good understanding on the related documents, the study team spent few days on the sphere of literature review phase. The related document may entail, law related and historical books on village justice system, project proposal, legal framework of 2006 for Village Courts, Village Courts Ordinance 1976 etc.

#### ❖ **Focus Group Discussions (FGD)**

The main instrument for collecting in-depth descriptive data from the respondents was Focus Group Discussion (FGD). Using a pre-designed discussion guideline/check-list for facilitating the sessions, the discussions were recorded in script and audio-cassettes. In order to make it more representative, "Verbatim Quotes" were collected and used in the report.

#### ❖ **Roundtable Discussion (RTD)**

The roundtable discussion at national level was participated by the state minister, MoLGRD&C and other higher govt. officials, Judicial Officers, Media Personnel, Development Workers, Civil Society, UP elected representatives and local administrative officers. The main objective of this roundtable is to accumulate feedback of the participants in the draft report.

#### ❖ **Key Informant Interview (KII)/In-depth Interview (IDI)**

The explorative approach of the study needed factual data on divergent issues related with the involvement in the development programs. In order to get more candid and sensitive information in comfortable environment were individuals having extensive experiences can have a frank and open in-depth discussions, KII/IDI were used.

#### ❖ **Case Studies**

Case studies were collected from the selected persons in order to obtain descriptive facts on the village courts system. The sequential evidence of the narrative facts depict the changes took place in respect of the rural justice system in study area, its internal dynamics, etc.

#### ❖ **Process Documentation**

This method employed in order to document the entire process of the village courts, its mechanism of judgment, arbitration process, nature of verdicts, etc.

### **5.0 Sample Design**

A Multistage stratified random sampling procedure has been adopted. Strata have been formed of age group. 'Union' was taken as the Primary Sampling Unit (PSU) for rural segment. Within each selected PSU required numbers of respondents were chosen. Total research design has been splitted into two broad segments namely; Quantitative and Qualitative study design and they were sequenced below.

### **6.0 Sample Design for Quantitative Survey**

A statistically valid sampling approach has been adopted in selecting a representative sample of respondents for the study. Basing on the nature of the study the following sampling strategy has been used in the study.

#### **Sample Size**

For obtaining a representative sample size, a probabilistic sampling approach as delineated below has been adopted.

A three-stage random sampling strategy was adopted. At the first stage, Primary Sampling Units (PSUs) were chosen from where village was selected at the second stage taking 2 villages per PSU and respondent at the 3rd stage. For a nationally representative sample of UP's (PUS) a 95% confidence level and 1% precision level were considered. In line with the above, the sample PSUs have been determined.

For such purpose a sound statistical formula as given below was used.

$$n = \frac{Z^2 CV^2}{e^2}$$

Where,

n=Sample size

CV=Coefficient of variation (5%)

e=Precision level (1%)

Z=Standard normal variate value at 95% confidence level.

A representative sample size of PSUs has been determined to be n=110 with 10% design effect. PSUs have been selected using Probability Proportionate Size (PPS) by number of households after proportionate allocation among Division respective of districts. The following Table 2.1 shows the sample size of PSU for the study.

**Sample Sizes of Unions and Wards and Villages**

Sl. No	Description of Population	Sample Size	Anticipated Standard Error	Co-efficient of Variation
01	Union	110	1%	5 %
02	Village	220	-	-

#### Allocation of PSUs

Now, we have divided the sample size of PSU by Division proportionately, shown in Table 2.2 below.

Sl. No	Division	Total	Allocated Sample Size
		UP	UP
01	Barisal	334	10
02	Chittagong	923	22
03	Dhaka	1,239	27
04	Khulna	569	15
05	Rajshahi	1,096	25
06	Sylhet	323	11
Total		4,484	110

#### Household Sample Size and Respondents

According to TOR, 10,000 respondents need to be brought under the survey. However, we stratified such number into two broad categories, viz Male and female. Then, within each of these categories, we have substrata viz age group 18-30 years and 30+years. In Bangladesh sex ratio is 106. Thus, out of 10,000 respondents we had Male = 5,946 and Female=4,054.

#### Final Sample Sizes by Categories Originally Proposed

##### Rural

- Number of sample unions = 110
- Number of sample villages = 220 (2 per union)
- Number of sample households = 5,060
- Number of sample respondents (adults) = 10,120 (about 50% female)
- Number of sample house per village = 45

#### Selection Procedure

At first PSUs were selected using PPS by households. Then, within selected PSUs households were chosen using SRS after collecting household list from recent Voter list. We proportionately selected households from division. We show the distribution of households as well as respondents by division below.

**Distribution of Households and Respondents by Division**

Division	Sampling Units	
	Households	Respondents
Barisal	377	754
Chittagong	1042	2083
Dhaka	1398	2796
Khulna	642	1284
Rajshahi	1237	2474
Sylhet	364	729
Total	5,060	10,120

However, a response rate of 90% was obtained as mentioned in section 1.5. So, our final sample size of respondents for F2F is n=10,016 as details can be seen in Methods Report.



## 7.0 Data Analysis Techniques

The final data analysis plan was developed in consultation with the concern personnel of UNDP and the Village Court Project. Accordingly, following data analysis techniques has been adopted in this study.

### 7.1 Quantitative Analysis

For making a lucid and meaningful analysis of the baseline survey data, following statistical and economic tools has been used. Principally two types of analysis techniques namely, Descriptive Analysis and Inferential Analysis were adopted as shown below.

#### Descriptive Analysis

- 1 Mathematical summary statistics (mean, sd, CV, proportion etc.)
- 2 Graphical representations (Bar-chart, pie chart, frequency curve etc)

#### Tabulation

Univariate and Multivariate statistical tables have been constructed and consigning chi-square test was adopted.

### 7.2 Qualitative Data Analysis

The following stages were applied for the formalization (putting into control) of qualitative information through tabulation, structuring, data entry and data processing. Data Processing refers to:

- Identification of critical categories, patterns, influences, etc.
- Presentation of data (usually takes narrative form enforced with chart, graph and table, etc.)
- Argument and proposition development
- With the objective to answer the 'why' and 'how' questions-analysis takes a qualitative (narrative-based) turn with the support of quantitative means, i.e. scoring, ranking, triangulation, composite scoring. This qualitative-quantitative intersection helps to analyze relationships among categories reflecting reproductive health, reproductive rights, gender related issues, level of intervention, and overall contribution toward reduction of gaps.
- Processing of FGD transcriptions were done manually. For FGDs, initially all field session notes has been initially reviewed for major group opinions, followed by identification of very specific things to identify issues related to objectives. Thereafter, poorly transcribed responses will be removed. At this stage of analysis, transcripts were coded in a way that has indicated .what the participants are talking about. After completion of coding, cross-checking has been done by the team members for validation. Finally, coded responses were put in a logbook to retain the full range of responses together. Interpretation of report has been reflected by meaningful relationships between the coded categories.
- Report writing, thus, constituted integration of relationships between variables and indicators of assessment; formation of general statements about relationships among categories, and interpretation of information in line with the objectives and requirements outlined in the RFP and agreement of the study.

### 7.3 Overall Study Analysis Triangulation

Finally, one of the most crucial in any combined quantitative-qualitative research - the triangulation methodology, was applied in an input-outcome framework. Broad methods of research were proposed to collect all relevant information in line with the objectives of the study and the variables and indicators developed for the purpose. The analysis were conducted on knowledge, attitude, perception and utilization of services of Village Court against the key attributes, including inferential (i.e., hypothesis-testing) to explore the inter-relationship between different indicators/variables as and where appropriate for future comparison by Triangulation using appropriate information compilation and analysis formats to be designed by the Team Leader and Core-Team Members.

### 7.4 Ethical Considerations

Ethical issues are important factors for research and study. As for the issues related to the Ethical Considerations in this study, following measures were undertaken:

- Respondents were informed about the objectives of the study
- Respondents were requested for their voluntary participation
- The confidentiality of the respondents were assured.



## **Annex V**

### **Methods Report**

### **Baseline Survey on Report Village Courts**

### **in Bangladesh, 2009**



# Baseline Survey on Village Courts in Bangladesh Methods Report

## 1.0 Bangladesh: Basic Statistics

- 1 Bangladesh is a small country with only 147,570 square kilometer as total area
- 2 Total population in 2007 is 143.91 million, of which 74.09 million are male and 69.81 million are female
- 3 Males constitute 51 percent and female 49 percent of the total population
- 4 Children (population below 15 years) constitute 39 percent and adults (15 and above) 61 percent
- 5 The urban population in 2007 is about 37.65 million and 106.26 million are rural population
- 6 The share of rural population and urban population are respectively 74 and 26 percent
- 7 The national sex ratio being 106.13 in 2007 (males per 100 females)

## 2.0 Approach & Methodology of the Study

### 2.1 Study Target Population

- Adult of age 18 and above are the target population of the Village Courts 2009
- Total adults in 2006 were 72.6 million

### 2.2 Sample Size

- 10,016 randomly selected adults (for quantitative data) from 72.6 million adults
- 5,008 sample Households, 2 interviews from every households with 50% female
- 110 sample unions and 220 villages (2 per union)
- 222 IDIs and 111 KIs from 110 sample unions
- 20 unions were proportionately selected for 22 FGD, 20 PD and 26 CS (Qualitative)
- One roundtable discussion (RTD) at National level.

### 2.3 Sampling Plan

To ensure representation of the six administrative division as well as complement the project selected unions, the following 6 domains were considered (Bangladesh is administratively divided into six divisions) for the survey.

Division	Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet
Rural	✓	✓	✓	✓	✓	✓

### 2.4 Sampling Design

#### Quantitative:

Three stages random sampling design is used for the purpose of quantitative field operation. They were (i) UNDP Bangladesh provided list of unions (PSU) (ii) 2 villages per PSU and (iii) 2 respondents per Household.

Primary Sampling Unit (PSU)	: Representative unions list developed by UNDP Bangladesh
Second Stage Unit	: Villages
Third Stage Unit	: Two adult in the selected household

### Qualitative:

Judgements of sampling represent to the primary sampling units (UNDP unions list) were used for the qualitative data collection. Five types of qualitative techniques were used to complement the study objectives. Two stage sampling design were applied to cover all the techniques: (i) list of unions and (ii) respondents.

First Stage : PSU by UNDP  
Second Stage Unit : Respondents

## 2.5 Sampling Frame, Sample Allocation

Following is the total picture of the sample distribution for the different study methods:

Methods	Techniques	Sample Allocation	
		Unions	Sample
Quantitative	Face to Face (F2F)	110	10,016
Qualitative	In-Depth Interview (IDI)	110	222
	Key Informant Interview (KII)	110	111
	Focas Group Discussion (FGD)	22	22
	Process Documentation (PD)	20	20
	Case Studies (CS)	26	26
	National Roundtable Discussion	1	

## 2.6 Selection of 110 PSUs: Random Route

Simple random sampling scheme was used to draw required number of rural and urban PSUs for each division. The number selected was as follows:

Division	Barisal	Chittagong	Dhaka	Khulna	Rajshahi	Sylhet	Bangladesh
Rural PSU	13	09	30	15	31	12	110

The study team collected the list of 110 PSUs from UNDP. Random routes were taken for selection of 23 Households per village, 2 villages from each selected PSU.

Bangladesh Map showing locations where survey was conducted placed at Annex VI.

## 2.7 Selection of Villages and Households from each Selected PSU

1. Every field teams were given instruction to select 2 villages from each primarily selected PSU (Unions).
2. On an average a sample of 23 households was drawn randomly from each village.

## 2.8 Selection of 2 adults from the Selected Household

1. The selected household may have one or more adults. However, we have selected two adult from each household. Out of two interviews, we have covered 1 male and 1 female. In this survey, adult is defined age 18 years and above. Selection of two adult was favored for the following two reasons:
  - It was desired to take no more than two interviews in one household, in order to avoid duplication, discussion among the adults, and further more multiple interviews are statistically inefficient.
  - 1 male and 1 female interview were taken for maintaining the gender dimension.
2. Every team covered on an average 4 PSUs, 8 villages, 184 households and 330 respondents. The team Supervisor and the Quality Controller were advised to randomly revisit the interviewed HH.

## 2.9 Sampling Performance (Response Rate)

To complete the 10,016 interviews we had to attempt 5,542 Households (2 interviews per HH). Out of them 712 respondents refused to give interview or participate in the survey. 2 respondents were agreed and interested to

participate in the survey but ultimately failed because of their busyness. Among the successful interviews 851 were interrupted. The following table shows this picture.

### 3.0 Instruction for the Main Questionnaire

Key instructions gave to the field forces regarding questionnaire are given below:

Response Rate	
A. Eligible households visited (including those where nobody home)	5,542
B. Eligible respondents contacted	10,734
<b>I. CONTACT RATE (B/A)</b>	<b>0.968</b>
C. Respondent refusals	712
D. Agreed to interview	10,018
<b>II. COOPERATION RATE (D/B)</b>	<b>0.933</b>
E. Interrupted interviews	851
F. Complete interviews	10,016
<b>III. COMPLETION RATE (F/D)</b>	<b>0.999</b>
<b>RESPONSE RATE (I*II*III)</b>	<b>0.90</b>

1. Be sure that you are interviewing the right individual
2. If the selected respondent is not available at first attempt, then record the time, and know from others when the respondent would be available.
3. Instructions are available at the top of each question. Read carefully. Consult the Supervisor (FS/QC) in case of any confusion.
4. Ask every question if not instructed otherwise
5. Some questions are for selected respondents, be sure
6. Try to interview privately. Make sure that others do not interfere at any stage
7. Be careful in selecting the code number
8. Use circle to the respondent's response.

## 4.0 Background of Field Team & Field Work

### 4.1 Field Work

Thirty seven (37) teams were involved in the data collection process. 16 days were needed for data collection for every team. A field work instructions manual followed by the teams. After the field work, tabulation team worked for another 15 days. In terms of qualitative field work, we used a number of qualitative tools and techniques. FGD, Key Informant Interview (KII) and In-depth Interview (IDI) are one of the important tools of the study. Total 111 KII, 222 IDIs and 22 FGDs were conducted during the field survey. All the respondents for KII were either Chairman or Member of the respective Union Parishads. Whereas community leaders were interviewed under IDI and community people of different strata were covered under FGDs.

Case Studies were undertaken through in-depth interviews with community members who earlier seek justice from their respective VCs. Process Documentation was based on the observation of the VCs' ongoing proceeding during the survey period and available records from the staff/official of the VC.

### 5.0 Quality Control

The research team put major emphasis on quality of data and undertook multistage quality control measures as follows:

- i . Intensive training of the Field Investigators (FI)
- ii . Pre-testing of the instruments
- iii . Discussion on feed-back from the pre-test/pilot interview
- iv . One Supervisor and one Quality Controller in each team
- v . A separate team (Field Controllers) to supervise the field work

- vi. Every Supervisor/Quality Controller carried out 2 back-checks every day with their other routine work. The back-checks included re-interviewing of each respondent second time and check the inconsistencies.
- vii. One Quality Controller (QC) in each team checked all the filled-in questionnaires on daily basis. If QC found any errors or discrepancies, he/she immediately corrected the error after discussion with the relevant FI and in some cases, through re-interview with the respondents.
- viii. Deployed 8 (eight) Field Controllers (FC) to supervise and monitor the field work of each team. They also made random checks and made correction as needed.
- ix. Three (3) Field Monitoring Coordinators (FMC) coordinated and monitor the field works of the field teams and Quality Controllers, Field Supervisors and Field Controllers. Whenever, the field team faced any problems, the FMCs provided instructions, corrective measures and solution in field and over telephone.
- x. Every evening the field team members discussed on various aspects of field works, problems encountered by every member in the team and jointly worked out the strategy to overcome the problems and next step.
- xi. SRGB appointed a Tabulation Team consisting of 15 persons to edit all the filled-in questionnaires sent from the field at Dhaka Office.

### **5.1 Back-Check**

1. In every Village the total respondents were 46
2. On completion of interviews by FIs, the Supervisors and Quality Controllers completed back-check of 2 randomly selected respondents on daily basis, as instructed by the study team.
3. Among the interviews and back-check by the team, at least one interview randomly rechecked by the Field Controller.

### **6.0 Problems Encountered**

1. People in some areas were reluctant and less cooperative to give interviews.
2. Communication in some of the regions, especially in Cox's Bazar and Sunamgonj were very tough to reach the target villages and most of the time survey teams had to depend on foot.
3. On an average about 28 minutes were needed to complete a successful interview.

### **7.0 Other Issues**

#### **7.1 Incentives**

No incentive was paid to the respondents or local people to get their cooperation for F2F interviews. However, a token gift and refreshment was served to the FGD participants.

#### **7.2 Women's Response**

Field teams found women respondent very enthusiastic and field team received full cooperation from them. The selected respondents were very happy and were proud to be a part of this survey.

### **8.0 Data Entry, Cleaning & Processing**

SPSS version 14.0 was used to enter the data obtained from the field. All data elements were pre-coded and defined in SPSS as definite variables. Same data were entered twice in two separate locations and in two different files. We did more than the pre-requisite number of interviews, as based on our experience we knew that some of those might be found out unreliable during scrutiny. During data entry, random checking of at least 20% of data entered on a day was done regularly.

For checking consistency of data, the dependant questions were separately analyzed to see existence of any inconsistent data. To do that separate frequency tables were prepared for the inter-related questions and then the numbers of answers were matched from those tables. In case of any mismatches, the wrong answers were eliminated as unreliable.

Open-ended responses/answers were coded and entered in the respective field in data format/file. In all cases value labels were made.





## AnnexVI

### **Questionnaires and Checklists of the Survey**

#### **Baseline Survey Report on Village Courts in Bangladesh, 2009**



# অ্যাকটিভেটিং ভিলেজ কোর্টস ইন বাংলাদেশ প্রকল্প

স্থানীয় সরকার বিভাগ, স্থানীয় সরকার পলী-উন্নয়ন ও সমবায় মন্ত্রণালয়

বেইজলাইন সার্ভে ২০০৯

সার্ভে প্রশ্নপত্র

## গ্রাম আদালত জরীপ-২০০৯

আমি----- সার্ভে রিসার্চ গ্রুপ অফ বাংলাদেশ (SRGB) নামক একটি বেসরকারী প্রতিষ্ঠান থেকে এসেছি। SRGB একটি স্বাধীন, নিরপেক্ষ গবেষণা ও ব্যবস্থাপনা উপদেষ্টা প্রতিষ্ঠান। বর্তমানে প্রতিষ্ঠানটি বাংলাদেশের গ্রাম আদালতের প্রভাব মূল্যায়ন করার জন্য একটি মৌলিক জরীপ পরিচালনা করছে। এ উদ্দেশ্যে গ্রাম পর্যায়ে বিচার এবং মানবাধিকার অবস্থার বিভিন্ন বিষয়ের উপর তথ্য সংগ্রহ করা হবে। এ লক্ষ্যে দৈবচয়নের মাধ্যমে সাক্ষাৎকার গ্রহণের জন্য আপনাকে নির্বাচিত করা হয়েছে। আপনি এবং অন্যান্যদের মতামতের উপর আমরা গবেষণা করবে। আপনার দেয়া তথ্য গোপন রাখা হবে।

আপনার সদয় সহযোগিতার জন্য আগাম ধন্যবাদ এবং আন্তরিক শুভেচ্ছা।

বিভাগ	কোড
রাজশাহী	০১
খুলনা	০২
ঢাকা	০৩
চট্টগ্রাম	০৪
বরিশাল	০৫
সিলেট	০৬

উত্তরদাতার নাম -----

পরিবার প্রধানের নাম -----

পরিবার প্রধানের সাথে সম্পর্ক -----

ঠিকানা -----

মোবাইল/টেলিফোন নং -----

গ্রাম ----- গ্রাম কোড

ইউনিয়ন----- ইউনিয়ন কোড

উপজেলা ----- উপজেলা কোড

জেলা ----- জেলা কোড

ফিল্ড ইনভেস্টিগেটর -----

ফিল্ড সুপারভাইজার -----

কোয়ালিটি কন্ট্রোলার -----

## মূল প্রশ্নমালা

### Section A: আইনি সুরক্ষা এবং সচেতনতা

Q1 আপনার এলাকায় সাধারণত কি কি ধরনের অপরাধ এবং কি কি বিষয়ে অহরহ বিবাদ/বিরোধ ঘটে?

৯৭	
৯৮	জানি না
৯৯	বলবো না

Q2 আপনি কি গ্রাম আদালত সম্পর্কে কিছু জানেন?

১।	হ্যাঁ	প্রশ্ন নং ৪ এ যান
২	না	প্রশ্ন নং ৩ এ যান
৩	জানি না	
৪	বলবো না	

Q3 আপনার এলাকায় লোকজন সাধারণ ছোটো খাটো পারিবারিক সমস্যা বা ঝগড়া বিবাদ কিভাবে মেটায়? যদি তারা সালিশে বসে, তাহলে তারা কার কাছে যায়?

১	গ্রামের মাতবরের কাছে যায়
২	স্কুল শিক্ষকের কাছে যায়
৩	ধর্মীয় নেতাদের কাছে (ইমাম বা মাওলানা প্রমুখ) যায়
৪	ইউনিয়ন পরিষদের মেম্বর চেয়ারম্যানদের কাছে যায়
৫	স্থানীয় রাজনৈতিক নেতাদের কাছে যায়
৯৭	অন্যান্য
৯৮	জানি না
৯৯	বলবো না

Q3A যদি তারা সালিশে না যায়, তাহলে কিভাবে তারা বিবাদ/বিরোধ মিটায়?

৯৭	
৯৮	জানি না
৯৯	বলবো না

Q3B আপনি কি মনে করেন যে মানুষজন এইসব স্থানীয় সালিশ থেকে সুবিচার পায়?

১।	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

**Q3C** যদি হ্যাঁ হয় (প্রশ্ন ৩বি=১), আপনি কি মনে করেন যে সাধারণ ছোটো খাটো ঝগড়া বিবাদ মেটানোর ক্ষেত্রে স্থানীয় সালিশ কার্যকর?

১।	খুব কার্যকর
২	মোটামুটি কার্যকর
৩	খুব একটা কার্যকর নয়
৪	অকার্যকর
৯৮	জানি না
৯৯	বলবো না

**Q3D** যদি কার্যকর না হয়, (প্রশ্ন 3C= ৩ এবং ৪) তাহলে কেন না বলে আপনি মনে করেন?

৯৭	
৯৮	জানি না
৯৯	বলবো না

**Q3E** আপনি কি এমন কোনো নারী নির্যাতন বা নারীর বিরুদ্ধে আচরণের ঘটনা জানেন যেটা নিয়ে সালিশ হয়েছে?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

**Q3F** যদি হ্যাঁ হয়, আপনি কি মনে করেন যে ঘটনাটি সালিশের মাধ্যমে কার্যকরভাবে সমাধান করা হয়েছিল?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

এই পর্যায়ে এসে উত্তর দাতাকে গ্রাম আদালত এবং এর কার্যাবলী সম্পর্কে সংক্ষিপ্ত ভাবে জানান, তারপরে নিচের প্রশ্নটি করুন।

**Q3G** আপনার এলাকায় যদি এমন একটি গ্রাম আদালত চালু করা হয়, তাহলে কি সেটা উপকারী হবে?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

**Q3H** উত্তর যদি হ্যাঁ হয় (Q3G=1) ,কেন উপকারী হবে বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

**Q3I** প্রশ্ন Q3G এর উত্তর যদি না হয়, কেন উপকারী হবে না বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

Q4 যদি Q2 প্রশ্নের উত্তর হ্যাঁ হয় (Q 2=1) , তবে নিম্নের প্রশ্ন করুন।

১	রেডিও
২	টিভি
৩	পত্র পত্রিকা
৪	বন্ধু বান্ধব
৫	ইউনিয়ন পরিষদের মেম্বর/চেয়ারম্যান
৬	এনজিও
৭	স্কুল শিক্ষক
৮	ধর্মীয় নেতা
৯	রাজনৈতিক নেতা কর্মী
১০	অন্যান্য
১১	জানি না
১২	বলবো না

Q5 আপনার জানামতে গ্রাম আদালত কি কি ধরনের অপরাধ বা বিবাদের বিচার আচার করতে পারে?

১০	
১১	জানি না
১২	বলবো না

Q6 আপনি কি গ্রাম আদালতের আর্থিক পরিধি সম্পর্কে জানেন?

১	হ্যাঁ
২	না
৩	বলবো না

Q6a আপনি কি জানেন, গ্রাম আদালত কত টাকার সম্পদ সংক্রান্ত বিবাদের বিচার করতে পারে এবং কত টাকা পর্যন্ত ক্ষতিপূরণ আদায় করতে পারে?

১০	
১১	বলবো না

Q7 আপনি কি জানেন, গ্রাম আদালত কিভাবে গঠিত হয়?

১	হ্যাঁ
২	না
৩	বলবো না

Q7a যদি হ্যাঁ হয়, কিভাবে গঠিত হয়?

১০	
১১	বলবো না

Q8 আপনি কি জানেন গ্রাম আদালতের সিদ্ধান্ত কিভাবে গ্রহণ করা হয়?

১	হ্যাঁ
২	না
৩	বলবো না

Q8a যদি হ্যাঁ হয়, কিভাবে হয় বলুন?

৯৭	
৯৯	বলবো না

Q9 আপনার জানা মতে গ্রাম আদালতের সিদ্ধান্তের বিরুদ্ধে কি উচ্চতর আপীল করা যায়?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

Q9a যদি আপীল করা যায়, তাহলে কিভাবে এবং কোথায় আপীল করতে হবে?

৯৭	
৯৯	বলবো না

Q10 আপনার এলাকায় কি এমন কোনো সংস্থা বা প্রতিষ্ঠান আছে যারা গ্রাম আদালত বিষয়ে সচেতনতা সৃষ্টির জন্যে কাজ করছে?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

## Section-B বিচার পদ্ধতি বিষয়ক প্রশ্ন

Q11 আপনার এলাকায় কি গ্রাম আদালত চালু আছে?

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

Q12 যদি গ্রাম আদালত চালু থাকে, (প্রশ্ন ১১=১), তবে প্রশ্ন করুন।

১	হ্যাঁ
২	না
৩	জানি না
৪	বলবো না

যদি হ্যাঁ হয়, তাহলে আপনার মতে গ্রাম আদালতের মাধ্যমে তারা কি কি ধরনের বিচারিক সুবিধা বা অসুবিধা পেতে পারেন?

Q12A সুবিধা সমূহ

৯৭	
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**Q12B** অসুবিধা সমূহ

৯৭	
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**Q12C** যদি সাধারণ মানুষ গ্রাম আদালতে যেতে পছন্দ না করেন, তাহলে কেন করেন না বলে আপনি মনে করেন

৯৭	
৯৯	বলবো না

**Q12D** যদি গ্রাম আদালতে যেতে মানুষ পছন্দ না করে, তাহলে আদালতে যাতে মানুষ যায় সে জন্যে কি কি করা উচিত বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

**Q13** আনুষ্ঠানিক আদালত এবং সালিশের মত অনানুষ্ঠানিক বিচার ব্যবস্থার সমস্যা বা সুবিচার ব্যাপারে আপনার ব্যক্তিগত মতামত কিরূপ?

সমস্যা	সমস্যা
সুবিধা	সুবিধা

## Section-C আইনি সহায়তা ও পরামর্শ

**Q14** আপনার জানামতে আপনার এলাকায় সাধারণ মানুষকে আইনি সহায়তা ও পরামর্শ দেয়ার জন্য কোন অফিস/ব্যক্তি/প্রতিষ্ঠান আছে?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

**Q14A** যদি হ্যাঁ হয়, তাদের নাম বলতে পারেন?

৯৭	
৯৯	বলবো না

Q15 গ্রাম আদালতে বিচার পাওয়ার বা বিচার চাইতে যাওয়ার ক্ষেত্রে আইনগত সহায়তা বা পরামর্শের দরকার আছে কি?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

Q15A যদি হ্যাঁ হয়, তাহলে কি ধরনের আইনগত সহায়তা বা পরামর্শের দরকার আছে বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

Q15B যদি না হয়, তাহলে কেন প্রয়োজন নাই বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

## Section-D সিদ্ধান্ত বাস্তবায়ন ও তত্ত্বাবধান

Q16 আপনার মতে গ্রাম আদালত কি তার গৃহীত সিদ্ধান্ত বাস্তবায়ন/প্রয়োগ করতে পারে?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

Q16A যদি না হয়, তবে কেন পারে না?

৯৭	
৯৯	বলবো না

Q16B গ্রাম আদালতের সিদ্ধান্ত সমূহ বাস্তবায়নের জন্য কি করা উচিত বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

## Section-E মনোভাব এবং মতামত

Q17 আপনি কি কখনো আপনার ব্যক্তিগত বা পারিবারিক জীবনে কোনো ধরনের অপরাধ বা বিবাদের মধ্যে জড়িয়ে পড়েছিলেন?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

Q17A যদি হ্যাঁ হয়, তাহলে কি ধরনের ঘটনা ছিলো সেটা?

৯৭	
৯৯	বলবো না

Q18 আপনি কি কোনো বিরোধ বা বিবাদ নিয়ে গ্রাম আদালতের দ্বারস্থ হয়েছিলেন?

৯৭	
৯৯	বলবো না

Q18A যদি হ্যাঁ হয়, তাহলে সেটা কি ধরনের বিষয় ছিলো?

৯৭	
৯৯	বলবো না

Q19 আপনি কি মনে করেন যে আপনি সেখানে সঠিক সিদ্ধান্ত বা ন্যায়বিচার পেয়েছিলেন?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

Q19A যদি ন্যায় বিচার পেয়ে থাকেন, তাহলে সেটা কিভাবে পেলেন ব্যাখ্যা করুন।

৯৭	
৯৯	বলবো না

Q19B বিচার পাওয়ার পরে আপনার অনুভূতি কি?

১।	খুব খুশি
২	মোটামুটি খুশি
৩	খুশিও না, অখুশিও না
৪	খুব অখুশি
৯৮	জানি না
৯৯	বলবো না

**Q19C** যদি ন্যায় বিচার না পেয়ে থাকেন, তবে কেন পান নাই বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

**Q20** আপনার কোনো আত্মীয় স্বজন বা বন্ধু বান্ধব বা চেনা পরিচিত লোকজন কি কখনো গ্রাম আদালতে বিচার চাইতে গিয়েছিলো?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

**Q20A** যদি হ্যাঁ হয়, তারা কি সুবিচার পেয়েছিলো?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

**Q20B** যদি ন্যায় বিচার না পেয়ে থাকেন, তাহলে কেন পান নাই বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

**Q21** আপনি কি মনে করেন যে গ্রাম আদালত গ্রামের মানুষের জন্যে উপকারী?

১	হ্যাঁ
২	না
৯৮	জানি না
৯৯	বলবো না

**Q21A** যদি হ্যাঁ হয়, তাহলে কিভাবে উপকারী?

১	কম খরচ হয়
২	সহজে যাওয়া যায়
৩	কম আনুষ্ঠানিকতা
৪	দ্রুত সমাধান পাওয়া যায়
৫	শান্তি সৌহার্দ্য আনে
৯৭	অন্যান্য (উল্লেখ করুন)
৯৯	বলবো না

**Q21B** যদি না হয়, তবে কেন উপকারী নয় বলে আপনি মনে করেন?

৯৭	
৯৯	বলবো না

Q22 গ্রাম আদালতের উন্নয়নের জন্যে নিম্নোক্ত বিষয়ে দয়া করে আপনার পরামর্শ দিন।

No.	তথ্য বা উপায়	পরামর্শ
A	আপরাধ বা বিবাদ সমূহের ধরন	
B	সিদ্ধান্ত গ্রহণ করার পদ্ধতি	
C	গ্রাম আদালতের নিয়ন্ত্রণ ও মনিটরিং	
D	জবাবদিহিতা	
E	গ্রাম আদালতের বিচারাধীন বিষয়ে তদন্ত/অনুসন্ধান	
F	নারী পুরুষের সমতা	
G	অন্যান্য	

D1 উত্তরদাতার লিঙ্গ (দেখে কোড চিহ্নিত করুন)

১	পুরুষ
২	মহিলা

D2 উত্তরদাতার বয়স

১	১৮-২৪
২	২৫-২৯
৩	৩০-৩৪
৪	৩৫-৩৯
৫	৪০-৪৪
৬	৪৫-৪৯
৭	৫০-৫৪
৮	৫৫-৫৯
৯	৬০+
৯৮	জানি না (পড়বেন না)
৯৯	বলবো না (পড়বেন না)

D3 শিক্ষার স্তর

১	কিছুটা প্রাথমিক পর্যায় বা কম
২	প্রাথমিক পর্যায় সমাপ্ত
৩	কিছুটা মাধ্যমিক পর্যায়
৪	মাধ্যমিক পর্যায় সমাপ্ত
৫	কিছুটা উচ্চ মাধ্যমিক পর্যায় (বিশ্ববিদ্যালয় বা প্রযুক্তি গত)
৬	বৃত্তিগত/কারিগরী শিক্ষা সমাপ্ত
৭	বিশ্ববিদ্যালয় বা অধিক সমাপ্ত
৮	জানি না (পড়বেন না)
৯	বলবো না (পড়বেন না)

D4 কর্ম অবস্থা

১	ব্যবসা
২	সরকারি চাকুরি
৩	শিক্ষকতা
৪	ধর্মীয় নেতা
৫	স্থানীয় নেতা
৬	ছাত্র/ছাত্রী
৭	কৃষি কাজ/কৃষক
৮	রাজনৈতিক নেতা/রাজনৈতিক আন্দোলনের অংশগ্রহণকারী ব্যক্তি
৯	অন্যান্য (নির্দিষ্ট করে বলুন)
৯৮	জানি না (পড়বেন না)
৯৯	বলবো না (পড়বেন না)

**D5 বৈবাহিক অবস্থা**

১	অবিবাহিত
২	বিবাহিত
৩	বিধবা/বিপত্তীক
৪	তালাক প্রাপ্ত/আলাদা হয়েছেন
৫	জানি না (পাড়বেন না)
৬	বলবো না (পাড়বেন না)

বিবাহিত হলে প্রশ্ন করুন

**D6 স্বামী বা স্ত্রীর কর্ম অবস্থা**

১	পূর্ণ সময় কর্মজীবী
২	আংশিক সময় কর্মজীবী
৩	বেকার এবং কর্ম খুঁজছে
৪	গৃহিণী এবং গৃহের বাইরে কাজ করেনা
৫	ছাত্র অথবা শিক্ষানবীশ
৬	অবসর প্রাপ্ত অথবা পঙ্গু/অক্ষম
৯৮	জানি না (পাড়বেন না)
৯৯	বলবো না (পাড়বেন না)

**D7 উত্তরদাতার মাসিক আয়**

১	টাকা ২,০০০ বা কম
২	টাকা ২,০০১-৫০০০
৩	টাকা ৫,০০১-৮০০০
৪	টাকা ৮,০০১-১০,০০০
৫	টাকা ১০,০০১-১৫,০০০
৬	টাকা ১৫,০০১-২০,০০০
৭	টাকা ২০,০০১-অধিক
৮	কোন আয় নেই
৯৮	জানিনা (পাড়বেন না)
৯৯	বলবোনা (পাড়বেন না)

**D8 উত্তর দাতার নিজস্ব কৃষি জমির পরিমাণ**

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**D9 উত্তরদাতার পরিবারের সদস্য সংখ্যা**

১	পুরুষ	জন
২	মহিলা	জন

**D10 দখলি সম্পত্তির অবস্থা [একাধিক উত্তর]**

১	রেডিও
২	টিভি
৩	মোবাইল/টেলিফোন
৪	রিকসা/ভ্যান
৫	মোটরসাইকেল/গাড়ি
৯৭	অন্যান্য (নির্দিষ্ট করে বলুন)
৯৮	জানি না (পাড়বেন না)
৯৯	বলবো না (পাড়বেন না)

**D11 উত্তরদাতার ধর্ম**

১	ইসলাম
২	হিন্দু
৩	খ্রিষ্টান
৪	বৌদ্ধ
৫	ইহুদী
৬	প্রাকৃতিকত ধর্ম
৭	বিশ্বাসী না
৮	নাস্তিক
৯৭	অন্যান্য
৯৮	জানি না
৯৯	বলবো না

উত্তরদাতাকে ধন্যবাদ দিয়ে, সাক্ষাৎকার গ্রহণকারী নিচের প্রশ্নগুলোর উত্তর লিপিবদ্ধ করবেন।

<b>A</b>	নিম্ন লিখিত কোন উক্তিটি সাক্ষাৎকার গ্রহণ সময়কার পরিস্থিতি ভালোভাবে বর্ণনা করে?
১	ব্যক্তিগত স্থান, শুধু উত্তরদাতা এবং আমি উপস্থিত ছিলাম।
২	এক বা একাধিক পরিবার সদস্য/বন্ধু বান্ধব উপস্থিত ছিল, কিন্তু সাক্ষাৎকার বাধ্যতামূলক হয়নি।
৩	এক বা একাধিক পারিবারিক সদস্য/ বন্ধু বান্ধব উপস্থিত ছিল এবং সাক্ষাৎকার বাধ্যতামূলক হয়নি।

<b>B</b>	উত্তরদাতা উত্তর দিতে কেমন স্বাচ্ছন্দ্যবোধ করেছেন?
১	সাক্ষাৎকার প্রদানকারী সব প্রশ্ন বুঝতে পেরেছেন
২	সাক্ষাৎকার প্রদানকারী প্রায় সব প্রশ্ন বুঝতে পেরেছেন

<b>C</b>	জরীপের প্রশ্ন সাক্ষাৎকার প্রদানকারী কতটুকু বুঝতে পেরেছে বলে আপনি মনে করেন? সাক্ষাৎকার প্রদানকারী নিচের কোন প্রশ্নটি কতটুকু বুঝতে পেরেছে তা প্রকাশ করে।
১	ব্যক্তিগত স্থান, শুধু উত্তরদাতা এবং আমি উপস্থিত ছিলাম।
২	এক বা একাধিক পরিবার সদস্য/বন্ধু বান্ধব উপস্থিত ছিল, কিন্তু সাক্ষাৎকার বাধ্যতামূলক হয়নি।
৩	সাক্ষাৎকার প্রদানকারী কিছু সাহায্য নিয়ে প্রায় সব প্রশ্ন বুঝতে পেরেছে।
৪	আমার সাহায্য নেওয়ার পরও সাক্ষাৎকার প্রদানকারী বেশীর ভাগ প্রশ্ন বুঝতে সমস্যা হয়েছে

<b>D</b>	আপনার মতে উত্তর দাতা সরলভাবে উত্তর প্রদান করেছেন কি?
১	হ্যাঁ
২	না

<b>E</b>	উত্তর দাতার ID নম্বর (সম্পূর্ণ নম্বুর একটি মাত্র নম্বর) (প্রশ্ন পত্র নং)

<b>F</b>	সাক্ষাৎকার গ্রহণকারী ID নম্বর

G	সাক্ষাৎকারের তারিখ		
	দিন	মাস	বছর

H	সাক্ষাৎকারের মোট সময় (মিনিট লিখুন)		
	শুরু	শেষ	মোট সময় (মিনিট লিখুন)



## Checklist / Guideline for Key Informant Interview (KII)

উত্তরদাতার নাম-----

ঠিকানা-----

মোবাইল/টেলিফোন নং-----

গ্রাম----- গ্রাম কোড-----

ইউনিয়ন----- ইউনিয়ন কোড

উপজেলা----- উপজেলা কোড

জেলা----- জেলা কোড

মডারেটরের নাম-----

নোট টেকারের নাম-----

### আলোচ্য বিষয়

উত্তর দাতা

১ ইউপি চেয়ারম্যান

২ ইউপি সদস্য

ক আইনি সুরক্ষা ও সচেতনতা

১ গ্রাম আদালত কি আপনার ইউনিয়নে সক্রিয়? যদি না হয় কেন নয়? (২৪, ২৫, ২৬ ও ২৭ নং প্রশ্ন জিজ্ঞাসা করুন)

২ যদি হ্যাঁ হয়, গড়ে প্রতি মাসে আপনার এলাকায় কতগুলো মামলা গ্রাম আদালতে আসে? ঐ মামলাগুলোর মধ্যে মাসে কতগুলো মামলা সফলভাবে নিষ্পত্তি করতে পারেন?

৩ আপনার গ্রাম আদালত কি কি ধরনের মামলা ও ঝগড়া-বিবাদ নিয়ে প্রায়ই কাজ করে?

৪ আপনি কি গ্রাম আদালতের সাংগঠনিক কাঠামো, আইনগত ও আর্থিক আওতা/পরিধি জানেন? (অর্থাৎ একটি গ্রাম আদালত কি ধরনের ঝগড়া-বিবাদ সমাধান করতে পারে এবং কত টাকার মধ্যে মামলা সীমাবদ্ধ রাখতে হবে?)

৫ আপনি কি মনে করেন গ্রাম আদালতকে প্রদত্ত আর্থিক ও আইনি ক্ষমতা যথেষ্ট? যদি না হয়, তবে কেন নয়? কিরূপ হওয়া উচিত?

৬ আপনি কি বাদীর কাছ থেকে মামলার জন্য কোন ফি নেন? যদি হ্যাঁ হয়, কত নেন? যদি না হয়, গ্রাম আদালত পরিচালনার খরচ কিভাবে বহন করেন?

খ বিচার পদ্ধতি

৭ গ্রাম আদালতের মামলা বিচার করতে গিয়ে আপনি কি কোন সমস্যা পড়েন? যদি হ্যাঁ হয়, কি কি সমস্যা পড়েন? আপনি কিভাবে তা সমাধান করেন?

৮ গ্রাম আদালত গঠন করতে গিয়ে আপনি কি কোন নারী-পুরুষ বৈষম্য দেখতে পান? একজন নারী সদস্য কি গ্রাম আদালতের বিচার কাজে সদস্য হতে পারেন?

৯ বিবাদমান নারী কি বৈষম্যের শিকার হন? হলে কি ধরনের বৈষম্যের শিকার হন?

গ আইনি সহায়তা ও পরামর্শ

১০ গ্রাম আদালতের গঠন ও কার্যক্রম প্রক্রিয়া বিষয়ে আপনি কি কোন প্রশিক্ষণ পেয়েছেন? পেয়ে থাকলে, কি ধরনের প্রশিক্ষণ পেয়েছেন? প্রশিক্ষণ ব্যবস্থা কারা করেছেন এবং প্রশিক্ষণটি কত দিনের ছিল?

১১ আপনার কি গ্রাম আদালতের আইনগত তথ্যের পর্যাপ্ত উৎস যেমন হ্যান্ডবুক অথবা গ্রাম আদালত পরিচালনার গাইড বা ম্যানুয়েল ইত্যাদি আছে?

১২ গ্রাম আদালতের জনবলের অবস্থা কি? এটা কি যথেষ্ট? যদি না হয় তাহলে গঠন কাঠামো কেমন হওয়া উচিত?

১৩ গ্রাম আদালতের কাজে খরচ করার জন্য আপনার কি কোন বাজেট আছে? থাকলে তা কিরূপে এ বাজেট কোথা থেকে পান?

১৪ গ্রাম আদালতের কাজ করার জন্য আপনি কি কোন বেতন বা সম্মানী পান? পেলে কত পান?

ঘ সিদ্ধান্ত বাস্তবায়ন ও তত্ত্বাবধান

১৫ গ্রাম আদালতের সিদ্ধান্ত বাস্তবায়নে আপনি কি কোন সমস্যার সম্মুখীন হন? যদি হন, কি ধরনের সমস্যা? আপনি কিভাবে তা সমাধান করবেন?

১৬ গ্রাম আদালতের কাজ পরিচালনা ও সিদ্ধান্ত বাস্তবায়ন করতে গিয়ে থানা-পুলিশ এবং অন্যান্য উচ্চ মহলের পক্ষ থেকে কি কোন সহযোগিতা পান? পেলে কি ধরনের সহযোগিতা পান?

১৭ আপনি গ্রাম আদালত ও স্থানীয় সালিশ প্রক্রিয়ার মধ্যে কিভাবে তুলনা করবেন?

১৮ ১৯৭৬ এর গ্রাম আদালত বিধিমালা অনুযায়ী ইউনিয়ন পরিষদ গ্রাম আদালতের অর্থবার্ষিক প্রতিবেদন উপজেলা নির্বাহী অফিসারের কাছে পেশ করবে, আপনি কি নিয়মিত ভাবে তা পেশ করেন? যদি না করেন, তবে ইউএনও অফিস থেকে কি কোন তাগাদা দেওয়া হয়?

১৯ মনিটরিং অধিকর্তা (উপজেলা নির্বাহী অফিসার) কি গ্রাম আদালতের কার্যক্রম নিয়মিত মনিটর করেন? করলে কিভাবে করেন?

ঙ দৃষ্টিভঙ্গি/মনোভাব ও মতামত

২০ গ্রাম আদালতের ইতিবাচক ও নেতিবাচক দিকগুলো কি কি?

২১ অন্যান্য সামাজিক সংগঠনের সাথে গ্রাম আদালতের কি নিয়মিত যোগাযোগের কোন প্রয়োজন আছে? থাকলে, কিভাবে হওয়া উচিত?

২২ আপনি কি মনে করেন ঝগড়া-বিবাদ নিষ্পত্তির জন্য গ্রাম আদালতের প্রতি জনগণের আস্থা আছে? যদি না হয়, কেন নাই?

২৩ গ্রাম আদালত ব্যবস্থা উন্নয়নের জন্য আপনার পরামর্শ কি কি?

যদি ১ নং প্রশ্নের উত্তর না হয়, তবে কেন এটা সক্রিয় নয়? এ ব্যাপারে পুরো কারণ জানতে নিম্নোক্ত প্রশ্নগুলো জিজ্ঞেস করুন:

২৪ আপনি কি আপনার ইউনিয়ন পরিষদে গ্রাম আদালত গঠনের জন্য কখনও কোন দরখাস্ত পেয়েছেন? যদি পেয়ে থাকেন, তাহলে কেন আপনি গ্রাম আদালত গঠন করেননি?

২৫ গ্রাম আদালতের গঠন আর্থিক ও আইনগত আওতা বা পরিধি সম্পর্কে কি আপনি জানেন? জানলে আপনি কি ধরনের উপকার করতে পারেন বা এর আর্থিক সীমাবদ্ধতা কতটুকু?

২৬ ১৯৭৬ এর গ্রাম আদালত বিধিমালা অনুযায়ী ইউনিয়ন পরিষদ গ্রাম আদালতের অর্থবার্ষিক প্রতিবেদন উপজেলা নির্বাহী অফিসারের কাছে পেশ করবেন।  
আপনি কি নিয়মিত ভাবে তা পেশ করেন? না করলে কেন করেন না?

২৭ গ্রাম আদালত সম্পর্কে কি কোন প্রশিক্ষণ পেয়েছেন? যদি পান তা কি ধরনের প্রশিক্ষণ? কারা দিয়েছেন এবং প্রশিক্ষণ কত দিনের ছিল?

উত্তরদাতার পেশা :-----

উত্তরদাতার বয়স :-----

উত্তরদাতার লিঙ্গ :-----

সাক্ষাৎকারের সময় :-----

শুরু	শেষ	মোট সময় (মিনিট)

## Checklist / Guideline for In-depth Interview (IDI)

উত্তরদাতার নাম-----

ঠিকানা -----

মোবাইল/টেলিফোন নং -----

গ্রাম ----- গ্রাম কোড -----

ইউনিয়ন----- ইউনিয়ন কোড 

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উপজেলা ----- উপজেলা কোড 

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জেলা ----- জেলা কোড 

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মডারেটরের নাম-----

নোট টেকারের নাম-----

### আলোচ্য বিষয়

#### উত্তরদাতা

- ১ স্কুল শিক্ষক
- ২ ধর্মীয় নেতা
- ৩ গ্রাম্য নেতা (মাতব্বর)
- ৪ এনজিও কর্মী
- ৫ রাজনৈতিক নেতা
- ৬ অন্যান্য (উল্লেখ করুন)

#### (ক) আইনি সুরক্ষা ও সচেতনতা

- ১ আপনার এলাকায় সাধারণত কি কি ধরনের ঝগড়া-বিবাদ, বিরোধ ও অপরাধ সংগঠিত হয়?
- ২ আপনার এলাকায় কি কি ধরনের ঝগড়া-বিবাদ প্রায়ই ঘটে থাকে?
- ৩ লোকজন তাদের ঝগড়া বিবাদ মিটানোর জন্য কোথায় যান?
- ৪ লোকজন যদি সালিশের মাধ্যমে বিবাদ মিটাতে যান তাহলে কি তারা সুবিচার পান?
- ৫ আপনি কি গ্রাম আদালত সম্পর্কে জানেন? যদি জানেন তবে এর কার্যক্রম সম্পর্কে আপনি কি জানেন? বলুন।
- ৬ গ্রাম আদালতের গঠন ও কার্যক্রমের পরিধি সম্পর্কে কি আপনি কিছু জানেন? জানলে বিস্তারিতভাবে বলুন।

#### (খ) বিচার পদ্ধতি

- ৭ আপনার এলাকায় গ্রাম আদালত কি সক্রিয়? যদি সক্রিয় হয় তবে এলাকায় লোকজন কি গ্রাম আদালতে যেতে পছন্দ করেন? যদি না করেন, তবে কেন করেন না?
- ৮ আপনি কি মনে করেন গ্রাম আদালতের মাধ্যমে জনগণ প্রাতিষ্ঠানিক বিচার ব্যবস্থার সুযোগ পাচ্ছেন? গ্রাম আদালতের বিচার চাইতে গিয়ে তারা কিরকম সুবিধা পাচ্ছেন? নাকি সমস্যার সম্মুখীন হচ্ছেন?

(গ) আইনি সহায়তা ও পরামর্শ

- ৯ আপনি কি মনে করেন গ্রাম আদালতের সুবিচার পাওয়ার জন্য জনগণকে সহায়তা করার প্রয়োজন রয়েছে? যদি হ্যাঁ বা না হয়, তবে কেন?
- ১০ বর্তমানে আপনার এলাকায় কোন ব্যক্তি বা সংগঠন কি সাধারণ মানুষজনকে আইনি সহায়তা প্রদানের কাজ করছেন? যদি করেন তবে তারা কারা বা কোন সংগঠন?
- তারা কি ধরনের সহায়তা দিচ্ছে?

(ঘ) সিদ্ধান্ত বাস্তবায়ন ও প্রয়োগ

- ১১ গ্রাম আদালত কি তাদের সিদ্ধান্ত কার্যকরভাবে বাস্তবায়ন করতে পারে? যদি না পারে তবে, কেন পারে না? কিভাবে তা বাস্তবায়ন করা যেতে পারে?
- ১২ আপনি কি মনে করেন ঝগড়া-বিবাদ নিরসনে গ্রাম আদালতের প্রতি জনগণের আস্থা আছে? যদি না হয়, কেন নাই? মানুষের আস্থা বৃদ্ধির জন্য কি করা যেতে পারে?
- ১৩ গ্রাম আদালত কি নারী পুরুষ সমতার ব্যাপারে সচেতন? কোন ঝগড়া-বিবাদে বিবাদমান নারী বৈষম্যের শিকার হন কিনা? হলে কিভাবে হন?
- ১৪ সালিশি ও গ্রাম আদালতের পার্থক্য কিভাবে করবেন?
- ১৫ গ্রাম আদালতের উন্নতির জন্য আপনার পরামর্শ কি?

(ঙ) দৃষ্টিভঙ্গি (মনোভাব) ও মতামত

- ১৬ আপনি কি মনে করেন গ্রাম আদালত তাদের মামলাগুলো সাফল্যজনক ভাবে নিষ্পত্তি করছে? যদি হ্যাঁ হয়, কিভাবে? যদি না হয় তবে কেন পারছে না?
- ১৭ আপনি কি মনে করেন সাধারণ মানুষের জন্য গ্রাম আদালতের প্রয়োজন রয়েছে? যদি হ্যাঁ/না হয়, তবে কেন? সাধারণ মানুষের উপকারের জন্য গ্রাম আদালতকে কিভাবে সক্রিয় করা যায়?
- ১৮ গ্রাম আদালতের ভূমিকা সম্পর্কে জনগণকে অবহিত বা প্রচার করার প্রয়োজন আছে কি? থাকলে কেন এবং কিভাবে তা করা যেতে পারে?
- ১৯ আপনার মতে গ্রাম আদালতের ইতিবাচক ও নেতিবাচক দিকগুলো কি কি?
- ২০ বিভিন্ন সামাজিক সংগঠন গুলোর সাথে গ্রাম আদালতের যোগাযোগ রাখার কোন প্রয়োজন আছে? প্রয়োজন থাকলে কেন এবং কিভাবে তা করা যেতে পারে?

উত্তরদাতার পেশা :-----

উত্তরদাতার বয়স :-----

উত্তরদাতার লিঙ্গ :-----

সাক্ষাৎকারের সময় :-----

শুরু	শেষ	মোট সময় (মিনিট)

## Checklist / Guideline for (FGD)

মডারেটরের নাম-----

নোট টেকারের নাম -----

জায়গা -----

তারিখ -----

অংশগ্রহণকারীদের তথ্যাবলী:

ক্রমিক নং	নাম	বয়স	শিক্ষাগত যোগ্যতা	লিঙ্গ	ঠিকানা	স্বাক্ষর
১						
২						
৩						
৪						
৫						
৬						
৭						
৮						
৯						
১০						
১১						
১২						

## মূল প্রশ্নমালা

উত্তরদাতার ধরন:

১ সমাজের ব্যক্তিবর্গ

আলোচ্য বিষয়

ক আইনি সুরক্ষা ও সচেতনতা

১ আপনার এলাকার সচরাচর কি ধরনের অপরাধ, বিরোধ ও ঝগড়া ও ঝগড়া-বিবাদ সংঘটিত হয়? কি কি অপরাধ ও ঝগড়া-বিবাদ প্রায়শঃ ঘটে?

২ এ ধরনের অপরাধ ও ঝগড়া-বিবাদ নিরসনের জন্য আপনারা কোথায় যান?

৩ আপনার এলাকায় লোকজন ছোটখাট সাধারণ ঝগড়া-বিবাদ কিভাবে মিটায়?

৪ সালিশি সম্পর্কে আপনার মতামত কি? সালিশি কিভাবে কাজ করে? সাধারণ ও ছোটখাটো বিরোধ নিরসন করতে এর ভূমিকা কি?

৫ গ্রাম আদালতের বিচার পদ্ধতিতে কোন ধরনের নারী পুরুষ বৈষম্য ঘটে কিনা? বিচারে নারীর প্রতি সহিংসতার ঘটনাগুলো কিভাবে সমাধান করা হয়?

৬ গ্রাম আদালত সম্পর্কে জানেন কিনা? যদি জানেন গ্রাম আদালতের কথা কিভাবে জেনেছেন? আপনার এলাকায় এটা কার্যকর কিনা?

খ বিচার পদ্ধতি

৭ গ্রাম আদালতের কার্যক্রম সম্পর্কে আপনি কতটুকু জানেন? এর মাধ্যমে কি ধরনের সমাধান/উপকার পাওয়া যায়। কাদের নিয়ে গ্রাম আদালত গঠিত হয়? সিদ্ধান্তের

বিরুদ্ধে আপীল করা যায় কিনা? সিদ্ধান্ত বাস্তবায়ন করা যায় কিনা? আর্থিক (অধিক্ষেত্র) কতখানি? কি কি ধরনের বিরোধ বা অপরাধ এর মাধ্যমে নিষ্পত্তি হতে পারে?

৮ গ্রাম আদালত বিচার সম্পর্কে আপনার এলাকার জনগণের মনোভাব কি? আপনার এলাকার লোকজন গ্রাম আদালতে বিচার চাইতে কি আগ্রহ যদি না হয়, কেন?

৯ গ্রাম আদালতে বিচার চাইতে গিয়ে লোকজন কি কি ধরনের সমস্যা বা অসুবিধার সম্মুখীন হন?

১০ সাধারণ মানুষের কাছে গ্রাম আদালতকে গ্রহণযোগ্য করে তোলার জন্য কি কি করা উচিত? কিভাবে একে সামাজিক ন্যায় বিচার প্রতিষ্ঠার একটি কার্যকর মাধ্যম হিসাবে গড়ে তোলা যায়?

১১ একটি প্রাতিষ্ঠানিক আদালত ও একটি অপ্রাতিষ্ঠানিক আদালত, যেমন সালিশের সুবিধা এবং অসুবিধাগুলো কি কি?

#### গ আইনি সহায়তা ও পরামর্শ

১১ আপনার এলাকার গ্রাম আদালতে সুবিচার পাওয়ার জন্য কোন আইনি সহায়তা ও পরামর্শের জন্য কোন ব্যক্তি বা সংগঠন আছে? থাকলে তাদের নাম কি?

১২ আপনি কি মনে করেন গ্রাম আদালতে সুবিচারের জন্য জনগণের আইনি সহায়তা ও পরামর্শের প্রয়োজন আছে? যদি প্রয়োজন থাকে, কি ধরনের আইনি সহায়তা ও পরামর্শের প্রয়োজন?

#### ঘ সিদ্ধান্ত বাস্তবায়ন ও তত্ত্বাবধান

১৪ আপনি কি মনে করেন গ্রাম আদালত তাদের সিদ্ধান্ত বাস্তবায়নে সক্ষম? যদি না হয়, তবে গ্রাম আদালতের সিদ্ধান্ত বাস্তবায়নের জন্য কি করা উচিত?

১৫ আপনার মতে গ্রাম আদালতের ইতিবাচক ও নেতিবাচক দিকগুলো কি কি?

১৬ গ্রাম আদালতে আপনি যে সমস্যা নিয়ে গিয়েছিলেন তা কি সঠিকভাবে সমাধান করা হয়েছিল? যদি তা না হয়ে থাকে, তাহলে কি কি ধরনের বাধা বিপত্তির সম্মুখীন হয়েছিলেন? (স্বচ্ছতা, জবাবদিহিতা, ইত্যাদি)

#### ঙ দৃষ্টি ভঙ্গি (মনোভাব) ও মতামত

১৭ গ্রাম আদালত সম্পর্কে আপনার/এলাকার লোকজনের ধারণা কি? আপনি কি মনে করেন লোকজন গ্রাম আদালতে সুবিচার পায়? যদি না পায়, তবে কেন পায় না?

১৮ গ্রাম আদালতে কোন অপরাধ বা বিবাদ বা মামলা নিয়ে যাওয়ার পরে আপনি কি কি ধরনের সমস্যার সম্মুখীন হন?

১৯ সালিশ প্রক্রিয়ার কোন অপরাধ, বিবাদ বা মামলা নিয়ে যাওয়ার পরে আপনি কি কি ধরনের সমস্যার সম্মুখীন হন?

২০ গ্রাম আদালতে বিভিন্ন বিষয় যেমন অপরাধ/ বিরোধের ধরন, সিদ্ধান্ত গ্রহণ প্রক্রিয়া, জবাবদিহিতা, তদন্ত প্রক্রিয়া, ইত্যাদির উন্নতির ব্যাপারে আপনার পরামর্শ কি?



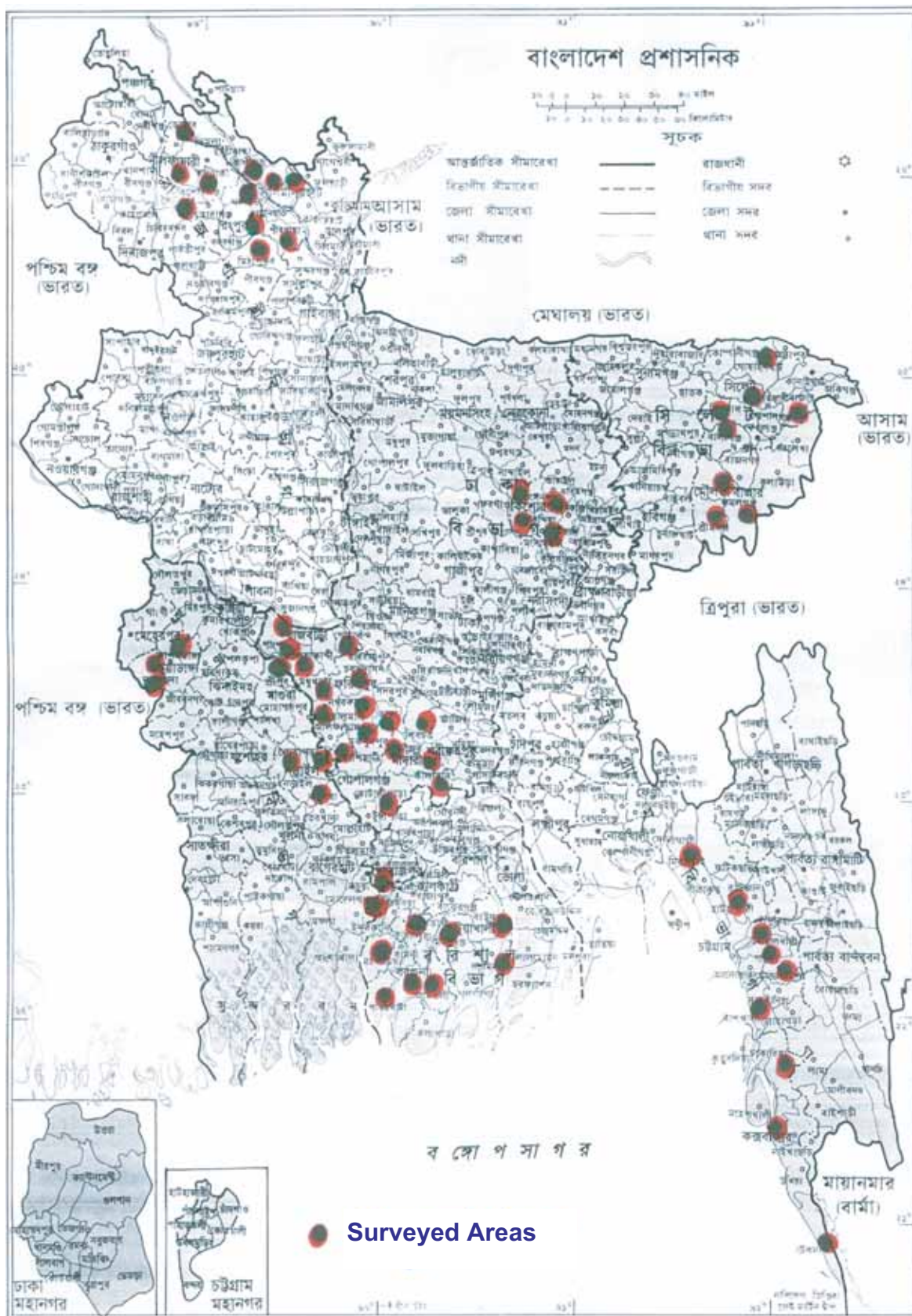
## Annex VII

### **Bangladesh Map: Surveyed Locations** **Baseline Survey on Report Village Courts** **in Bangladesh, 2009**





## Bangladesh Map : Surveyed Locations





# Baseline Survey Report on Village Courts in Bangladesh



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## Activating Village Courts in Bangladesh Project

Local Government Division

Ministry of Local Government, Rural Development & Cooperatives  
Government of the People's Republic of Bangladesh