



COVETED SMILES after VILLAGE COURTS

A compilation of success stories of Village Courts



Activating Village Courts in Bangladesh Project
Local Government Division
Ministry of Local Government, Rural Development & Cooperatives



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Resilient nations.*



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Activating Village Courts in Bangladesh (AVCB) Project

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PREFACE



K M Mozammel Hoq

National Project Director
Activating Village Courts in Bangladesh Project &
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Coveted smiles after Village Courts, a compilation of success case stories of the project itself bears out the potentials of the project how it leveraged gaining remarkable successes in regards to activating Village Courts.

The Local Government Division, Ministry of Local Government, Rural Development & Cooperatives is implementing this five year long (2009 - 2013) pilot project with the technical and financial supports from UNDP Bangladesh and European Union. The overall objective is to strengthen local justice system through enhancing the capacity of Village Courts along with some related interventions in the legal reforms. Initially, this pilot initiative is covering 350 Union Parishads falling under 57 upazillas in 14 districts.

The formal justice system in Bangladesh is under tremendous pressure with much workload and inadequate number of officials and staff to dispose the cases. Consequently, the case backlogs add up to the existing pending cases and at present it stands on about two million cases. It creates a negative impact for the rural poor and vulnerable group of people who cannot afford the expenses of cases and do not have clear understanding of how to get access to justice in the upper courts on some issues that could be easily resolved at the local level.

With continuous efforts, from the inception of the project, LGD earned substantial progresses in strengthening regular lawful services of Village Courts at project intervened areas. The scopes of getting justice in an affordable manner for the hapless poor rural people, has been widened through Village Courts. Subsequently, the tendency has also reduced notably, rushing to police station and higher courts from the village people with petty cases, rather they are coming towards to VC as it serves the judicial facilities in an easy, fair and affordable manner. It's noted that the continuous participation of the key stakeholders from all corners in the endeavors of activating Village Courts is indeed praiseworthy which paved Village Courts lifting on a momentum. This compilation of success case stories reflects the same impression of resulted resonance, though it just covers a tiny glimpse of enormous achievements of the project interventions.

Notwithstanding this compilation covers few stories gives profound essence of the precious successes of the project efforts in strengthening proper functioning of Village Courts. I believe, this compilation will be helpful to the relevant stakeholders, policy makers, legal and social researchers, development activists apart from the routine use of the report in the project activities.

I do hereby take the opportunity to acknowledge the cooperation and supports provided by EU and UNDP Bangladesh in the endeavour.

I would also like to thank the project personnel for their efforts for producing this notable publication.

(K M Mozammel Hoq)
November 2012
Dhaka



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PROJECT BRIEF-

Activating Village Courts in Bangladesh Project

Background

In line with ensuring good governance, efficient and stable justice sector is indeed inevitable. In this context, Bangladesh is under tremendous pressure with much workload and inadequate number of officials and staff to dispose the cases. Consequently, the case backlogs add up to the existing pending cases and at present it stands on about two million cases. It creates a negative impact for the rural poor and vulnerable group of people who cannot afford the expenses of cases and do not have clear understanding of how to get access to justice in the upper courts on some issues that could be easily resolved at the local level. In this backdrop, Local Government Division (LGD), Ministry of Local Government, Rural Development and Cooperatives (MoGRDC) has initiated a project BGD/07/007 'Activating Village Courts Project in Bangladesh' with the partnership of UNDP and European Union (EU) Bangladesh. The project supports in strengthening the justice system through activating Village Courts in 350 selected Union Parishads (UP) in the country. It also intends to develop capacity of the Village Courts (VC) members, elected representatives and other relevant officials in a bid to run the VCs smoothly. It also carries out comprehensive advocacy activities to involve the community and other key stakeholders actively in efforts to activating the Village Courts through enhancing their awareness on legal rights and overall justice system.

Objectives

i. Overall

The project aims at strengthening a system of alternative dispute resolution in 350 Union Parishads (UP) through the establishment of village courts. It intends to improve access to justice for disadvantaged and marginalized groups and enhance human rights systems and processes in Bangladesh.

ii. Specific

- 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
- To strengthen local government institutions to be responsive to local needs and offer approach legal service through well functioning Village Courts



Project Components

Review of Legal Framework Component

The existing legal framework is the Village Courts Act 2006, which describes the function of a Village Court, its jurisdiction and formation process. This Act was formulated in order to resolve applicable disputes quickly and easily within the jurisdiction of the UP. The Review of Legal Framework Component is a key component of the Project and works to review existing legal framework of VC. Under this component, the main activities are necessary assessments, consultations, advocacy seminars and policy dialogues with relevant stakeholders, both at national and local level. These activities facilitate the review and amendment process and create wider awareness about the benefits of Village Courts in regards to accessing local justice services and improving the overall human rights situation in the country. The Project also assesses the justice service delivery to disadvantaged groups.

Capacity Development Component

The capacity development of UP representatives, UP staff and Village Police is one of the major objectives of the Project. To build the capacity of these groups, the Project takes a two-pronged implementation strategy. The first strategy focuses on centralized and long-term capacity development interventions, such as developing training manuals and materials, conducting Training-of-Trainer (ToT) sessions, integration of Village Courts issues in the curricula of Government training institutes, and developing knowledge products and materials. The second approach focuses on operational capacity development interventions, such as providing capacity development training to all UP representatives, UP staff, Village Police and qualified citizens in the Project's operational areas. The Project works to develop partnerships with different GoB training institutes, such as BCSAA, BPATC, JATI, NILG, Police Academy (PA) and Police Staff College, to integrate VC issues into their respective curricula and to organise regular training sessions on VC issues.

Advocacy and Communications Component

Raising awareness about the role and function of Village Courts is an important objective of the AVCB Project. The Project conducts a comprehensive awareness raising and sensitization programme on legal rights, both at local and national levels. The Project uses advocacy tools, such as dialogues, workshops, seminars, theatre, community mobilization, and networking, to raise awareness among target groups about the role and function of Village Courts and their importance in ensuring access to justice for the poor and vulnerable. The Project conducts motivational campaigns among community based organizations, school teachers, religious leaders, and youth groups and encourages them to disseminate knowledge about VCs to a wider public in order to promote access to justice. The Project also works with the media, organizing information seminars for journalists at national and local levels. This set of activities plays a pivotal role in enhancing the understanding of Government officials, NGOs, civil society, UP representatives and officials, communities, judicial officials and policy makers about Village Courts.

Monitoring and Evaluation Component

There are two streams of M&E in the Project. The first is focused on institutional monitoring, and aims to enhance the monitoring and supervision function within the LGD of the MoLGRD&C. The second focuses on the Project, to monitor the field-level implementation of Project activities and assess the changes brought about by the Project.

Outputs of the Project

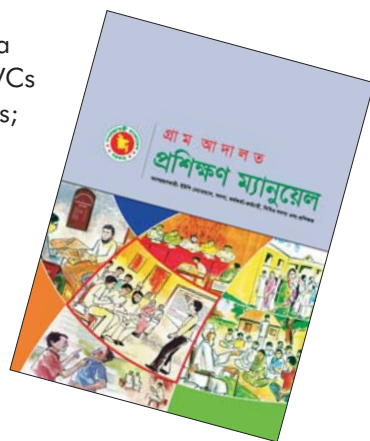
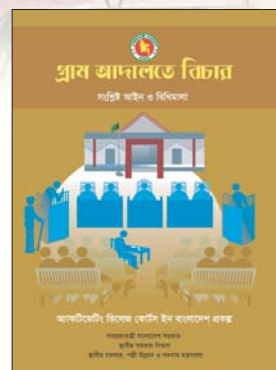
- 350 selected UPs strengthened for activating Village Courts;
- Enhanced the monitoring and supervision function of the Local Government Division, Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C);
- Developed the capacity and knowledge of UP representatives, UP staff and Village Police with regard to Village Courts;
- Awareness raised about Village Courts functions and operations;
- Reviewed Village Courts legal framework;

PROJECT PROGRESS- At a Glance

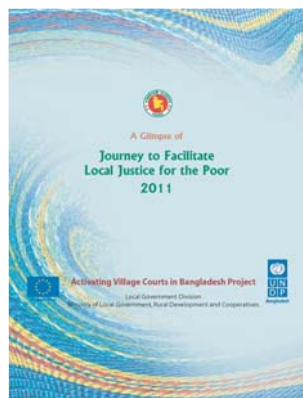
- All selected UP Chairmen are aware and oriented about the VC project and VC functions; Supports are extended to 350 UPs for setting up village courts and making community aware of seeking local justice services at their doorsteps;
- In total 34,920 CBOs are formed (12-15 members/each CBO) with 33% women member;
- 110,161 participants attended in CBO meetings (42% women); 9598 courtyard meetings held covering 54,991 participants (33% women); This promotes the demand side of justice delivery mechanism at the community level;
- 338 UPs are well equipped with ejlas, furniture, Court Assistants, necessary forms & registers and skilled UP chairmen;
- A total of 22,977 cases are reported, of which 7,105 are filed by women for seeking remedies from injustices to VC;
- A total of 16,655 cases are resolved while 12,550 decisions are implemented;
- Among 2,300 resolved cases, 813 were filed by female petitioners (35%) and out of 1,250 implemented decisions 465 decisions directly brought benefits to the women petitioners (38.7%);
- A total of 1,381 number of cases referred from district courts to Village Courts;
- BDT 3,270,982 (USD 45,430) realized as compensation and additionally, 478.75 decimal lands recovered as compensation from the respondents;
- Published Baseline Survey Report which attracted mass attention about the village courts status in Bangladesh and the project itself;
- M & E Framework is finalized which includes measurable indicators, monitoring tools, techniques and reporting guidelines;
- Project Log Frame is revised as per last year ROM (result oriented monitoring mission) suggestion which is helping in target-specific implementation;



- Village Courts Training Manual is approved and endorsed by the GOB;
- Various GOB trainings institutions are adequately sensitized about VCs and institutional partnership to be established with BPATC, Police Academy, NILG and BCS Admin Academy in order to incorporate VC functions, roles and responsibilities of field level officials to activate VC into the training course curricula;
- Project's Communication and Visibility Plan is approved by EU and being followed while developing various IEC materials and communication interventions; It puts due importance to ensure the necessary visibility of GOB, European Union and UNDP in project intervention;
- Detailed Project Communication and Advocacy Strategy drafted aligning with the UNDP-EU;
- Increased awareness enabled peoples to have access to local justice services through wider dissemination of various IEC materials (brochures, stickers, posters, festoons flip charts, etc.);
- Illiterate/low literate peoples are brought under access to local justice supports of UP through using flip charts in ward-level courtyard meetings;
- After installation of signboards with the name of 'Village Courts' peoples now easily can locate it at their doorstep for seeking justice services;
- Installation of 17 billboards at district level and 56 at Upzila level are helping peoples to learn about the jurisdiction of VCs while they very often unknowingly approach to district courts;
- The IEC materials prepared through organizing feasibility sharing meetings with the experts on village courts to bring out the best outputs;
- The short video documentary on village courts grabbed much attentions and paved enhancing knowledge among the stakeholders through disseminating the docu in different events;



- Project prepared a TV spot on village courts along with a jingle portrayed with the popular artists and singer of the country;
- The comprehensive communication advocacy initiatives availed to get huge media coverage along with enhanced the interest among journalists and sensitized the partners, donors, policy makers, civil society and other stakeholders in activating village courts through national level events;
- People's access to justice services are further facilitated through sensitizing judicial officers about village courts; VC triable cases are now referred back to VC from formal courts;
- Necessary documentation supports (i.e. 11 prescribed forms as per the Village Courts Rules 1976, 13 additional non-prescribed forms) are ensuring quality case management, proper data collection, better adjudication in the VC as well as strengthening performance monitoring of VCs;
- Cabinet approved the amended proposal for framing updated VC rules;
- Peoples confidence and knowledge level is further heightened through the VC booklet titled "Gram Adalate Bichar: Sangslisto Ain O Bidhimala";
- Review of social barriers and limitations of Village Courts explored the socio-anthropo-legal aspect of village courts and its potentials;
- All of the UP representatives and Secretaries of 350 UPs received training on VCs;
- 19,413 community peoples and 2,992 Village Police received training on VCs;
- Around 2,100,000 community peoples received aware message on VC through Court Yard Meeting, workshops staging drama shows;



CASE STORIES



Activating Village Courts in Bangladesh Project



Liakot Ali receives 77.94€ through Village Courts



Personal Information

Name : Liakot Ali
Age : 55
Union : Koikuri
Upazila : Pargacha
District : Rangpur

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Mr. Liakot Ali (55), father deceased Mr. Yakub Ali, lives in Koikuri Union Parishad of Pargacha Upazila, Rangpur District. He earns his family (wife and two children) living as a farmer through cultivating other people's land.

From last couple of years, Liakot sells his crops to local small businessman namely Mr. Shohidul Islam Chowdhury. As regular practice, Shohidul purchased 21 Mounds of rice on 29/8/2010 at the presence of Alauddin Boshunia, Abdul Mannan and Shah Alam of Moksud Kha village. The market value of the purchased crops was 143.77€ but he paid only 82.91€ cash to Liakot and promised to pay the rest soon after. But just after following day, Shohidul went to Liakot and sought for loan of 17.08 € for some urgency and firmly committed to repay the money soonest along with the rest owed money. The naïve Liakot responded and lent the money accordingly.

After that as per verbal agreement, Liakot asked for the owed money to Shahidul but he started to show lame excuses frequently. After being refused repeatedly by Shohidul, Liakot rushed to village court as he was just passing arduous hardship to pay the school fees of his children. Meanwhile, he learnt about village court through attending at a Court Yard Meeting of Village Courts.

Then he filed a case against Shahidul on 3/2/11 by paying the duly VC fee of 0.03 €. As VC procedures, he nominated the representatives namely Mr. Aminul Ehsan Lebu from Ward No 4 and local elite Mr. Sheikh Nurul Islam. On the contrary, the respondent nominated the female member of ward no 1 2 & 3 Ms. Jelekha Chowdhury and local elite Mr. Shah Alam. The hearing of the case held on 20/2/11 and the both parties attended there. The full panel members of the village courts vetted the hearings along with the evidences and found the complaint justified. The panel gave the decision to pay back 77.94€ to the petitioner by 15/3/11 in two separate installments. Accordingly, the respondent paid the fine to the Village Courts in due time in two separate installments.

After receiving compensation from VC, Liakot expressed his satisfaction to get justice from village courts within very short time and commented that VC is really working as the local savior institution to establish the rights.



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Chobi Rani obtained justice through Village Courts

Personal Information

Name : Chobi Rani Ray
Age : 50
Union : Orakandi
Upazila : Kashiani
District : Gopalganj



Ms. Chobi Rani Ray resides Orakandi union parishad of Kashiani Upazila in Gopalganj. Her husband Mr. Felu Ray is a farmer. They have very little land which is just scant to ensure the daily breads. Chobi also works with her husband at the field. Abreast of cultivating the paddy seed, she also grows different vegetables for having some extra income to support her family.

Chobi Rani grows crops in 1.50 decimal land near to her house. But her distant relative Mr. Topon Ray frequently let his cow to invade Chobi's land and damages the paddy seeds and other ones lying in the land. While objected to this cattle trespassing, Topon Ray made outraged and started shouting, threatening and at one point, bashed Chobi's house with an axe.

After that Chobi rushed to the community but didn't get justice and then she went to the Union Parishad after being advised by Village Courts Project's CBO Member Mr. Shunil Bhokto. Then as per procedures of village courts, she lodged a case (no. 3/11) against the respondent Topon on 29 January, 2011 and the.

Accordingly, the UP Chairman served notice to both parties on 1st February, 2011 for nominating the duly representatives and

be present at Village Court on 2nd February, 2011. The petitioner's representatives were Mr. Lutfur Rahman (Member, Ward no-2) and social elite Mr. Shubash Chondro Chowdhury while the respondent's representatives were Mr. Probhash Chondro Biswash (Member Ward No- 1) and social elite Mr. Imon Molla. Topon, the respondent did not raise any objection against the case. The hearing of the case held on 5th February, 2011 and the both parties attended there.

The full panel members of the village courts vetted the hearings along with the evidences and found the complaint justified. The panel gave the decision as 5:0 in accord of the petitioner. The court fined Tk. 300 (2.49€) as the compensation of damaged crops and rebuked not to do such misdeeds. Accordingly, the respondent paid the fine to the Village Courts and sought excuse to the petitioner.

After receiving compensation from VC, Chobi expressed her deep satisfaction to get justice from village courts within very short time. She also opined that henceforth the mischievous people can't dare to make the poor women humiliated or abused as VC is working as an effective local justice service institution.

Mawlana Mahubur Rahman contributes in activating Village Courts

Personal Information

Name : Mawlana Mahubur Rahman
Age : 58
Union : Madhukhali
Upazila : Madhukhali
District : Faridpur

Mawlana Mahubur Rahman (58) is a respected religious personality in Modhukhali. He came to know about Village Courts (VC) when he attended at a local meeting of Activating Village Courts Project. Getting known about VC, he realized that VC entails potentials to ensure justice at village level and from this urge, he intended interest to get affiliated with the project efforts. Accordingly, the UP Chairman selected him as a CBO (Community Based Organization) Member to motivate the villagers coming towards to village courts.

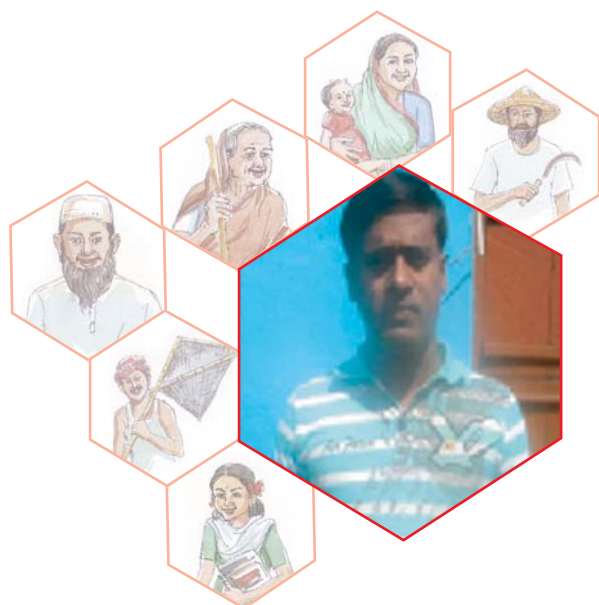
After few days, the encouraging influence of Mahubur in educating community people came out through his active interventions as he managed people in believing Village Courts for fair justice. Though he is very busy with religious activities, nevertheless, he secures some times for strengthening Village Courts. He also participates in CBO meetings regularly and contributes saliently to intensify interest and engagement of other members. However, Mahubur also received two-day long training on VC provided by Faridpur project team.

Mahubur also discusses on village courts during prayers at mosque especially on Friday at Jumma prayer. Mahubur depicts his engagement is such way as 'The Almighty loves good works, which bring benefits, hopes for hapless people, so my efforts with Village Courts go with the same way, I believe. I will then be happy when I see smiles on all faces of our village.'



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Jafor got his money back by Village Courts



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Personal Information

Name : Abu Jafor Md Murad Hossain
Age : 32
Union : Sheikh Hati
Upazila : Sadar
District : Narail



Mr. Abu Jafor Murad Hossain, son of late Ibrahim Hossain is a small businessman of Sheikh Hati village at Sadar Upazilla in Narail District. He runs a small grocer's shop at his village and he is also familiar for his helping attitude as well as gentle nature. Mr. Md Sahadat Hossain, who is a farmer of neighbor village Mohishkhola in same UP and frequently buys various goods from Jafor's shop. After that, Sahadat started to buy the necessary goods from Jafor's shop on credit and continued four months in such way with showing different alibi. Then, Jafor naturally tried to pressurize Sahadat for repayment of the money but he (Sahadat) avoided Jafor due to unpaid amount. Even, Sahadat didn't attend to Jafor's 'New Ledger Opening Festival, popularly known shuvo halkhata'. However, this festival is arranged in this country on the eve of New Bengali Year as a traditional practice to collect credit money from the customers.

After this, Jafor filed a case against Sahadat on January 05, 2012 at Village Court. Accordingly, the Chairman accepted his case and formed the court on January 26, 2012 after following the duly procedures. The Village Courts members gave the decision after hearing from both parties and respective witnesses, in favor of complainant to give him back the money amount of 8000.00 BDT by respondent, of which Tk 5000.00 in front of the court and the rest of the money within February 25, 2012. The respondent Sahadat paid the money accordingly to Jafor following the decisions of Village Courts.

After getting justice, Jafor expressed his satisfaction uttering 'I am highly thankful to Village Courts as I was afraid whether I would get money or not. However, Village Courts mitigated the problem in less time and less expenses.'

Narayan finally obtained justice through Village Courts

Personal Information

Name : Narayan Chandra Rai
Age : 28
Union : Polashbari
Upazila : Sadar
District : Nilphamari



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Mr. Narayan Chandra Rai lives in Polashbari together with his combined family members. Abreast of cultivation, he also runs a small grocery shop. One day, Narayan was working in his land and then his neighbours Mr. Md. Abdul Mojid, Mr. Md. Fazlul Rahman, Mr. Matiur Rahman and Mr. Md. Mizan-ur Rahman came to him and started instigating getting into a dispute. After that Narayan approached the elites of the village and sought some actions against this frequent harassment but he didn't get any solution.

In the mean time, Mojid, Fazlul, Matiur and Mizan attacked Narayan's father on his way back home from Bazar and snatched Tk. 8000 from him. After this incident, Narayan got refused to have any actions from village leaders. Then, he filed a case at local police station on January 31, 2006 with the advice of the village leaders. The police subsequently started to investigate the matter and the case was sent to the Judicial Magistrate Court. On the contrary, the respondents became angry with Narayan and continued to hassle his family members in various ways. In the same way, the village leaders took advantage of the situation and proceeded taking bribes from both parties showing false hope to conduct the case in their favour.

After this, two years passed but nothing progressed, then they (petitioner and respondent both) realized the kinks of such litigation and signed a mutual bond amongst them to resolve the case. The court took their view that the case referred to the Village Court as the issue falls under VC jurisdiction.

After receiving the referred case, the village courts started its activities. The UP Chairman requested the respective UNO to replace him as a Village Courts Chairman of the case, as he was previously a witness at the court. Then Ms Srimoti Shumitra Rani, Member of No. 7 Ward, was appointed the Chairperson of the Village Court.

On December 8, 2011, the VC formed the court after conducting other procedures and the full panel members found that the complain was justified. Accordingly, the respondents also accepted the decisions of VC and restored their neighborhood relation. After getting justice in very short time, Narayan commented 'I lost money, more than Tk. 60,000, going to the court. I was not aware of the Village Court previously. I attained justice in quick time and less money.'

Aklima got empowered with the involvement of Village Courts



Personal Information

Name	: Aklima Begum
Age	: 35
Union	: Aliabad
Upazila	: Sadar
District	: Faridpur

Ms Aklima Begum is a development worker and serves in a local NGO. She got involved with Village Courts after attending a Court Yard Meeting at 2 no. Ward at Aliabad. Getting known about VC, she felt enthusiastic to be working for activating village courts at her village and made a CBO Member for Ward no. 2. She received several training on village courts provided by the AVCB Faridpur team i.e. women leaders, TOT and Training on VC etc.

After receiving training, she could feel how VC is potential in establishing justice at rural level. She started to motivate community people coming towards Village Courts. Within short time, she got response from the neighbors and advised to go Union Parishad with tiny disputes which under jurisdiction of VC. Interestingly, now she receives much accolades from the villagers especially those who got justice from village courts within less time and less money.

At the primary stage of her involvement with VC, she didn't get much support from her family, but now everyone accepts her social services as it gained respect and distinguished space in the society. She is also very happy to get involved with efforts of activating Village Courts. She opines, "I believe, if the women come out from society in such way, we must advance our situation and enhance empowering ourselves. It also contributes increasing scopes to get justice for the backward women as well as poor groups of the society."

Haranidho shows how VC can boost the image of the services of local institutes



Personal Information

Name : Haranidhi Mondol
Age : 48
Union : Hatiara
Upazila : Kashiani
District : Gopalganj

Mr Haranidho Mondol, Chairman of Hatiara Union Parishad, Kashiani came to know about Village Courts when he was first elected as UP Chairman in 1991. But at that time, he didn't work for Village Courts as he was not briefed or trained about the functions of village courts. In fact, before being elected as Chairman in the current regime, he served the activities of Village Courts as a Central CBO Member of AVCB Project.

After taking the charge as UP Chairman, he started administering the activities of Village Courts efficiently. He also received a three-day long training on Village Courts from AVCB Gopalganj team. He settled total 50 Civil and Criminal cases successfully after resuming in his new tenure till December, 2011. He commented 'Village Court is one my priority areas as I want to make it effective as it indeed can help the people in getting justice and avoid from kinky hassles dealing with thana and higher courts.' He added 'the poor people can't afford dealing the cases with formal courts especially for tiny matters which could easily be resolved by VC'. The community of the union is also happy for well-functioning of VC at their union.

Haranidho shares the success cases of village courts in different meetings, forums which also help motivating people coming towards to village courts. The UNO of Kashiani also expressed his satisfaction during visiting the Union Parishad and observed the activities of VC.

Village Court paves Ajibul having spirits of new life

Personal Information

Name	: Md. Ajibul Islam
Age	: 30
Union	: Dohogram
Upazilla	: Patgram
District	: Lalmonirhat



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Mr. Ajibul Islam (30) resides at Dohogram Village of Patgram Upazila in Lalmonirhat. He is a very poor rural dweller, working casually as a marginal farmer or a day laborer when thus work reaches available. He untiringly struggles to feed his family members within this scant scope of works. In this hurdles journey of life, he dreamt one day of being able to buy a piece of land. Accordingly, after dealing with tougher fighting, he managed Taka 20,000.00 and purchased a piece of land (5 decimals) from his neighbor Mr. Md Shah Alam. But unfortunately, the seller (Md. Shah Alam) intentionally lingered to leave the possession to Ajibul. After that, four years passed away, nevertheless, Shah Alam neither refunded the said amount nor giving the possession of the land to Ajibul.

In this circumstance, Ajibul sought interventions from local elites but that merely seemed to him frustrating as Shah Alam simply denied to giving back the money. Then Ajibul learned about Village Courts through a courtyard meeting organized by 'Activating Village Courts in Bangladesh Project' in his village. Soon after, he filed a case (No. 02/11) against Md. Shah Alam in Village Court on March 3, 2011. Accordingly, the Chairman accepted his case and formed the court on April 11, 2011 after following the duly procedures. The Village Courts members gave the decision after hearing from both parties and respective witnesses, in favor of complainant to give him back the possession of land.

After getting justice from Village Courts, Ajibul commented, 'VC revived my confidence on justice system as I was almost in the jinx losing my confidence on justice process in this country.' He also believes that this piece of land will immensely contribute to secure daily breads for his family.

Village Court realized money of Zahid Munshi

Personal Information

Name : Zahid Munshi
Age : 55
Union : Bashbaria
Upazila : Mukshudpur
District : Gopalganj

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Mr. Zahid Munshi, a businessman, was being cheated by another businessman but obtained justice through Village Court of Bashbaria Union under Mukshudpur upazilla, Gopalganj.

Zahid Munshi lives in Jhutigram village of Bashbaria Union under Mukshudpur Upazilla, Gopalganj. He had a well running small poultry business having a good business deal with another businessman Mr. Zahid Molla, inhabitant of neighbor village Boalia under same union. He sold 48.6 kilogram of chicken costing Tk. 5,346.00 to Zahid Molla on credit with a written agreement on 13 October 2011 specifying the repayment date. However, the deadline was over and Zahid Molla breached the terms of the agreement. He overlooked Zahid Molla's repeated reminder and over a period of time, Zahid Molla completely denied the monetary issue. Zahid Munshi got highly shocked and his little business became about to halt which ultimately resulted unrest in his family.

Meanwhile, Zahid Munshi once observed a Village Court session at Bashbaria union parishad (UP) while he was visiting the UP for another purpose and obtained some ideas about Village Courts. Accordingly he filed a civil case (case no. 04/2011) at Village Court, Bashbaria UP on 08 December 2011 by paying Tk. 4.00 as court fee.

The Chairman, Bashbaria UP examined the application and ordered the opponent Zahid Molla to be present at the UP on 13 December 2011. On 16 December 2011 both the parties were ordered to submit their representatives' name to the UP. The applicant nominated Mr. Arifuzzaman, elected member of the ward no. 02, Bashbaria UP and Mr. Eunus Munshi, community member from Jhutigram village. On the other hand, Monzu Kazi, elected member from the ward no. 1 of the same Union and Idris Kazi, other social leader of the village Boalia were the representatives of the opponent, Zahid Molla. Following no objection from opponent side the village courts session was scheduled on 22 December 2011 which was rescheduled on 07 January 2012.

On the scheduled date, both the parties including their representatives were present. As per the standard procedure the session started with oath taking by the applicant. The court heard the opponent Zahid Molla and witness Nazma Munshi as per the court procedure. Following the entire hearing session, the panel reached to a consensual decision (5:0) and ordered that Zahid Molla will pay tk. 2,500 to Zahid Munshi within 30 days as compensation since Zahid Molla claimed tk. 2,846 was paid before. Accordingly the opponent Zahid Molla deposited the money at Bashbaria UP in favour of the applicant of the case on 07 February 2012 which was paid to Zahid Munshi eventually. Both the parties were satisfied on the VC process and mentioned, they were given equal opportunity to express their opinion and statement in the hearing session.

The case was followed up by the field worker of the Village Courts Project on 11 March 2012 where the applicant stated, he can rely 100% on village court and he is completely satisfied with the decision made by village courts. In plain word he expressed, he has been reinvigorated by the decision and regained strength to resuming his business again with more enthusiasm.



Taslima Begum got justice at Village Courts

Personal Information

Name	: Taslima Begum
Age	: 47
Union	: Rupapat
Upazila	: Boalmari
District	: Faridpur

COVETED SMILES after VILLAGE COURTS

A compilation of success stories of Village Courts

Ms. Taslima Begum (47), a housewife, was being assaulted by her immediate neighbor and relative. The Village Court ensured justice with less cost and by shortest period of time.

Taslima Begum, the applicant, wife of Mr. Soleman Sheikh, lives in the village Deuli of Rupapat Union under Boalmari upazilla, Faridpur. Her husband is a farmer by profession and the only bread-earner. They have five daughters and a son and live by hand to mouth with their little earning. The opponent of the case, Mr. Md Kayes Sheikh, son of late Bagu Sheikh, is their neighbor who is a carpenter by profession.

On 15 December 2011 both the parties were involved in a quarrel over the issue of boundary line of their household. They used abusive words and at one stage the opponent, Md. Kayes Sheikh, assaulted Taslima Begum. Her family members took her to the doctor for proper medication. They planned to go to the police station for filing a case aiming to ensure punishment of the opponent but were afraid of the required cost. Meanwhile, she came to know about Village Court through a courtyard meeting facilitated by the Village Court Assistant of the village court project. She decided to go to Village Court instead of police station.

Taslima Begum filed a criminal case on 17 December 2012 at Rupapat Union Parishad (UP). The UP Chair, Md. Azizar Rahman Molla, examined the application and accepted it. A summon was issued to the opponent by the village court assistant (VCA) and both the parties were present on the scheduled date and

nominated their representative to form Village Courts. The applicant nominated Md. Akkas Ali, elected member of ward no. 04 and Khurshidul Bari, community member of the village Deuli. Accordingly, the opponent nominated Syed Miraz Ali, elected member of ward no. 03 and Md. Atiar Rahman, local elite of the same village. The Village Court was formed on 29 December 2011. The opponent did not submit any objection letter.

The court convened on 4th January 2012. The applicant and witness, Samad Sheikh and Md. Gonjor Sheikh, delivered their statement to the open court. The opponent also did the same in his turn. The panel heard both the parties and properly documented all the statement.

Following the entire hearing session, the village court openly declared its decision by a 5:0 vote reached to a consensual decision and ordered that the opponent will pay tk. 1,500 to the applicant within 7 days. The opponent deposited Tk. 1,500/- on 11 January 2012 which was handed over to the applicant on the same day.

In the follow up of the case, the applicant, Taslima Begum, opined that it was almost impossible for her to go to the district court to file and run a case. As the Village Court is nearby to their home, it became easier to go there to seek justice. She is happy with the decision of village court and its implementation. At the same time the opponent also expressed his satisfaction and told that if the case is filed in the higher court, he could be more harassed.

Arun Dhar got justice by Village Courts



Personal Information

Name : Arun Dhar
Age : 42
Union : East Gomdandi
Upazila : Boalkhali
District : Chittagong



Mr. Arun Dhar (42), a goldsmith by profession, is a resident of East Gomdandi union of Boalkhali Upazila under Chittagong district. He is quite well-off in the village.

Once the rain tree of his neighbour, Mr. Badal Dhar, caused a nuisance in his life. The branches and leaves of the rain tree were destroying Arun Dhar's house and surroundings. He complained several times to Badal Dhar but did not receive any response. He did not find any way to resolve the problem.

While discussing about the problem with the community, Swapan Shil, a member of the Village Police of East Gomdandi Union Parisad, informed him about the Village Court. He also learnt that the Village Court is very economical, rapid and transparent. He went to the Village Court accordingly and filed a civil case on 1 April 2012 (case no. 17/ 2012).

Following the due process, the Village Court declared a final decision on 10 May 2012 in favour of Arun Dhar. The court directed to cut the rain tree by 15 days. Afterwards, in the presence of Chairman and Nurul Islam, UP member of ward no. 6, East Gomdandi UP, the rain tree of Badal Dhar were being chopped down from the surroundings of Arun Dhar.

With a smiling face Arun Dhar stated that he got relief from an unexpected hazard and he could not imagine that the issue could be resolved rapidly and transparently. He said, "there is no suspicions that the Village Court is a blessing for the general people, and specially for those who are distressed and poor."



Palin Gomez relieved from neighbour's annoyance



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Personal Information

Name : Palin Gomez
Age : 32
Union : East Gomdandi
Upazila : Boalkhali
District : Chittagong



Ms. Palin Gomez (32), a housewife and resident of East Gomdandi union of Boalkhali Upazilla under Chittagong district. Her husband is an NGO employee and their financial status is not very sound.

Ms. Papiya Gomez, a neighbour of Palin Gomez, is quite a dominant woman and the incident emerged between them when Palin was sweeping her residence and the surrounding in the morning. Hearing the sweeping

sound, Papiya Gomez got very annoyed, used slanged language and assaulted her. Palin was slightly injured.

Palin came to know about the VC through a courtyard meeting and thought that she would get legal assistance from the VC within a short time and a transparent manner.

She submitted a petition to the Union Parishad seeking remedies through village court service and a criminal case was field on April 15, 2012 (case no.

18/2012). Following a proper hearing and consideration of the evidence, the VC declared, on 8 May 2012, that Papiya will pay Tk. 300 to Palin. The amount was paid by Papiya to Palin in the court premise instantly.

After getting such a proper remedy Palin Gomez is much happy because she not only got the satisfactory compensation but also obtained an amicable co-existence with her neighbour.

Chand Ali and Sultana's success story regarding Village Courts

Personal Information

Name : Chand Ali
Age : 32
Union : Mominpur
Upazila : Sadar
District : Chuadanga



Personal Information

Name : Sultana
Age : 26
Union : Mominpur
Upazila : Sadar
District : Chuadanga

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Mr. Chand Ali (32) and Ms. Sultana (26) live in Sarishadanga at Mominpur Union in Sadar upazilla under Chuadanga district. They gave taka 7,000/- to their neighbor Ms. Firoza Khatun and Mr. Md Abu Taleb as loan to overcome their family crisis with a verbal commitment repay the money within 10-15 days. The deadline was over but they didn't respect the deadline. Chand Ali and Sultana put pressure on them for realizing the money but the borrowers elapsed days with fake commitment of repaying the money within short time. Firoza Khatun and Md Abu Taleb took taka 4,000/- again from Chand Ali and Sultana adjust their NGO Credit and for getting more credit from NGO which they planned to use in paying the entire laon amount but the money was not returned.

Under this circumstance, Chand Ali and Sultana approached to the local elites for resolving the issue but failed. Meanwhile, they met a CBO member who briefed them about village courts, its opportunity and trial process and also assure them to assist. Finally, the lenders filed a case at Mominpur union parishad on 23th August 2011 seeking

remedy through village court. Upon verification the application was accepted by the UP Chairman and the hearing date was scheduled on 7th September 2011 as per the due process.

Following the entire hearing session, the panel reached to a consensual decision and ordered to pay tk. 11,000/- to the applicants by 30 days. Firoza Khatun and Md Abu Taleb paid the money within the given time frame according to the decision of the Village Court. Expressing the feelings on Village Court and its trial system, the applicants Chand Ali and Sultana said "we don't know how to express our feelings. Village Court came here as gift of government and we are very grateful for this."



Village Court revives social relations & friendship



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Personal Information

Name	: Md. Anisur Rahman
Age	: 24
Union	: Kachukata
Upazila	: Sadar
District	: Nilpahmari

Abdul Haque, Mr. Akber Ali, Mr. Lal Babu and Mr. Nur Amin cut 35 bamboos down. Anisur was informed about the incident on his way back to the village. He went to the local leaders for resolving but Abdul Haque, Akber Ali, Lal Babu, Nur Amin and others were very influential in the community. The effort made by the local leaders went in vein. At last he filed a case in the court of Judicial Magistrate, Chuadanga on 1st March 2010. The Court of Judicial Magistrate referred the case back to the Village Court of Kachukata union parishad on 15 May 2011.

Mr. Anisur Rahman, a poor villager, lives in Balapara village of Kachukata union of Nilpahamari Sadar Upazila under Nilphamari district. He is the eldest member of his family. All of his family members work in Meghna Jute Mills. Anisur Rahman was given the responsibility to take care of his neighbor as well as grandfather Mr. Md Abdul Haque and Mr. Akber Ali's house. They were living together since long. Anisur planted bamboo-clump near his house.

Once Anisur went to Meghna Jute Mills to meet his parents and during his absence, Mr.

Following the reference, the village court was constituted comprising two representatives on behalf of the petitioner and one representative nominated by the opponent and led by Md. Abdur Rouf (Chairman), Kachukata UP. The local investigation made by the village court panel found that the contestant was guilty. Thus the village courts following the entire process and hearing session reached to a consensual decision by 4:0 vote and ordered to pay tk. 3,500/- to the applicant by 15 days. The decision was implemented within the stipulated time.

Abdul Haque and Akber Ali (respondent) expressed their satisfaction and shared, they already spent huge amount of money and time in the district court. Their broken social relation has been regained with the help of Village Court.

Md. Anisur Rahman shared, he is happy with the decision of village court. He has also lost money in the district court but he got justice in the village court without paying. Village Court is very helpful for not only the villagers but also poor people like him.

Harun Mollah establishes his rights through Village Courts



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Personal Information

Name : Harun Mollah
Age : 40
Union : Nakol
Upazila : Sreepur
District : Magura



Mr. Harun Molla, a poor farmer, lives in the village Roynagor of Nakol union of Sreepur Upazila under Magura district. He maintains the family with the earning comes from the brinjal field. Mr. Arzu sarder, one of his neighbors, cut his brinjal plant for feeding his husbandry which resulted a quarrel between them and Arzu Sarder also threatened Harun Molla. On the next-day the applicant found his brinjal field is ruined. He suspected the respondent and asked him about such devastation. The respondent threatened him again and said that he has taken appropriate revenge and he can do anything as he wishes. Moreover, the respondent attempted to beat him up at that time.

Finding no other option, the petitioner filed a case in Nakol Union Parishad on 26th August, 2011 for remedy.

Union Parishad's Chairman received the case and start processing in the village court. After reviewing the application, the chairman gave instruction to the Village Court Assistant (VCA) for issuing summon to respondent. Following the due process as described in the Village Court Act 2006, the chairman formed the village court and scheduled the hearing on 10th September, 2011. At the end of the entire process and hearing session, the panel reached to a consensual decision (in 5:0 vote) and asked the opponent paying tk. 8,000/-

to the applicant by 16 September 2011. The decision was implemented within the stipulated time.

Harun Mollah expressed his deep satisfaction and shared with joy "I am very happy for getting compensation through village court. I will prepare my field again with the money."

Arzu Sarder also thanked to the concern and said, "I am happy also though the compensation should be 6000 taka. After all I am satisfied for solving the problem in short time."

Village Court gives a remarkable judgment to establish social justice

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Personal Information

Name	: Nurjahan Begum
Age	: 25
Union	: Mauli
Upazilla	: Kalia
District	: Narail

Ms. Nurjahan Begum, a poor farmer, lives in Telidanga village of Mauli union under Kalia upazilla of Narail district. Couple of years back Mr. Sahidul Sheikh of the same village borrowed Taka 8,000 from Nurjahan for bearing the cost of going abroad. He made a verbal agreement of repaying the loan in few installments soon after getting a job abroad but he did not maintain the promise afterward rather he denied Nurzahan's frequently. While Shahidul returns from abroad, Nurzahan filed a case in the Mauli Union Parishad as per the advice of a CBO member on 17th October, 2011.

The Chairman of the Union Parishad reviewed and received the case and formed village court. He ordered issuing summon to the opponent and accordingly the opponent communicated with chairman and the petitioner and agreed with the disputed matter. He urged to the chairman to settle the dispute amicably and the chairman invited two parties to settle the dispute under the Rule 33 of the Village Court Rules, 1976. Both the parties were agreed with the proposal and opponent paid the claimed amount to the petitioner.

Nurjahan expressed her feelings that the village court helped her recovering the money quickly. On the other hand, Sahidul confessed his mistake and gave thanks to the Chairman as he created the opportunity to settle the dispute easily.



Mahabubul Houque got back his due money by the Village Courts

Personal Information

Name : Mahabubul Houque
Age : 35
Union : Baradi
Upazilla : Alamdanga
District : Chuadanga

Mr. Md Mahabubul Alam, a small grocery business man and the petitioner, had a business-partnership with the respondent Mr. Md Omar Faruk. The petitioner lent Tk. 18,000 to the respondent but the respondent wasn't paying the money back. The applicant approached to the respondent's house several times for the realization but the respondent was not responsive.

Apparently being disappointed by the non-responsiveness, the applicant became dishearted and decided to file a case in the district courts as advised by few community peoples. In the meantime, the applicant came to know about village court through a courtyard meeting facilitated by a field worker of the village court project.

Later on, he filed a case in the Baradi union council on 31.03.2012 and sought justice through village court. The case was received and reviewed by the UP chairman and village court was formed. The Chairman ordered issuing summon to the respondent and also ordered both parties to nominate their representatives. The applicant nominated Md. Khoda Boksh, elected UP member and Md. Hayat Ali, respected person of the village as his nominees. The respondent was



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absent from the beginning of the process and did not nominate his representatives. The UP chairman formed the village court with 03 members including the representatives of the applicant and scheduled the date of hearing on 26.05.2012. The trial held in absence of respondent and the village court reached to a decision that the respondent will pay taka 15,000 to the applicant by 30 June 2012 through Union Parishad. The decision was implemented by the respondent within the stipulated time.

The applicant was very satisfied to have the justice within a short time and in a lesser expenses.

WORKING AREA

Activating Village Courts in Bangladesh Project

Initially, 500 UPs were selected from six divisions based on selection criteria developed by the Local Government Division of MoLGRD&C. In 2011, the target had to reduce to 350 instead of 500. As per the decision of PSC, the Contribution Agreement with EU is amended accordingly on 30 June 2011 and the TPP is revised with reduced target UPs (350 UPs) which also obtained necessary approval from Planning Commission.

Division	District	Number of Upazilas	Number of Unions
Dhaka	Kishoreganj, Rajbari, Gopalganj, Faridpur	22	136
Rangpur	Rangpur, Lalmonirhat, Nilphamari	13	88
Khulna	Chuadanga, Narail, Magura	09	59
Chittagong	Chittagong, Cox's Bazar	11	55
Barisal	Pirojpur	01	07
Sylhet	Sylhet	01	05
Total	14	57	350



Activating Village Courts in Bangladesh Project

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

2009-2013

Project Intervention Area



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