

Activating Village Courts in Bangladesh Project

2011



*With the
Best Complements*



Activating Village Courts in Bangladesh Project

Local Government Division

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



Project BGD/ 07/007

Activating Village Courts Project in Bangladesh

Project brief

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 half a 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 (MoLGRDC) has initiated a project BGD/07/007 'Activating Village Courts Project in Bangladesh' with the partnership of UNDP and European Commission (EC) Bangladesh.

The project will support in strengthening the justice system through activating Village Courts in 500 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 will also carry 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 500 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

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 Activities

Review of Legal Framework:

The project reviews the existing legal framework of Village Courts in depth and submit the analytical and pragmatic recommendations to government for ensuring functional and effective village courts.

Capacity Development:

It supports to enhance the capacity of the local representatives (especially UPs), village police and staff of village courts, judges through training, workshops, etc at national and international level.

Advocacy & Communication:

It conducts a comprehensive awareness program in community at local and national level on legal rights i.e. services of village courts with rights based approach. Using all the potential communication tools, the advocacy and communication activities are being carried out to sensitize all the actors in a bid to activating the Village Courts for ensuring the justice for the marginalized.

Monitoring and Evaluation:

In strengthening monitoring process and activities in emanating best practices of local government institutions especially UP in perspectives of running Village Courts effectively, the project supports to LGD, MoLGRD&C through initiating comprehensive interventions.

Intended Outputs

- 500 selected UPs are strengthened for activating village courts;
- Village courts legal framework reviewed;
- Capacity of UP Chairman, UP staff and village police on village courts developed;
- Awareness on village courts raised and involvement of community people and other key stakeholders in activating village courts enhanced;
- Monitoring and supervision function within MoLGRD&C enhanced;

At a glance of Progresses
Activating Village Courts in Bangladesh Project

- All selected 500 UP Chairmen are aware and oriented about the VC project and VC functions;
- Supports are extended to 224 UPs for setting up village courts and making community aware of seeking local justice services at their doorsteps;
- In addition, 12 UPs (model VCs) started delivering justice services to the rural poor;
- In total 2,220 CBOs are formed (12-15 members/each CBO) with 41% women member; 15,413 participants attended in CBO meetings (36% women); 2,771 courtyard meetings held covering 73,370 participants (58% women); This promotes the demand side of justice delivery mechanism at the community level.
- Baseline Survey Report Published and M & E Framework is prepared;
- VC training manual is endorsed by the GOB and ToT provided to the partner NGOs;
- Two NGOs (MLAA and ESDO) hired for Dhaka and Rangpur divisions ;
- On the spot orientation to VC officials in 64 UPs have enhanced their confidence to run VC and resolve local disputes methodically while in total 105 UPs are visited by the Project;
- 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;
- Partnership established with the Ministry of Law; the Judiciary obtained the High Court's concurrence to obtain series of orientation on VC functions;
- Communication and visibility plan is adopted and being followed while developing various IEC materials and communication interventions;
- Detailed Project Communication and Advocacy Strategy drafted aligning with the UNDP-EC Communication and visibility plan for the project;
- 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;
- VC project website launched containing with necessary VC news and 500 VC signboards installed at union parishad along with 17 billboards at project intervened districts;
- Around 1,039 participants are reached through 2 divisional, 5 district and 5 upazila level sensitization workshops for raising mass awareness;
- The short video documentary on village courts developed and media workshops organized with the journalists;
- 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;
- Set of compiled recommendations for necessary reforms in the VC Act 2006 is drafted for framing updated VC Rules and necessary amendment in the Act; Around 164 judicial officers are consulted in 5 districts.
- 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;
- Survey to determine UP capacity to use IT for enhancing quality of justice delivery is under way for introducing ICT based reporting and quality assurance;

2011



JANUARY

SUNDAY	1	2	9
MONDAY	2	3	10
TUESDAY	3	4	11
WEDNESDAY	4	5	12
THURSDAY	5	6	13
FRIDAY	6	7	14
SATURDAY	7	8	15



Activating Village Courts in Bangladesh Project

2011



SUNDAY	16	23	30
MONDAY	17	24	31
TUESDAY	18	25	
WEDNESDAY	19	26	
THURSDAY	20	27	
FRIDAY	21	28	
SATURDAY	22	29	

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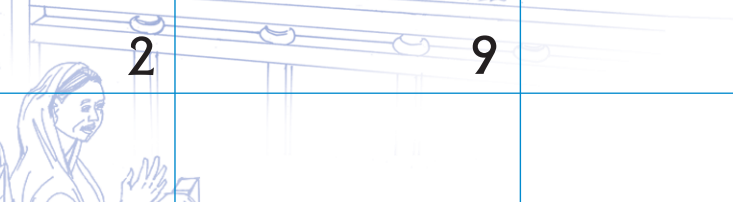



Activating Village Courts in Bangladesh Project

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FEBRUARY

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THURSDAY	<div>3</div> <div>10</div> 			17	
FRIDAY	<div>4</div> <div>11</div>			18	
SATURDAY	<div>5</div> <div>12</div>			19	



Activating Village Courts in Bangladesh Project



2011

SUNDAY	20	27	
MONDAY	21	28	
TUESDAY	22		TUESDAY
WEDNESDAY	23		WEDNESDAY
THURSDAY	24		THURSDAY
FRIDAY	25		FRIDAY
SATURDAY	26		SATURDAY
SATURDAY			SATURDAY

- ★ Eid-e-Miladunnabi, 16 February, Wednesday
- Shaheed Dibash (IMLD), 21 February, Monday

JULY	AUGUST
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Activating Village Courts in Bangladesh Project

2011



MARCH

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MONDAY	7	8	9	10	11	12	14
TUESDAY	15	16	17	18	19	20	21
WEDNESDAY	22	23	24	25	26	27	28
THURSDAY	29	30	31	1	2	3	4
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Activating Village Courts in Bangladesh Project

Bangladesh

2011



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FRIDAY	25	
SATURDAY	26	

- Bangabandhu Sheikh Mujibur Rahman's Birthday, 17 March, Thursday
- Independence Day 26 March, Saturday

JULY	AUGUST
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Activating Village Courts in Bangladesh Project

Bangladesh

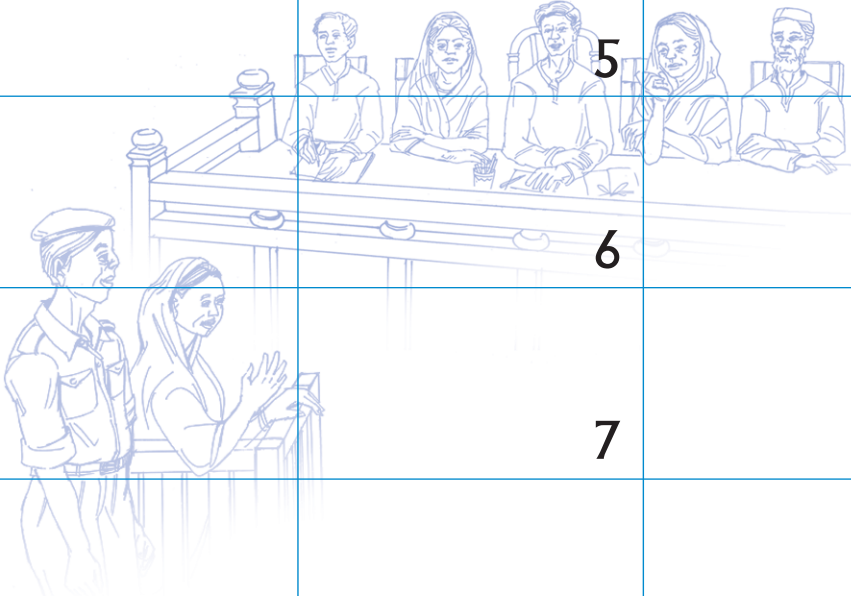
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APRIL

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SATURDAY	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22

• Bengali New Year's Day
14 April, Thursday

JULY	AUGUST
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2011



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Activating Village Courts in Bangladesh Project

2011



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- May Day, 1 May, Sunday
- ★ Buddha Purnima



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JUNE

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JULY



2011



Activating Village Courts in Bangladesh Project



Activating Village Courts in Bangladesh Project



2011



AUGUST

SUNDAY			7	14
MONDAY		1	8	15
TUESDAY		2	9	16
WEDNESDAY		3	10	17
THURSDAY		4	11	18
FRIDAY		5	12	19
SATURDAY		6	13	20



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SUNDAY	21	28	
MONDAY	22	29	
TUESDAY	23	30	
WEDNESDAY	24	31	
THURSDAY	25	<ul style="list-style-type: none"> Janmashtami, 22 August 	
FRIDAY	26	<ul style="list-style-type: none"> National Mourning Day, 15 August, Monday Jumat-UI-Bida, 26 August, Friday 	
SATURDAY	27	<ul style="list-style-type: none"> Shab-E-Qadar, 28 August, Sunday Eid-UI-Fitr, 31 Aug - 02 Sept, Wed- Friday 	

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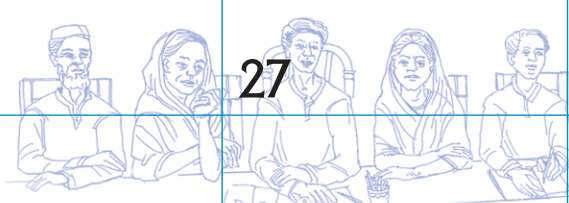
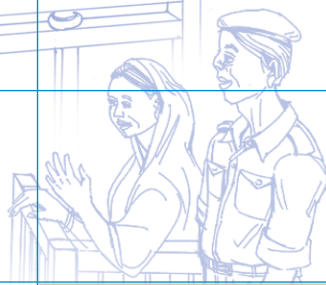
2011

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SUNDAY	<table><tr><td colspan="7">JANUARY</td><td colspan="7">FEBRUARY</td></tr><tr><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td></tr><tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td>1</td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td></td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>27</td><td>28</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td colspan="7">MARCH</td><td colspan="7">APRIL</td></tr><tr><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td></tr><tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td></td><td></td><td>1</td><td>2</td><td></td><td></td><td></td></tr><tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr><tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr><tr><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr><tr><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr><tr><td colspan="7">MAY</td><td colspan="7">JUNE</td></tr><tr><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td><td>SUN</td><td>MON</td><td>TUE</td><td>WED</td><td>THU</td><td>FRI</td><td>SAT</td></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td></td></tr><tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr><tr><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr><tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr><tr><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td></td><td></td></tr></table>			JANUARY							FEBRUARY							SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	30	31					1		1	2	3	4	5		2	3	4	5	6	7	8	6	7	8	9	10	11	12	9	10	11	12	13	14	15	13	14	15	16	17	18	19	16	17	18	19	20	21	22	20	21	22	23	24	25	26	23	24	25	26	27	28	29	27	28						MARCH							APRIL							SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT			1	2	3	4	5			1	2				6	7	8	9	10	11	12	3	4	5	6	7	8	9	13	14	15	16	17	18	19	10	11	12	13	14	15	16	20	21	22	23	24	25	26	17	18	19	20	21	22	23	27	28	29	30	31			24	25	26	27	28	29	30	MAY							JUNE							SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	1	2	3	4	5	6	7			1	2	3	4		8	9	10	11	12	13	14	5	6	7	8	9	10	11	15	16	17	18	19	20	21	12	13	14	15	16	17	18	22	23	24	25	26	27	28	19	20	21	22	23	24	25	29	30	31					26	27	28	29	30			4	11
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Activating Village Courts in Bangladesh Project

2011

						SUNDAY
18			25			MONDAY
19			26			TUESDAY
20			27			WEDNESDAY
21			28			THURSDAY
22			29			FRIDAY
23			30			SATURDAY
24						

JULY

SUN MON TUE WED THU FRI SAT

31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

SEPTEMBER

SUN MON TUE WED THU FRI SAT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

NOVEMBER

SUN MON TUE WED THU FRI SAT

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AUGUST

SUN MON TUE WED THU FRI SAT

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OCTOBER

SUN MON TUE WED THU FRI SAT

30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

DECEMBER

SUN MON TUE WED THU FRI SAT

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JULY							AUGUST						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
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	10	11	12	13	14	15	14	15	16	17	18	19	20
	17	18	19	20	21	22	21	22	23	24	25	26	27
	24	25	26	27	28	29	28	29	30	31			
SEPTEMBER							OCTOBER						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
						1	30	31					1
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	25	26	27	28	29	30	23	24	25	26	27	28	29
NOVEMBER							DECEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
						1							1
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	27	28	29	30			25	26	27	28	29	30	31



Activating Village Courts in Bangladesh Project



SUNDAY	<div><div>JANUARY</div><div>SUN MON TUE WED THU FRI SAT</div><div>30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29</div></div> <div><div>FEBRUARY</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28</div></div> <div><div>MARCH</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</div></div> <div><div>APRIL</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</div></div> <div><div>MAY</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</div></div> <div><div>JUNE</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</div></div>	2	9
MONDAY		3	10
TUESDAY		4	11
WEDNESDAY		5	12
THURSDAY		6	13
FRIDAY		7	14
SATURDAY	1	8	15



Activating Village Courts in Bangladesh Project



SUNDAY	16	23	30
MONDAY	17	24	31
TUESDAY	18	25	
WEDNESDAY	19	26	
THURSDAY	20	27	• Durgapuja, 6 October
FRIDAY	21	28	
SATURDAY	22	29	

JULY

SUN MON TUE WED THU FRI SAT

31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

AUGUST

SUN MON TUE WED THU FRI SAT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

SEPTEMBER

SUN MON TUE WED THU FRI SAT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

OCTOBER

SUN MON TUE WED THU FRI SAT

30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

NOVEMBER

SUN MON TUE WED THU FRI SAT

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DECEMBER

SUN MON TUE WED THU FRI SAT

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Activating Village Courts in Bangladesh Project

2011

2011



NOVEMBER

SUNDAY	JANUARY SUN MON TUE WED THU FRI SAT 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	FEBRUARY SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28		
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TUESDAY	MAY SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	JUNE SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	7	14
WEDNESDAY	1	8	15	
THURSDAY	2	9	16	
FRIDAY	3	10	17	
SATURDAY	4	11	18	
SUNDAY	5	12	19	



European Union



Bangladesh

Activating Village Courts in Bangladesh Project

2011



SUNDAY	20	27	
MONDAY	21	28	
TUESDAY	22	29	
WEDNESDAY	23	30	
THURSDAY	24		★ Eid-ul-Azha, 6-8 November, Sunday-Tuesday
FRIDAY	25		
SATURDAY	26		

JULY	AUGUST
SUN MON TUE WED THU FRI SAT 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
SEPTEMBER	OCTOBER
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NOVEMBER	DECEMBER
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European Union






Bangladesh

Activating Village Courts in Bangladesh Project

2011



DECEMBER

SUNDAY	<div><div><div>JANUARY</div><div>SUN MON TUE WED THU FRI SAT</div><div>30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29</div></div><div><div>FEBRUARY</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28</div></div></div>		4	11	
MONDAY	<div><div><div>MARCH</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</div></div><div><div>APRIL</div><div>SUN MON TUE WED THU FRI SAT</div><div>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</div></div></div>		5	12	
TUESDAY				6	13
WEDNESDAY				7	14
THURSDAY				8	15
FRIDAY				9	16
SATURDAY				10	17



Bangladesh

Activating Village Courts in Bangladesh Project



2011

SUNDAY	18	25
MONDAY	19	26
TUESDAY	20	27
WEDNESDAY	21	28
THURSDAY	22	29
FRIDAY	23	30
SATURDAY	24	31

★ Muharram (Ashura)
7 December, Wednesday

• Victory Day,
16 December, Friday

• X-Mas Day
25 December, Sunday

★ Subjects to
Appearance of the moon.

JULY	AUGUST
SUN MON TUE WED THU FRI SAT 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
SEPTEMBER	OCTOBER
SUN MON TUE WED THU FRI SAT 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	SUN MON TUE WED THU FRI SAT 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
NOVEMBER	DECEMBER
SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	SUN MON TUE WED THU FRI SAT 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



Bangladesh

Activating Village Courts in Bangladesh Project

গ্রাম আদালতে বিচার প্রক্রিয়া

- গ্রাম আদালত গঠনের জন্য ইউনিয়ন পরিষদের চেয়ারম্যান বরাবর আবেদন দাখিল করতে হবে। আবেদনে উল্লিখিত ক্ষতিপূরণ বা দাবীর পরিমান বা বিরোধীয় সম্পত্তির মূল্যমান অনধিক পঁচিশ হাজার টাকা হবে। *ধারা - ৪ ও ৭, গ্রাম আদালত আইন, ২০০৬*
- ফৌজদারী মামলা হলে দুই টাকা এবং দেওয়ানী মামলা হলে আবেদনপত্রের সাথে চার টাকা ফিস জমা দিতে হবে। *বিধি - ৩, ১৯৭৬ গ্রাম আদালত বিধিমালা*
- আবেদনে যে সকল তথ্য থাকতে হবেঃ যে ইউনিয়ন পরিষদে আবেদন করা হয়েছে উহার নাম ও ঠিকানা; আবেদনকারী, নাম, ঠিকানা ও পরিচয়; প্রতিবাদীর নাম, ঠিকানা ও পরিচয়; যে ইউনিয়নে অপরাধ বা ঘটনা সৃষ্টি হয়েছে উহার নাম; সংক্ষিপ্ত বিবরণাদী সহ অভিযোগ বা বাদীর প্রকৃত মূল্যায়ন এবং প্রার্থিত প্রতিকার। *বিধি - ৩*
- চেয়ারম্যান কর্তৃক আবেদন বাছাই ও গ্রহণ এবং গ্রাম আদালত গঠনের উদ্যোগ অথবা লিখিত কারণ দর্শিয়ে আবেদন নাকচ। *ধারা-৪(১)*
- আবেদন গৃহীত হলে তার বিবরণ ১ নম্বর ফরমে রক্ষিত রেজিস্ট্রারে লিপিবদ্ধ করা ও রেজিস্ট্রার অনুযায়ী আবেদন পত্রে উপর মামলার নম্বর ও সন লিখা। *বিধি-৭(১)*
- মামলার আদেশনামা সহ সকল ফরমস ও রেজিস্ট্রার যথাযথ ভাবে পূরণ ও সংরক্ষণ করা।
- নির্ধারিত তারিখ ও সময়ে আবেদনকারীকে হাজির থাকার জন্য বলা এবং প্রতিবাদীকে হাজির হবার জন্য সমন। *বিধি-৮*
- প্রতিবাদী আবেদনকারীর দাবী মেনে নিলে গ্রাম আদালত গঠিত হবে না। *বিধি - ৩৩*
- আবেদন নাকচ হলে আবেদনকারী নাকচের ৩০ দিনের মধ্যে এখতিয়ারসম্পন্ন সহকারী জজ আদালতে রিভিশন করতে পারবেন। *ধারা - ৪(২)*
- আবেদন গৃহীত হলে উভয়পক্ষকে ৭ দিনের মধ্যে ২ জন (যাদের মধ্যে ১ জন ইউপি সদস্য হবেন) করে সদস্য মনোনয়নের নির্দেশ এবং ১ জন চেয়ারম্যান পক্ষদ্বয়ে মনোনিত ৪ জন সদস্য নিয়ে গ্রাম আদালত গঠন। *ধারা- ৫, বিধি ১০*
- ইউপি চেয়ারম্যানকে নিরপেক্ষ মনে না করলে উপজেলা নির্বাহী অফিসারের নিকট আবেদন। পক্ষ মনোনীত সদস্য ছাড়া উপজেলা নির্বাহী অফিসার কর্তৃক ইউপি'র অন্য কোন সদস্যকে গ্রাম আদালতের চেয়ারম্যান হিসাবে নিয়োগ। *ধারা -৫ (২), বিধি-১২*
- প্রতিবাদীকে ৩ দিনের মধ্যে লিখিত আপত্তি দাখিল এবং পক্ষদ্বয়কে সাক্ষ্য দাখিল করার নির্দেশ। *বিধি- ১৩*
- গ্রাম আদালতে আইনজীবী নিয়োগ করা যাবে না। *ধারা -১৪*
- শুনানীর দিনে উভয় পক্ষের সাক্ষ্য গ্রহণ এবং সাক্ষীর বক্তব্যের সারমর্ম লিপিবদ্ধ করণ। প্রয়োজনে স্থানীয়ভাবে তদন্ত অনুষ্ঠান। শুনানী ৭ দিনের বেশী মূল্যতবী রাখা যাবে না।
- শুনানী চলাকালীন আবেদনকারী অনুপস্থিত হলে সময় প্রদান করা যাবে অথবা মামলা নাকচ করা যাবে। প্রতিবাদী অনুপস্থিত হলে সময় প্রদান করা যাবে অথবা একতরফা সিদ্ধান্ত প্রদান করা যাবে। *বিধি ১৫ ও ১৬*
- আবেদনকারীর অনুপস্থিতিতে মামলা নাকচ হলে বা প্রতিবাদীর অনুপস্থিতিতে মামলায় একতরফা সিদ্ধান্ত গৃহীত হলে সংশ্লিষ্ট ব্যক্তি ১০ দিনের মধ্যে উপস্থিত হয়ে আবেদন করলে সিদ্ধান্ত রহিত করে মামলা পূর্ণর্বহাল করা যাবে।
- সমন অমান্য বা আদালত অবমাননা করলে ৫০০ টাকা পর্যন্ত জরিমানা করা যাবে। *ধারা- ১০(২) ও ১১(২)*
- জরিমানা আদায় না হলে লিখিতভাবে বিষয়টি ম্যাজিস্ট্রেটের নিকট প্রেরণ। ম্যাজিস্ট্রেট তা আদায়ের জন্য এরূপ ব্যবস্থা গ্রহণ করবেন যেন উহা তাঁর দ্বারা ধার্য করা হয়েছে এবং তিনি জরিমানা অনাদায়ে কারাদন্ডের আদেশ প্রদান করতে পারবেন। এধরণের সকল জরিমানা ইউনিয়ন পরিষদের তহবিলে জমা হবে। *ধারা - ১২*
- চেয়ারম্যান ও ৪ জন সদস্য পরামর্শ করে সিদ্ধান্ত গ্রহণ করবেন এবং গ্রাম আদালতের চেয়ারম্যান কর্তৃক প্রকাশ্য আদালতে সিদ্ধান্ত ঘোষণা। সিদ্ধান্তটি ডিক্রী বা আদেশের ফরমে (৪ নং) লিপিবদ্ধ করে গ্রাম আদালতের চেয়ারম্যান কর্তৃক স্বাক্ষরিত হবে ও ৫ নম্বর ফরমে ডিক্রী বা আদেশের রেজিস্ট্রারে লিপিবদ্ধ করতে হবে। *বিধি ১৮, ২০ ও ২১*
- সিদ্ধান্ত ৫৪০ (সর্বসম্মত), ৪৪১ বা ৪ জনের উপস্থিতিতে ৪৪০ বা ৩৪১ হয় তাহলে উক্ত সিদ্ধান্তের বিরুদ্ধে আপীল করা যাবে না। সিদ্ধান্ত যদি ৩৪২ হয় তাহলে রায় প্রদানের ৩০ দিনের মধ্যে বিক্ষুব্ধ পক্ষ দেওয়ানী মামলার ক্ষেত্রে সহকারী জজ ও ফৌজদারী মামলার ক্ষেত্রে ১ম শ্রেণীর ম্যাজিস্ট্রেট এর নিকট আপীল করতে পারবেন। *ধারা - ৮*
- গ্রাম আদালত যে মেয়াদ নির্ধারণ করবেন সে মেয়াদের মধ্যে ডিক্রী বা ক্ষতিপূরণের অর্থ প্রদান করতে হবে, কিন্তু কোন ক্রমে উক্ত মেয়াদ চূড়ান্ত আদেশ প্রদানের তারিখ হতে ছয় মাসের অধিক হবে না। *বিধি-২২*