

An Analytical Review of the Trial-Level Civil Judiciary and Jurisdictional Framework in Bangladesh

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Abstract

This review article explores Bangladesh's trial-level judicial system and Jurisdiction, including court structures, court jurisdiction, difficulties, and improvements. The article gives a general legal system overview, outlining the courts' composition and functions. It goes in-depth on each Court's Jurisdiction, covering civil, criminal, and specialized Jurisdiction. The essay highlights difficulties with the trial-level legal system, including case backlogs, restricted access to justice, and questions about judicial independence and accountability. It also examines the changes made to solve these issues, such as case management systems, bolstering of lower courts, alternative conflict settlement procedures, new technologies, and law reforms. The importance of continuous reforms is emphasized in the article's conclusion to guarantee Bangladesh has a trial-level judicial system that is effective, transparent, and responsible and promotes the rule of law.

Keywords: Judicial System, Court Structure, Jurisdiction, Bangladesh

I. Introduction

The judicial system is the foundation of a democratic society, which guarantees the administration of justice fairly and impartially.¹ In Bangladesh, the trial-level Judiciary is crucial to maintaining the rule of law and protecting citizens' rights. Legal disputes are initially heard and resolved at the trial stage of the judicial system. It serves as the venue for the exchange of ideas, evidence, and conclusions.² The trial courts are essential to the administration of justice because they uphold the concepts of justice, equality, and fairness.

Bangladesh, a democratic nation, has a clear-cut legal system that includes multiple court levels. The Supreme Court, which consists of the Appellate



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Division and the High Court Division, is located at the top of this structure.³ The administration and oversight of the nation's whole judicial system fall within the purview of the Supreme Court. District and session courts, metropolitan magistrates' courts, and special tribunals make up Bangladesh's trial-level Judiciary. These courts are responsible for handling a wide range of civil and criminal disputes, ensuring everyone involved receives justice.⁴ Any legal system must define Jurisdiction as the parameters within which a court has the power to hear and determine cases.⁵ The trial-level courts in Bangladesh have both territorial and subject-matter jurisdiction.

The geographical region where a court can hear cases is referred to as territorial Jurisdiction. As the main trial courts, the district and session courts have Jurisdiction over particular districts nationwide.⁶ They are in charge of deciding disputes that occur within their assigned territorial boundaries.⁷ A court's ability to hear certain types of cases is determined by its subject-matter jurisdiction. Under specific conditions and restrictions, Bangladesh's district and session courts have the power to handle civil and criminal cases.⁸ Civil lawsuits cover disagreements between people or things, such as property, family, and contractual disagreements. Felonies against the state or society, from petty infractions to more serious felonies, are the subject of criminal trials.

It is significant to note that Bangladesh's Judiciary at the trial level has a number of difficulties, including a case backlog, delays in case resolution, inadequate facilities, and scarce resources.⁹ These issues frequently obstruct the prompt and effective administration of justice, affecting plaintiffs' rights and taxing the entire legal system. Bangladesh has implemented a number of reforms and attempts to solve these issues and enhance the Judiciary at the trial level. These include attempts to streamline case management systems, introducing alternative conflict resolution methods, capacity-building programs for judges and court staff, and digitizing court procedures.¹⁰

In Bangladesh, the trial-level Judiciary and its Jurisdiction are crucial to maintaining the rule of law, ensuring fair trials, and protecting individual rights. For the creation of a functional and approachable legal system, it is essential to comprehend the organization, duties, and difficulties of the trial courts.¹¹ By addressing the issues and putting the required reforms in place,

Bangladesh can improve the trial-level Judiciary, fostering justice, equality, and the general welfare of its people.

2. Overview of the Judicial System in Bangladesh

The judicial system of Bangladesh has existed for more than 1,000 years.¹² The current legal system in Bangladesh is the product of a steady evolution throughout the course of many eras in Indian history. The legal history of Bangladesh can be divided into four key eras: the Hindu, Muslim, British, and Modern eras.

Hindu period

The ancient legal system was entwined with religion and social customs. The supreme head of the legislative, executive, and judicial branches was the king (raja). The old Bengali legal system had five main sorts of courts: the King Court, the Chief Justice Court, special tribunals, town or district courts, and village courts. The King's Court served as the state's highest Court of appeals and original Court.¹³ King's judicial duties were carried out with assistance from Brahmins, the chief justice, and other judges, ministers, and learned men.¹⁴ The chief justice and other judges serving under the king used to consult with learned Brahmins.¹⁵ The rulers at that time depended on a number of legal texts, including shrutis, smritis, puranas, dharmashastras, etc. Manusmriti and the Arthashastra were regarded as the most reliable sources of legal advice.¹⁶ The Hindu era lasted for around 1500 years.

Muslim period

The Muslim era began in 1100 A.D. with the first significant Muslim invasion. The Islamic emperor upheld the laws of the Qur'an, the Sunnah, the Ijma, and the Qias.¹⁷ The Sultan was in charge of the Sultanate's civil government and the highest Court throughout the Muslim era. Two well-known muftis provided assistance to the Sultan. Throughout the Mughal Empire, courts were organized and graded in a consistent manner.¹⁸ The primary sources of laws and legal procedures were the Quran, Sunna (Prophet S.M.'s ideology), Ijma, Qiyas, and Fatwa.¹⁹ Fiqh-e-Firoz Shahi and Fatwai-I-Alamgiri, two Muslim Codes, governed the judicial process.

British period

The British era began in 1757 with the establishment of their dominance in Bengal and lasted until 1947.²⁰ It is crucial to comprehend the several Charters, the administration of justice, and the growth of the East India

Company's authority in order to comprehend the legal system of that time.²¹ The British seized the reins of authority by defeating the Nawab of Bengal in the Battle of Plassey in 1757.²² As a result, they began managing the tax system and civil justice and seized control of the criminal judicial system.²³ The new judicial system, which went into force on April 11th, 1780, separated the funding from the judicial duties.²⁴

It is significant to remember that there was a call for a separate judiciary from the government during British rule.²⁵ The British government chose not to implement it because they believed it would conflict with their colonial interests.²⁶ In 1919, when the topic of the separation of the Judiciary was brought up in Parliament, it was decided that the provinces should handle it and keep it under their purview.²⁷ The Bengal Legislative Assembly passed a resolution on judicial separation in 1921, and a committee was established to study the issue.²⁸ A new pattern for the operation of the court system was being worked on.²⁹ Several steps had been done to strengthen the courts, although they weren't without flaws.³⁰ Mohammad Anisul Haque Emran quoted Dugvekar, T. G, in his paper, although they made an effort to do better, the executive and judicial branches of government remained in the same hand, and the responsibilities and authority of the Collector, Deputy Commissioner, Magistrate, and Government agent were united.³¹

Modern Judiciary of Bangladesh

The People's Republic of Bangladesh is a sovereign, unified, and independent nation.³² Following its declaration of independence in 1971, Bangladesh approved its constitution the following year, in 1972.³³ Article 22 of the Constitution states that the state is responsible for ensuring the separation of the judicial branch from the executive branch.³⁴

Following independence, the High Court of Bangladesh Order of 1972 established it as the country's highest Court.³⁵ It was made up of a Chief Justice, and however many additional judges might need to be appointed.³⁶ Subsequently, an Appellate Division was created, consisting of the Chief Justice and two more justices chosen by the President with the Chief Justice's approval.³⁷ The Bangladeshi Constitution established the High Court, which the Supreme Court replaced.³⁸ The Supreme Court is the highest Court in the land, and below it are lower courts and tribunals that have Jurisdiction across the nation.

3. Civil Judicial System of Bangladesh

Bangladesh's civil legal system is built on a confluence of equity principles, case law, and statutory legislation.³⁹ Due to its colonial past, Bangladesh's legal system is predominantly inspired by the British legal system. The civil court system is in charge of settling conflicts among private parties, public entities, and the government.

Bangladesh's civil legal system is hierarchical and is composed of various tiers of courts. The Bangladeshi civil judicial system is organized as follows:

1. **Supreme Court of Bangladesh:** The Supreme Court, which has two divisions—the Appellate Division and the High Court Division—is the country's highest Court. The High Court Division has original and appellate authority over civil cases, and the Appellate Division handles appeals from the High Court Division.
2. **High Court Division:** The Supreme Court's High Court Division hears appeals from subordinate courts, writ petitions, and constitutional issues. It has authority over civil disputes involving commerce, real estate, and administrative concerns.
3. **District Courts:** In Bangladesh, the district courts serve as the main trial courts. District courts are present in every district. Civil proceedings involving property disputes, contract disputes, family matters, and other civil conflicts are under the district courts' original Jurisdiction. District Judges and Additional District Judges are in charge of the district courts.
4. **Additional District Courts:** In addition to the district courts, additional district courts in select districts hear civil cases. District Judges from several jurisdictions oversee these courts.
5. **Assistant Judges' Courts and Senior Assistant Judges' Courts** are two levels of subordinate courts that are located beneath district courts and extra-district courts. These courts have a narrow range of Jurisdiction and only handle civil matters with little financial stakes.
6. **Family Courts:** In Bangladesh, family courts adjudicate cases involving family law, including divorce, child custody, guardianship, and maintenance. Family Court Judges serve as the presiding officers of these district courts.

7. Specialized Tribunals: To handle particular civil case categories, Bangladesh has created specialized tribunals. For instance, the Land Tribunal handles land disputes, the Labor Court handles labor-related problems, and the Artha Rin Adalat (Specialized Money Loan Court) handles loan defaults matters.

Procedural Laws

Laws governing procedural aspects of civil cases in Bangladesh are governed by the Code of Civil Procedure, 1908.⁴⁰ It offers instructions on filing cases, serving summonses, questioning witnesses, presenting evidence, and appealing, among other things. The rules of evidence in civil cases are governed by the Evidence Act of 1872.⁴¹

Alternative Dispute Resolution (ADR)

Bangladesh has recently emphasized the use of ADR techniques to lessen the workload on the regular court system. Mediation, arbitration, and conciliation are promoted outside of the court system to settle civil issues.⁴²

3.1 The Civil Court Structure in Bangladesh

The top and lower courts comprise Bangladesh's Judiciary at the moment. The Supreme Court of Bangladesh, which consists of the Appellate Division and the High Court Division, is the country's highest Court.⁴³ The two categories of subordinate courts are the civil and criminal courts. The small causes court, family court, financial loan court, special tribunal, Court of special judge, and administrative/administrative appellate tribunal are just a few examples of the special courts established by various special laws.⁴⁴

3.1.1 Supreme Court of Bangladesh

The Appellate Division and High Court Division, respectively, make up Bangladesh's Supreme Court, the country's highest Court.⁴⁵ It was created in accordance with Bangladesh's Constitution, which deals with the Supreme Court in Chapter I of Part VI. It's critical to realize that these two Divisions are "distinct and separate" from one another and that appointments are made separately for each Division.⁴⁶ The President may appoint as many justices to each Division as he deems fit, and the Supreme Court must always have a Chief Justice who will be known as the "Chief Justice of Bangladesh."⁴⁷ The President determines the number of Supreme Court judges on the Prime Minister's advice.⁴⁸ The High Court Division sessions may be held at any other location or locations that the Chief Justice may occasionally assign,

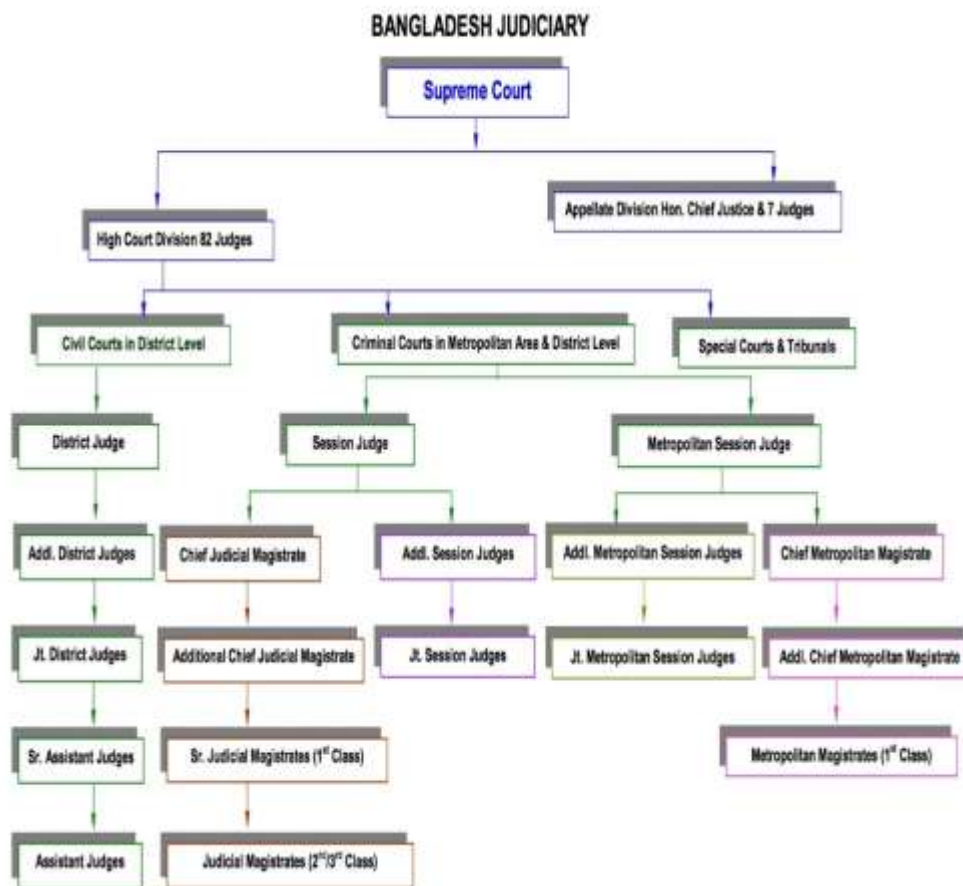
with the President's agreement. The Supreme Court shall have its permanent seat in the capital (i.e., Dhaka).⁴⁹ The High Court Division has 101 judges as of December 2019, while the Appellate Division has seven judges, including the Chief Justice.⁵⁰

3.1.1.1 Appellate Division

The Supreme Court of Bangladesh's Appellate Division has the authority to "hear and decide appeals" from "judgments, decrees, orders, or sentences" rendered by the High Court Division.⁵¹ They have the authority to issue any writs, orders, decrees, or instructions that may be required to render full justice in any case or subject that is currently before them.⁵² It has the authority to review any ruling or directive issued by them.⁵³ In cases where it appears to the President that a "question of law" has come up or is likely to come up, and its nature makes it "expedient" to seek the Supreme Court's opinion, he may refer it to the Appellate Division, which "reports its opinion thereon to the President after such hearing as it thinks fit."⁵⁴

3.1.1.2 High Court Division

There are four main categories into which the High Court Division's Jurisdiction can be subdivided: civil, criminal, constitutional or statutory, and special statutory.⁵⁵ The High Court Division has the power to uphold citizens' fundamental rights thanks to the special original Jurisdiction, and it is also authorized to make certain orders or directives in the form of writs of prohibition, mandamus, certiorari, habeas corpus, and quo warranto.⁵⁶ Under several different statutes, they can exercise special and statutory original Jurisdiction, appellate Jurisdiction, revisional Jurisdiction, admiralty jurisdiction, and other Jurisdictions.⁵⁷



3.1.2 Subordinate Courts of Civil Jurisdiction

Below the High Court Division of the Supreme Court of Bangladesh, there are a number of subordinate courts and tribunals with civil, criminal, and special Jurisdiction. The civil courts typically decide cases of a civil nature. These courts deal with resolving rights conflicts between a subject and the state or between two different people. The Court of the District Judge, the Court of the Additional District Judge, the Court of the Joint District Judge, the Court of the Senior Assistant Judge, and the Court of the Assistant Judge are the civil courts that report to the High Court Division, according to section 3 of the Civil Courts Act 1887.⁵⁸

i) Court of District Judge

Within the local scope of its Jurisdiction, the Court of District Judges is the primary Court responsible for exercising administrative supervision over all district-level civil courts. Regarding all lawsuits filed within the district, the Court of District Judges has original, appellate, and revisional Jurisdiction.⁵⁹ Despite the fact that it rarely hears original lawsuits, Special Acts have made it the only Court with authority to hear some cases, including insolvency, guardianship, probation, administration, etc.⁶⁰

A District Judge hears some appeals against the Joint District Judge's decisions, decrees, and orders in situations when the original suit does not reach the maximum of Fifty Thousand Taka.⁶¹ The District Judge, however, has the authority to hear and rule on appeals from any decisions and orders made by Senior Assistant Judges and Assistant Judges that fall within the specified time frame.⁶² In 2016,⁶³ the cap was raised to 50 million taka, but the High Court Division decided to suspend it.⁶⁴ Because of this, the cap has stayed at 500 000 Tk until the Court resolves the case at hand.

In cases when there is no right of appeal, and the lower courts made a legal error, the District Judge has the authority to review those decisions.⁶⁵ The District Judge has the power to request the records and establish the rules in this matter as he sees fit.⁶⁶

ii) Court of Additional District Judge

The Court of Additional District Judges has similar Jurisdiction to the Court of District Judges despite hearing appeals from lower courts. The Court of District Judges typically transfers matters to Additional District Judge, who then hears them. When performing these duties, the Additional District Judge has the same authority as the District Judge.⁶⁷

iii) Court of Joint District Judge

The Court of Joint District Judges exercises both original and appellate Jurisdiction. Cases that cross the financial jurisdictional line of the Court of Senior Assistant Judges are filed in the Court of Joint District Judges. All original lawsuits may be brought before the Joint District Judge without regard to their financial merits.⁶⁸ When such appeals are referred to the Joint

District Judge by the District Judge, the District Judge is authorized to hear and decide appeals against the Senior Assistant Judges' and Assistant Judges' verdicts, decrees, or orders.⁶⁹

iv) Court of Senior Assistant Judge

A court with both original and revisional Jurisdiction is the Senior Assistant Judge's Court. When the financial Jurisdiction of the Assistant Judge exceeds, the cases are filed in the Court of the Senior Assistant Judge. The Senior Assistant Judge's financial Jurisdiction is limited to a total of 400,000 Taka.⁷⁰ In 2016, the financial Jurisdiction of this Court was changed to \$25,000,000,⁷¹ which the High Court Division has halted.⁷² Because of this, the limit will remain at 400 000 Tk until the issue is fixed.

v) Court of Assistant Judge

The subordinate civil courts' lowest category, the Court of Assistant Judges, has both original and revisional Jurisdiction. Unless the financial Jurisdiction prohibits it, civil lawsuits are typically filed in the Court of Assistant Judge. The pecuniary Jurisdiction covers lawsuits with a value of up to two hundred thousand taka or less.⁷³ The High Court Division suspended the 2016 amendment that increased the financial cap to 150.000 Taka.⁷⁴ As a result, the cap is set at \$200,000 until the issue is remedied. Recently, the Court of Assistant Judges received authorization to exercise revisional Jurisdiction over minor civil disputes brought before village courts and dispute resolution panels.⁷⁵

3.2 Jurisdiction of Civil Courts in Bangladesh

Every Court in Bangladesh only has Jurisdiction over issues to the extent that the Bangladeshi Constitution or national laws have given it. A hierarchy of civil and criminal courts at the district level is followed by Bangladesh's highest Court, known as the Supreme Court of Bangladesh.⁷⁶ Following is a discussion of Bangladeshi courts' Jurisdiction:

3.2.I Supreme Court of Bangladesh

The Apex Court of the nation, which is made up of 1) the Appellate Division and the High Court Division,⁷⁷ was founded in the exercise of the authority granted by Article 94 of the Constitution.

3.2.I.1 Jurisdiction of the Appellate Division

As stated in Article 103 of the Bangladeshi Constitution, the Appellate Division has the following Jurisdiction:⁷⁸

1. Appeals against judgments, decrees, orders, or sentences of the High Court Division may be heard and decided by the Appellate Division.
2. A High Court Division decision, decree, order, or sentence may be appealed to the Appellate Division automatically where the High Court Division:
 - (a) Only if the Appellate Division grants leave to appeal may a party appeal a decision, decree, order, or sentence of the High Court Division in a case to which clause (2) does not apply.
 - (b) The contents of this article may be declared by law to apply to all other courts and tribunals in the same manner as they do to the High Court Division.

3.2.I.2 Jurisdiction of the High Court Division

The High Court Division of Bangladesh has several kinds of Jurisdiction.⁷⁹

- Original Jurisdiction
- The High Court Division can hear a case or suit as Court of first instance.
- Appellate Jurisdiction
- Any law may confer appellate Jurisdiction on any matter. For example, CrPC and CPC have conferred on the HCD appellate jurisdiction.
- Revisional Jurisdiction
- Review Jurisdiction
- Superintendence and Control over Subordinate Courts
- Transfer of cases from subordinate Courts

3.2.2 Jurisdiction of Civil Court

The Code of Civil Procedure, 1908, largely governs the competence of civil courts in Bangladesh.⁸⁰ Bangladesh has various tiers of civil Court, each with distinct jurisdictional boundaries. Here is a general outline of Bangladesh's civil courts' authority:

1. District Judge Court- Revisional Jurisdiction, the appeal of civil matters valuation of which is up to five crore or 50 million taka,⁸¹ Probate matters, etc.

2. Additional District Judge Court- Try cases transferred to this Court by District Judge.⁸²

3. Joint District Judge Court- ⁸³i) Original Jurisdiction- hearing of civil suit of which valuation is from twenty-five lac taka to unlimited,

ii) Try succession matter,

ii) Revision- which case is transferred to this Court by District Judge,

iii) Appeal –which case is transferred to this Court by the District judge.

4. Senior Assistant Judge Court- ⁸⁴try suits of civil nature of which valuation is fifteen lac to twenty-five lac taka.

5. Assistant Judge Court- to try civil suits of which pecuniary Jurisdiction is below fifteen lac taka.

6. Small Causes Court- Suits of a civil character whose worth does not exceed twenty-five thousand taka must be decided by a Small Causes Court.

7. Family Courts – This Court hears cases involving family issues, such as divorce, dower, child custody, and guardianship, restitution of conjugal rights, and maintenance-related issues.

3.2.4 Special Courts

- **Labour Courts:** Labour Court deals with cases arising from labor disputes.
- **Administrative Tribunals:** Administrative Tribunals exercise their power regarding service disputes of public servants.
- **Income Tax Appellate Tribunals:** Income Tax Appellate Tribunals exercise their power regarding income tax disputes, customs and excise

matters. VAT Appellate Tribunals decide disputes regarding custom and excise duties and VAT.

- **Money Loan Courts:** Artha Rin Adalats decide the money claims of banks and other financial institutions.
- **Insolvency Courts:** Insolvency Courts declare defaulting borrowers as insolvent.

4. Challenges and Reforms

Like any other system, Bangladesh's judicial system encounters a number of obstacles that reduce its efficacy and efficiency. Insufficient infrastructure, a backlog of unresolved cases, delays in case disposition, scarce resources, and other issues will all be covered in this section.⁸⁵ The actions and changes being implemented to solve these issues will also be covered, including capacity-building programs, the digitalization of court procedures, and other dispute-resolution options.⁸⁶

Challenges and ongoing reforms have been made to the makeup and authority of Bangladeshi courts. The following are some significant issues and reforms pertaining to the composition and authority of courts in Bangladesh:

Hierarchical structure:

Delays in the administration of justice have been caused by the courts' hierarchical system, which has numerous tiers from the lower courts to the Supreme Court.⁸⁷ There is frequently a sizable case backlog in the lower and higher appellate courts.

Efforts are being made to overcome the challenges in past years.⁸⁸

- Adding more judges and administrative personnel.
- Creating extra tribunals and courts to spread out the caseload.
- Putting in place case management programs to hasten the resolution of cases.
- Promoting alternative dispute resolution processes like arbitration and mediation to settle matters more quickly.
- Improving the capability and effectiveness of the lower courts.

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- Establish specialized tribunals to deal with particular issues, such as family, labor, and business disputes.
- Increasing the scope of subordinate courts' Jurisdiction in order to lighten the load on higher appellate courts.
- Stricter requirements for granting leave to appeal would streamline the appellate process.

Specialized courts and tribunals:

To handle particular types of issues, Bangladesh has established a number of specialized courts and tribunals, including the Anti-Corruption Commission, Drug Court, and Labor Court. These specialist courts are designed to speed up case resolution and offer knowledge in particular legal disciplines.⁸⁹

Authorities have concentrated on increasing the capability and efficacy of these specialist courts in an effort to address the difficulties.

Appellate Jurisdiction:

Due to the large number of appeals and few resources, the higher courts' ability to hear appeals, particularly the Supreme Court, faces difficulties.⁹⁰

To lessen the workload on the higher courts, reforms are being implemented to expedite the appellate process, create tougher criteria for granting leave to appeal and promote alternate conflict settlement techniques.⁹¹

The following reforms have been introduced to address resource limitations:

- Providing the highest appellate courts with sufficient resources.
- Setting aside special benches for instances of national significance.
- Promoting the use of technology to speed up processes, including video conferencing.
- Supporting non-traditional dispute settlement techniques to ease the load on higher courts.

Jurisdictional overlaps:

There have been situations where the jurisdictions of various courts and tribunals overlapped, causing uncertainty and delays in case resolution.⁹² To solve this problem, actions are being taken to enable the easy transfer of cases between various judicial bodies and to define the Jurisdiction of each Court and tribunal explicitly. In order to address jurisdictional overlaps, efforts have been taken to:

- Clearly define the Jurisdiction of each Court and tribunal.
- Setting up channels for regular communication and cooperation between judicial entities.
- Ensuring seamless case transfers between various courts and tribunals.
- Promoting coordination and cooperation amongst various judicial entities.

Local level justice:

In Bangladesh, it is difficult to guarantee access to justice at the local level. There are frequently insufficient court facilities and legal services in remote locations. Reforms are being implemented to increase the number of subordinate courts at the district and sub-district levels, give local judicial officials training and support, and encourage community-based alternative dispute resolution systems. The following actions have been made in order to increase access to justice in rural areas:⁹³

- Adding more district and sub-district level lower courts.
- Improving remote areas' court infrastructure.
- Educating and assisting regional judicial officials.
- Supporting community-based alternate conflict resolution procedures.

E-Court initiatives:

E-court efforts are being implemented in Bangladesh in an effort to modernize the legal system and increase effectiveness. With the implementation of e-filing and case management systems, and online access to case material, and judgments, these initiatives hope to digitize court

procedures.⁹⁴ Such changes facilitate court processes, lessen paperwork, and increase openness.

Coordination and cooperation:

A functioning judicial system depends on the effective coordination and collaboration of the many courts and judicial authorities.⁹⁵ Reforms are being implemented to set up communication channels, encourage information exchange, and improve cooperation between the judicial system, the executive branch, and other pertinent parties.

5. Conclusion

In conclusion, there have been a number of problems with the Jurisdiction and operation of Bangladesh's trial courts, which have resulted in the introduction of important reforms. There are problems with the court system, which comprises of various levels from lower courts to the Supreme Court, including case backlogs and delays in the delivery of justice.⁹⁶ In order to solve these problems, reforms have mostly focused on strengthening subordinate courts, establishing specialized tribunals, and using case management tools to expedite case resolution. Jurisdictional overlaps between several courts and tribunals have also been a problem.⁹⁷ Nevertheless, the development of coordination processes, the identification of separate jurisdictions, and the facilitation of case transfers across judicial bodies have all been undertaken. Access to justice in rural areas is another problem that needs to be addressed. The infrastructure is being enhanced, new lower courts are being constructed, and alternative dispute-resolution methods are being encouraged in order to do this.⁹⁸ A rising caseload and constrained resources are issues facing the higher appellate courts. Reforms aim to solve these issues by allocating enough resources, giving cases a top priority, and utilizing technology for accelerated processes.⁹⁹ The judicial system has been more open and accountable because of the publication of court decisions, judge conduct guidelines, and supervision and responsibility mechanisms.

In addition, outdated judicial infrastructure and practices have been the subject of modifications. E-court initiatives, such as record digitalization and

electronic filing, have been undertaken to improve court procedures.¹⁰⁰ The infrastructure and upgrading of judicial information management systems have also been accorded top importance. Bangladesh is always working to strengthen its trial-level legal system and improve access to justice, and this is reflected in the challenges and changes that have been brought up. These programs aim to ensure that the Court follows the rule of law, delivers prompt, fair justice to all citizens, and operates with efficiency, transparency, and responsibility.

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⁷⁸ The Constitution of Bangladesh, 1972 Art 103.

- 79 The Constitution of Bangladesh, 1972 Art 106.
- 80 The Code of Civil Procedure, 1908.
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