

FOR THE YEAR 1997

**BANGLADESH LEGAL AID AND  
SERVICES TRUST**

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## **SUMMARY OF THE ACTIVITIES**

1. Bangladesh Legal Aid And Services Trust, BLAST, is a non-profit trust and a non-governmental organisation (NGO) set up in 1993 with the aim to provide legal aid and related services including mediation of disputes, undertake legal research and training in the field of law and human rights, campaign for law reform and advocacy for vindicating the rights of the poor and the marginalized through the judicial system.
2. By the end of the reporting year, i.e., 1997, BLAST had established 11 Unit Offices covering all the six divisional headquarters and five other (old) districts. Besides, the two Legal Aid Clinics in Dhaka continued to offer legal aid and advice during the year.
3. In 1997, in addition to the core function of providing legal aid for litigation through the 11 Unit Offices and the Head Office, BLAST initiated three more projects, namely
  - i. Legal Advocacy and Participation of the Civil Society Project;
  - ii. Research on Marriage and Divorce Registration; and
  - iii. Women Worker's Legal Aid and Economic Rights Project.

The two other projects, initiated in 1996, continued their activities during the reporting year. These two projects are:

- iv. Public interest Litigation; and
- v. Rural Mediation.

The Legal Advocacy and Participation of the Civil Society Project (i above) was jointly undertaken by BLAST, Ain O Shalish Kendra (ASK) and Madaripur Legal Aid Association (MLAA) while the Rural Mediation (v above) is a joint Project of BLAST and MLAA

4. During 1997 BLAST has filed a total of one thousand four hundred fifty two (1452) cases and another one thousand four hundred eighty three (1483) pending cases were carried over from previous years in the Supreme Court of Bangladesh and various District and Subordinate Courts of the country.

Of this total of two thousand nine hundred and thirty five (2935) cases handled during the reporting year, seven hundred sixty (760) cases were settled and the remaining two thousand one hundred seventy five (2175) cases are pending at various stages of the judicial process.

5. Of the one thousand four hundred fifty two (1452) new cases filed in 1997, one thousand three hundred twenty (1320) were filed by different Units in the respective District and Subordinate Courts while the Head Office filed another one hundred eleven cases (111) in the Supreme Court of Bangladesh. The Head Office also filed twenty one (21) cases in the districts where BLAST does not yet have a Unit Office.
6. During the year BLAST engaged a total of 527 lawyers from different parts of the country to litigate on behalf of its clients/beneficiaries.
7. The two Legal Aid Clinics in Gopibag and Mohammadpur areas of Dhaka have undertaken substantial legal literacy and awareness campaigns and settled forty five disputes through mediation. Another one hundred and sixty four (164) are pending for mediation at these clinics.
8. BLAST has send a substantial number of its staff and lawyers for training to different training programmes, seminars and workshops. It also have organised a good number of workshops, seminars and an international seminars by itself.
9. Networking
10. Projects

## 1. INTRODUCTION

Since its inception in 1993 the goal of the Bangladesh Legal Aid and Services Trust (BLAST) has been to open up the judicial system to the disadvantaged in Bangladeshi society. Far beyond the need to "do good", the ideology against which the legal aid work is carried out relies heavily on the principle of the rule of law, its importance in creating a social welfare system and its significance, in turn, in creating a strong democracy. In practical terms its function revolves round legal issues related to the monitoring and upholding of human rights, specifically with reference to the marginalised. It is understood that an accessible judicial system is unfeasible for the disempowered since the state exempts only the "pauper" from legal costs and extends its legal aid and assistance only to criminal cases in which the accused may face a sentence of capital punishment. Apart from this, the complicated procedure for qualifying for the state legal aid system, recently set up to assist the poor, result in the meager 'legal aid' funds being returned to the national exchequer as 'unspent'. It is against this background that BLAST is committed to providing legal aid and legal services for the poor.

**Mode of Operation:** The work of BLAST is carried out from its Head Office in Dhaka, six divisional unit and another five district Unit Offices. There are also two law clinics in Gopibagh and Mohammadpur of Dhaka which not only undertake legal awareness programmes but also operate as part of the process of making law easily accessible and unthreatening to the poor and the marginalised. These clinics also arrange mediation of disputes of the local people and, when necessary, refer to Dhaka Unit Office for filing cases.

The importance of the training of lawyers for work in this field, particularly with reference to mediation work, cannot be over emphasised. BLAST has, throughout the year under review, sent many of its workers on training programmes, and has itself held

workshops and conferences, at times in coalition with other organisations.

It is encouraging to note that the statistics recording the work done at the divisional and district levels compare well with the Dhaka Head Office, which is more established and benefits from the experience of lawyers trained in this field. This is demonstrative of the fact that the principle of decentralised units can function effectively without incessant monitoring. The organisation is anxious to avoid becoming top heavy with the Dhaka Head Office acting as consultant to its Unit Offices. It would appear that the vigour with which many of the Units have attacked their work leave little space for entertaining such fears.

BLAST is fortunate to be able to draw from a pool of inspired and hardworking team of lawyers and administrators and the success of the organisation is a tribute to their comitment and competency. It is, however, recognised that most of the training of BLAST workers so far has been based in Dhaka and perhaps the slight discrepancy in the figures relating to the activities of the divisional and district units in comparison with the volumes handled by the Head Office maybe explained by this imbalance. BLAST seeks to remedy this in its training programme for 1998.

The 11 Units of BLAST are managed by Management Committees consisting of the elected Presidents and Secretaries of the last three years of the respective District Bar Associations. These six member, in turn, select another 3 to 5 members from amongst the senior lawyers and representatives of the minority community, women and local NGOs. The Management Committee selects a member as the President of the Management Committee.

The fund of the Trust for the Units are managed by the Management Committee of each Unit. The Co-ordinator and the President of the Management Committee are the joint signatories for the financial transactions, including operation of the bank accounts, of the Units.

The involvement of the Members of the Management Committees are voluntary which is a clear indication of the commitment of the members of the legal community to *pro bono* activities.

Similarly, the Board of Trustees of BLAST, detailed in the next section, supervise and guide the activities of the Trust without any remuneration or monetary returns for their most valuable inputs.

The **significance of the work** carried out by BLAST cannot be over emphasised. Whilst there are other NGOs who are increasingly realising the importance of **legal aid** and are creating cells for addressing issues of advocacy, legal literacy and campaign, legal awareness programmes, law reform, women's rights, human rights education and other essential components of a general developmental agenda, BLAST is continuing to focus primarily on litigation. This rests on the realisation that without meaningful access to the judicial system for redressing of specific wrongs these other programmes remain untested in reality. Viewing its work as a part of a wider social welfare scheme that goes towards empowering the marginalised by making the legal system fair and accessible, the wider interests of this organisation is in contributing towards the creation of a cohesive, stable and democratic society, based on the rule of law.

During the last two years (1996 and 1997) BLAST has expanded it's activities into a number of other law related arenas. These activities, in the format of separate projects, stemmed from the realisation that these activities may better facilitate the task of ensuring more effective and meaningful access to justice for the poor and marginalised.

The **purpose of this report** is to evaluate the efficacy as well as the shortcomings of the organisation in 1997. As a fairly new and fast growing organisation BLAST has been tremendously successful but by the same token it is, naturally, suffering certain growing pains and by examining these it hopes to apply the right remedies.

Whilst a solid, well planned work programme and a dedicated work force are essential for the success of any organisation, the means for the realisation of future plans, however, remain uncertain, as funding patterns continue to be a cause for continuous insecurity. It is hoped that through a process of accountability and transparency this organisation can continue to build on the support of its well-wishers and sponsors.

It needs to be pointed out that unlike the legal aid and services, the activity and financial 'year' of the projects do not coincide with the calendar year. In fact different projects have been initiated from different months during the year. LAPCS, RMDR and WELR projects began their activities at different months around the middle of the reporting year. Consequently, by the end of this reporting period, i.e., the 31<sup>st</sup> December, 1997, these projects had not completed one full year of operation and activities. Therefore, activities of these projects and the financial statements are not included in this report. A separate report detailing the activities of the projects will be published, along with the reports of the two other projects i.e., PIL and R.M in the second half of 1998.

## **2. BLAST AT A GLANCE**

### **2.1 ORGANISATIONAL PROFILE**

Registration as a non-profit Trust	6 <sup>th</sup> May 1993
Registration with the NGO Affairs Bureau Head Office	11 December 1993 Registration No. 786 141/1 Segunbagicha, Dhaka – 1000 Phone: 837185 and 934 9126 Fax: 9347107 e-mail: blast@bangla.net
Divisional Unit Offices [Six]	Barisal, Chittagong, Dhaka, Khulna Rajshai, and Sylhet,
District Unit Offices [Five]	Comilla, Jessore, Mymensingh, Noakhali, and Rangpur.
Law Clinics [Two]	Gopibag, Mohammadpur, both in Dhaka city.
Primary Activity	Free Legal Aid and Related Services

Projects [Five]	? Rural Mediation Project; ? Public Interest Litigation Project; ? Legal Advocacy and Participation of the Civil Society Project; ? Women Worker's Legal Aid and Economic Rights Project; ? Research on Marriage and Divorce Registration Project.
Personnel	115
Engaged Lawyers in '97	527

**2.2 ACTIVITY PROFILE**

ACTIVITIES	CLASSIFICATION OF THE PRIMARY ACTIVITY	NUMBER	
COMPLAINTS	Received	2381	
	Carried over from the previous year	232	
	<b>Total</b>	<b>2613</b>	
CASES	In the Supreme Court	111	
	In District and Subordinate Courts	1341	
	Total Cases Filed in 1997	<b>1452</b>	
	Cases Carried over from previous years	1483	
	Total Cases dealt with during the year	<b>2935</b>	
	Cases settled	<b>760</b>	
		In Favour	397
		Against	52
		Default	101
		Compromise	210
		<b>Total cases pending at the end of the year</b>	<b>2175</b>
MEDIATION	At the Head Offices and 11 Unit Offices		
	Mediations Initiated		
	Disputes Settled	419	
	Mediations Pending	172	
		247	
	Mediations at the two Legal Aid Clinics		
	Mediations Initiated		
Disputes Settled	169		
Mediations Pending	73		
	96		

	Mediations in rural areas under the Mediation Project	
	Mediations Initiated	1048
	Disputes Settled	787
	Mediations Pending	261
TRAINING	Training Programmes Conducted	
	Number of Courses	1
	Number of Participants	17 persons
CONFERENCE	Conference	
	Number of Conference	
	Number of Participants	
SEMINARS	Seminar, International Seminar	
	Number of Seminars	1 Int.
	Number of Participants	7 Nat.
WORKSHOP	National Workshop	
	Number of Workshop	2
	Number of Participants	

### 2.3 NETWORKING PROFILE

BLAST recognises the importance of working with other organisations. A process of consultation, co-operation and liaison is crucial for carrying out the activities in a more effective and efficient manner. The following is a list of NGOs and other organisations with whom BLAST has participated in joint activities, arranging campaigns, training, seminars and other programmes during 1997:

- ? Ain-O-Salish Kendra
- ? Asia Foundation
- ? Bangladesh Bar Council
- ? Bangladesh Environmental Lawyers Association
- ? Bangladesh Institute Of Law And International Affairs

- ? Bangladesh Jatiya Mohila Ainjibi Samity
- ? Bangladesh Mohila Parishad
- ? Bangladesh Nari Pragati Sangha
- ? Bangladesh Society For Enforcement For Human Rights
- ? British Council
- ? Commonwealth Human Rights Initiative
- ? Consumer Association Of Bangladesh
- ? Coordinating Council For Human Rights In Bangladesh
- ? Department Of Law, Chittagong University
- ? Department Of Law, Dhaka University
- ? Department of Women's Affairs, GOB
- ? Disaster Forum
- ? District Bar Associations Of Several Districts
- ? Gono Shajjya Sangstha
- ? Jatiya Ainjibi Parishad
- ? Madaripur Legal Aid Association
- ? Ministry Of Law And Justice
- ? Nova Consultancy
- ? NOVIB
- ? Odhikar
- ? Save The Children (UK)
- ? Sommilita Nari Samaj
- ? The Committee On Sustainable Development, International Law Association

#### **2.4 DONOR AGENCIES**

The Ford Foundation

The Asia Foundation

### **3. INCOME AND EXPENDITURE ACCOUNT**

With its commitment to accountability and transparency, this Annual Report provides a breakdown of its accounts for the fiscal year 1997 which in our case, coincides with the calendar year.

BLAST is conscious of keeping overheads down in order to be more effective in providing the services it is created to render. The

consequences of this are limited work space, phone lines and office equipment, yet harmonious teams in its different offices enable the different units to operate smoothly.

The financial year of the different projects, initiated at different periods of the year do not coincide with the accounting year of the main activities of the Trust. Hence, auditing and accounting of the Projects are undertaken and reported separately. The income and expenditure accounts of the different projects, therefore, are not included in this Report. The audit report of the legal aid and related services, as summarised from the audit report, is produced below while audit reports of the different projects can be inspected at the Head Office.

**(1 January to 31 December 1997)**

	<b><u>1997</u></b>
	<b><u>Taka</u></b>
<b><u>Income</u></b>	
Grant :	
The Ford Foundation	9,136,151.00
(For the year 1997)	9,136,151.00
<b><u>Expenditure</u></b>	
Salary and staff benefit (Administration)	18,202,09.00
Salary and staff benefit (Programme)	16,864,14.00
Office rent	399,830.00
Postage	52,081.00
Utilities	153,214.00
Printing and Stationery	190,366.00
Meeting	21,979.00
Travel	160,142.00
Other operating expenses	102,484.00
Paper and periodicals	12,548.00
Contingencies	116.00
Court cases bills	3,519,025.00
Support to client	43,598.00
Trainee advisors' fee	142,800.00
Trainee travel	72,269.00
Consultancy and evaluation	303,251.00
Publicity	250.00
Legal opinion	3,300.00

Messenger salary	36,900.00
Audit and tax fees	25,000.00
Staff training and development	5,800.00
Recruitment expenses	16,650.00
Workshop in unit offices	31,725.00
Repair and maintenance	30,200.00
Investigation	15,750.00
Equipment operating expenses	55,054.00
Seminar	106,851.00
Depreciation	429,171.50
Expenses	9,436,979.00
Excess of income over expenditure transferred to Balance Sheet	(300,828.00)

## **4. OBJECTIVES**

The Main Objectives of the Trust are:

- a. to ensure that the operation of the legal system promotes access to justice; to provide, in particular, free legal aid by suitable schemes; to ensure that opportunities for securing justice are not denied to any citizen or person by reasons of economic or other disabilities;
- b. to administer a Trust Fund in order to establish and maintain legal aid and services units to be supported by the grants from the Trust;
- c. to establish legal aid or assistance and human rights protection units in Bar Associations and in different localities of the country, including rural areas;
- d. to conduct special training programmes and courses for lawyers and others;
- e. to co-ordinate work of such units with other bodies including NGOs working in related fields.

## **5. THE TRUST**

### **5.1 FORMATION**

At the national conference of lawyers held in 1992 under the auspices of the Bangladesh Bar Council, the idea of establishing an organisation for providing legal aid and its proposed structure was mooted. Later, in pursuance of this idea certain steps were taken for establishing a legal aid organisation as a non-profit Trust under the name of Bangladesh Legal Aid and Services Trust and the same was incorporated on the 26th May, 1993 with the Registrar of Joint Stock Companies of the Government of Bangladesh as a company limited by guarantee. Later the Trust was registered as

an NGO with the NGO Affairs Bureau on 11.12.1993 with registration No. 786.

## **5.2 BOARD OF TRUSTEES**

The Founder members of the Board of Trustees were:

01. Mr. Sheikh Razzak Ali, M.P.  
Senior Advocate, Supreme Court of Bangladesh  
Former Speaker, Bangladesh Jatiya Sangshad
02. Mr. Aminul Huq (late)  
Former Attorney General of Bangladesh
03. Mr. Syed Ishtiaq Ahmed  
Senior Advocate, Supreme Court of Bangladesh  
Former Attorney General, and Advisor to the Caretaker  
Government (1996)
04. Dr. Kamal Hossain  
Senior Advocate, Supreme Court of Bangladesh  
Former Minister of Law and Foreign Affairs
05. Mr. Amir-ul Islam  
Senior Advocate, Supreme Court of Bangladesh  
Chairman, Executive and Legal Education Committees of  
Bangladesh Bar Council
06. Ms. Salma Sobhan  
Executive Director, Ain-O-Shalish Kendra
07. Mr. Abdul Muntaquim Chaudhury,  
Advocate, Supreme Court of Bangladesh

According to the Articles of Association of the Trust, the Chief Justice of Bangladesh nominated two more Trustees:

08. Mr. Justice Anwarul Huq Chowdhury (retired)  
Supreme Court of Bangladesh
09. Mr. Justice Naimuddin Ahmed  
Member, Law Commission of Bangladesh

The Board of Trustees in its first meeting co-opted two more Trustees under Article 8 of the Articles of Association of the Trust:

10. Mr. Fazlul Huq  
Advocate and Secretary, Madaripur Legal Aid Association (MLAA)
11. Ms. Sigma Huda  
Advocate, Supreme Court of Bangladesh  
Secretary General, Bangladesh Society for Enforcement of Human Rights.

The Trustees unanimously elected Dr. Kamal Hossain and Mr. Justice Naimuddin Ahmed as the Chairperson and Vice-Chairperson of the Trust, respectively. Mr. Fazlul Huq has been the Executive Director of the Trust since 1995.

### **5.3 THE HEAD OFFICE AND UNIT OFFICES OF THE TRUST**

In 1994, the national Head Office of the Trust was established in Dhaka along with five divisional Unit Offices in Dhaka, Chittagong, Khulna, Rajshahi and Barisal. In 1995 BLAST expanded its activities by establishing a divisional Unit Office in Sylhet. Thus, by 1995, BLAST had established Unit Offices in all the six Divisional headquarters of the country. Thereafter it was decided to expand the activities of the Trust by gradually establishing one district unit office in each of the Division, except Sylhet which was the smallest division and did not contain any of the 'old' districts.

In 1995 the first two district units were established in Mymensingh and Noakhali. Three district Unit Offices in Jessore, Rangpur and Comilla were then established in 1996 to further realise the Trust's nation wide objectives. During the year 1997 a sub-unit of the Head Office was established in Bogura as part of The Trust target of reaching all the 19 'old' districts. In addition to the Head Office, the Trust, thus, has 11 Unit Offices and 1 sub-Unit.

The address of the Unit Offices of the Trust are given in the BLAST directory at the end of this document.

BLAST endeavours to establish its Unit Offices in the respective district court premises and has succeeded in locating most of the Unit Offices in the Bar Association Buildings of the respective district courts. Such location certainly facilitates better liaison with the engaged lawyers and hence better services for the clients. Besides, such location also helps better co-ordination between the personnel of the Units and the Management Committees, most of whose members are advocates and hence spent most of their working hours in the court premises. It needs to be recognised that the local Bar Associations have been instrumental in arranging office spaces for the Trust in the court premises. In fact BLAST is the only organisation with offices in the Bar Association buildings within the court premises.

The Unit Offices of the Trust have been functioning under the supervision of respective Management Committees. The Management Committees, as mentioned, comprise of members of the Local Bar Associations. The Presidents and the Secretaries of the respective Bar Associations of the last three years are ex-officio members of the Management Committees of the Unit Offices.

The Trust conducts its cases through a panel of lawyers selected by the Unit Management Committees. The fees for the lawyers and other expenses are paid per case, as sanctioned in the budget.

#### **5.4 PERSONNEL**

At the end of the year 1997 a total of one hundred and fifteen (115) persons were working for the Trust, against the sanctioned position for 125. Most of the personnel were engaged full time, though a small number, particularly for the Projects based at the Head Office, were also contacted on part-time arrangements.

The Head Office is responsible for the over all supervision of the activities of the Trust (Unit Offices, Projects and Law Clinics) as well as litigation in the Supreme Court of Bangladesh. Besides, liaison with various NGOs, GoB agencies and institutions, national human rights movements and campaign, participation in policy forums and other related activities are undertaken by the Head Office. Administrative and management personnel are based at the Head Office. The following personnel were based at the Head Office in December, 1997:

**Table 1: Head Office and Project Personnel**

<b>Main Project (legal aid and services)</b>	<b>Actual Positions</b>	<b>Sanctioned Positions</b>
Executive Director	1	1
Advisor	1	1
Assistant Director	2	3
Senior Accountant	1	1
Accountant	1	1
Assistant Accountant	1	1
Secretary to the Trust	1	1
Staff Lawyer	1	2
Junior Staff Lawyer	2	2
Librarian –documentation officer	1	1
Computer Operator	1	1
Media Officer	0	1
Office Assistant	1	1
Store-in-charge	1	1
Vehicle Operator	0	1
Messenger	2	2
<b>Main Project Total</b>	<b>17</b>	<b>20</b>

<b>Public Interest Litigation Project</b>		
Senior Staff lawyer	1	1
Staff lawyer	2	2
Publication Officer	0	1
Junior Staff lawyer	1	1
<b>Total</b>	<b>4</b>	<b>5</b>

<b>Rural Mediation Project</b>		
Project Co-ordinator	1	1
Accountant	0	1
Office Assistant	1	1
Messenger	1	1
<b>Total</b>	<b>3</b>	<b>4</b>

<b>Legal Advocacy and Participation of the Civil Society Project</b>		
Project Co-ordinator	1	1
Senior Research Lawyer	1	1
Research Lawyer	2	2
Junior Research Lawyer	3	3
Accountant	1	1
Office Assistant	1	1
Computer Operator	1	1
Messenger	1	1
<b>Total</b>	<b>11</b>	<b>11</b>

<b>Women Workers Economic &amp; Legal Rights Project</b>		
Senior Staff Lawyer	1	1
Junior Staff Lawyer	2	2
Research Assistant	1	1
Accountant	1	1
Office Assistant	1	1
<b>Total</b>	<b>6</b>	<b>6</b>

<b>Research on Marriage and Divorce Registration Laws Project</b>		
Project Co-ordinator	1	1
Research Assistant	3	3
<b>Total</b>	<b>4</b>	<b>4</b>

Unit Office Personnel (Divisions 6; Districts 5; and sub-unit 1)

<b>Name of the post</b>	<b>Numbers at the Post</b>		
	Division Units (6)	District (5) Sub Unit (1)	Row Total
Co-ordinator	6	6	12

Accountant	6		6
Office Assistant	6		6
Accountant-paralegal- Office Assistant		5	5
Messenger	6	6	12
<b>Total</b>	<b>24</b>	<b>17</b>	<b>41</b>

Personnel of the Rural Mediation Project at three Divisional Units  
(Barisal, Khulna and Sylhet)

<b>Rural Mediation Project Unit Office</b>	Actual Position	Sanctioned Position
Mediation Supervisor	3	3
Mediation Worker	16	21
<b>Total</b>	<b>19</b>	<b>24</b>

Personnel at Legal Aid Clinics (Gopibagh and Mohammadpur,  
Dhaka city)

<b>Name of the Post</b>	Numbers at the post
Trainee Advisor	2
Trainee	6
Messenger	2
<b>Total</b>	<b>10</b>

Table 2: Total Personnel at Head Office, Unit Offices and Projects

<b>Offices and Projects</b>	<b>Actual Position</b>	<b>Sanctioned Position</b>
Head Office	17	20
Unit Offices	41	41
Legal Aid Clinics	10	10
PII Project	4	5
Mediation Project (Head Office and Units)	22	28
Legislative Advocacy Project	11	11
Women Workers Right Project	6	6
Marriage and Divorce Registration Project	4	4
<b>Grand Total</b>	<b>115</b>	<b>125</b>

## **5.5 HUMAN RESOURCE DEVELOPMENT**

As an essential part of human resource development, training of the employees were undertaken under direct supervision of the Head Office. For developing skill, improving knowledge & attitude and to motivate the employees for effective results, a good number of BLAST personnel took part in various training programmes organised by different institutions and bodies. During 1997 the following staff participated in various training and related programmes:

#	Name of the Participant	Title of the training/course/workshop/ seminar	Duration	Venue/Place	Organizer
1	Ms. Farida Yeasmin, Assistant Director and Mr. Abdul Mannan Khan, Staff Lawyer, PIL	Draft Uniform Family Code: Role of State to Enforce Women Rights	2-3 January 1997	Planning Academy, Nilkhet, Dhaka	Bangladesh Mohila Porishad
2	Ms. Sarwat-Binte-Islam, Junior Staff Lawyer	Baseline Survey of Qualitative Indicators	18-30 January 1997	Barisal Sylhet	The Asia Foundation
3	Mr. Abdul Mannan Khan, Staff Lawyer, PIL	Amendment of the Repression on Women and Children Act, 1995	19 February 1997	WVA, Dhanmondi Dhaka	Shanmilito Nari Samaj
4	Mr. Pankaj Kumar Kundu, Junior Staff Lawyer	Fact Finding Workshop	26 February 1997	Ain-O-Shalish Kendro, Dhaka	Ain-O-Shalish Kendro, Dhaka
5	24 Panel Lawyers of Different Units	Human Rights Training Programme	March-May 1997	Bangladesh Bar Council, Dhaka	Bangladesh Bar Council, Dhaka
6	Mr. Abdul Mannan Khan, Staff Lawyer, PIL	Law and Human Rights: 25 Years of Independence	7 March 1997	Planning Academy, Dhaka	Gono Shahjjo Sangstha
7	Mr. Abdul Mannan Khan, Staff Lawyer, PIL	Human Rights Violation by the Police and Army	27 March 1997	Hotel Sheraton, Dhaka	Ain-O-Shalish kendro
8	Mr. Abdul Mannan Khan, Staff Lawyer, PIL	2 Years of River Erosion: Rehabilitation	6 April 1997	National Press Club, Dhaka	Nadi Shikasti Gono Adhikar Forum
9	Ms. Sarwat-Binte-Islam, Junior Staff Lawyer	Coalition Against Trafficking in Women and Children in Bangladesh	4 June 1997	Institute of Law and Development, Dhaka	Institute of Law and Development
10	Mr. Rafiquzzaman, Staff Lawyer, PIL	Law and Medicine	20-29 June 1997	Nagarbhavi, Bangalore, India	National Law School of India University
11	Ms. Taufiq Rahman, Secretary to the Trust	Women Rights and Human Rights	11 September 1997	Unnayan Sahajogita Sangbadik Forum	CDL
12	Unit (11) Coordinators	Refugee Law Training	17-18 September 1997	Bangladesh Bar Council, Dhaka	Bangladesh Bar Council
13	Ms. Shahriar Parveen, Assistant Director (Administration)	Violence Against Women Through the Internet and its Remedies	29 September 1997	ILD	ILD
14	Mr. Sarkar Khurshid Alam, Senior Staff Lawyer	Labour Law: Whether Requires Reformation	3 October 1997	Hotel Purbani, Dhaka	Asia-American Free Labour Institute

15	Mr. Rafiquzzaman, Staff Lawyer, PIL	Human Rights and Medico Legal System in Bangladesh	30 October 1997	Hotel Purbani, Dhaka	Bangladesh Rehabilitation on Centre for Trauma Victims and Dhaka Bar Association
16	Ms. Sarwat-Binte-Islam, Junior Staff Lawyer	Women's Development	2-23 November 1997	Seva Kendra, Calcutta, India	Socio-Legal Aid Research and Training Centre
17	Mr. Abdullah-al-Faruque and Mr. Jagannath Paray, Junior Research Lawyers, LAPCS	Environmental Law	2-6 November 1997	BELA, Dhaka	Bangladesh Environmental Lawyers Association (BELA)
18	Mr. Rafiquzzaman, Staff Lawyer, PIL and Ms. Nahid Ferdousi, Junior Staff Lawyer, Women Workers Legal and Economic Right Project	Violence Against Women: Women's Shelter as a Strategy for Resistance	9-11 November 1997	Goethe Institute, Dhaka	Ain-O-Shalish Kendra, and Goethe Institute, Dhaka
19	Mr. Rafiquzzaman, Staff Lawyer, PIL	Policy Advocacy for Democracy Partnership	23-30 November 1997	Democracy Partnership	BRAC, CDM, Rajendrapur, Gazipur
20	Mr. Md. Abdul Hannan, Junior Staff Lawyer, PIL	Facts Finding Workshop			
21	Mr. Abdul Mannan, Staff Lawyer, PIL and Ms. Sabina Easmin, Junior Staff Lawyer, Women Workers Legal and Economic Right Project	Intensive Trial and Advocacy Workshop	15-22 December 1997	Old High Court Building, Dhaka.	Bangladesh Bar Council in Association with the Australian Bar Association

## 6. THE LIBRARY

Considering the need for easy access to legal text, precedents and references both for litigation and research purposes, BLAST has been building up a law library since its inception. By gradually expanding the library facilities it is hoped that not only can the access to law for lawyers be quick but also the training of staff can be done on an in-house basis. Borrowing facilities for other organisations, particularly with whom BLAST has a working relationship, are intended to open up information with greater effectiveness as these institutions, generally speaking, aim to meet common goals.

The BLAST library now subscribes or regularly acquires the following reports:

**Table 3: Case Reports and other Serial Publications**

<b>Title</b>	<b>Volume</b>	<b>Year</b>
A.I.R.	71 to 84	1980-1997
AIR Manual	1 to 33	1989
B.L.C.	I	1996
B.L.T.	V	1997
B.L.D.	I to XVII	1981-1997
Bangladesh Code	I to XI	1836-1938
Bangladesh Gazette	I to XXVI	1972-1997
D.L.R.	I to XLVIV	1949-1997
East Pakistan Code	I to VIII	1870-1965
M.L.R.	I	1996
P.L.D.	XXXVIII to XLVIII	1985-1996
P.S.C.C Criminal	Per Year 2	1992-1994
P.S.C.C.	Per Year 2	1983-1994
Pakistan Code	1 to 21	1836 - 1988
S.C.C.	--	1993-1996

A number of other Digests and References, Journals, periodicals and newspapers are also subscribed or regularly procured. Over

the last three years law and, occasionally, social science and other relevant books have been purchased regularly. As a result, as the table below indicates, more than 1,800 separate titles have already be purchased or procured for the library.

**Table 4: Books at BLAST Head Office Library**

<b>Subject</b>	<b>Titles</b>
Law	1,200
Social Science	300
History	100
Arts	50
Philosophy	40
Religion	35
Language	30
Technology	30
Literature	30
Others	25
<b>TOTAL</b>	<b>1,840</b>

The Unit Offices are also supplied with essential law books and case reports. It needs to be mentioned that some of the books have been donated to BLAST by The Asia Foundation.

The BLAST Head Office library is being computerised and it is expected that all the books, reports, journals, periodicals and other publications will be computer programmed for easy access and search, by the beginning of 1998.

## 7. ACTIVITIES OF THE ORGANIZATION

### 7.1 LEGAL AID SERVICES

#### Complaints Received

During the year 1997, a total of two thousand three hundred and eighty one (2381) complaints were received by the Unit and Offices of BLAST. Another two hundred and thirty two (232) complaints were carried over from 1996, totalling two thousand six hundred and thirteen (2613) complaints.

Of the complaints received, the Trust was unable take up four hundred and twenty eight (428) complaints for reasons such as subsequent non-attendance, financial solvency of the clients, engaging of private lawyers by the clients, non-availability of relevant documents, inadequate (legal) merit, and so on. The reasons for not proceeding with particular complaints are documented and preserved.

The rest of the complaints were dealt with in the manner detailed below.

Table 5: Position of the Complaints received during 1997 and those carried over from the pervious year

<b>Complaints Received</b>	<b>Settled</b>	<b>Case/ Mediation Pending</b>	<b>Total</b>
Case Filed	272	1180	1452
Mediation	172	247	419
Not proceeded for various reasons	428		428
Kept Pending due to lack of document		237	237
Sent to Head Office by Unit Offices		77	77

<b>Total</b>	<b>872</b>	<b>1741</b>	<b>2613</b>
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Table 5a: Complaints received by the different Units

<b>Complaints</b>	<b>Carried over from previous years</b>	<b>Received in 1997</b>	<b>Complaints dealt with in 1997</b>
Head Office	30	245	275
Barisal Unit	34	198	232
Chittagong Unit	29	399	428
Dhaka Unit	45	219	264
Khulna Unit	11	138	149
Rajshahi Unit	12	283	295
Sylhet Unit	08	109	117
Mymensingh Unit	38	293	331
Noakhali Unit	21	73	94
Jessore Unit	4	124	128
Comilla Unit		107	107
Rangpur Unit		171	171
Bogura Sub- Unit		22	22
<b>Total</b>	<b>232</b>	<b>2381</b>	<b>2613</b>

The Trust hasn't been able to enquire in detail into the causes of wide variation among its Unit Offices in terms of the number of complaints received. As the table above indicates, Chittagong Unit received the highest number of complaints while Noakhali received the lowest, except Bogura which started functioning only in second half of the year and on a limited scale. The substantial difference in the numbers of complaints received between, for example, Chittagong and Noakhali, may be attributed to the fact that the Chittagong Unit started its operation in 1994 and hence better known in the district than Noakhali Unit which was opened in 1996. Further, the respective sizes in terms of populations of the districts would also be an important factor for the number of people seeking the services offered by the Trust. Except Khulna and Sylhet, the divisional units received more complaints than the district units (Mymensingh district unit received the second highest number of complaints among all units) which probably can also be

explained, at least partially, in terms of the relevant size and population of divisional and district towns. Moreover, the units are being opened at the rate of two/three per year and the duration of operation of the unit offices is certainly an important variable in terms of the number of people seeking services offered by the Trust.

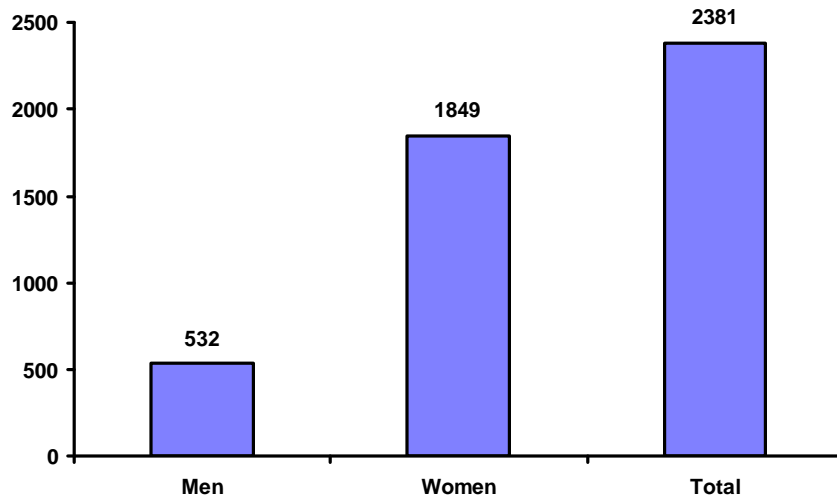
Most of the clients of the Trust are **women**. As the table below indicates, there are some variations, though not significant, among the Units in terms of men: women proportion of the clients.

The Head Office is the only Unit where more complaints were received from men than women. This is a reflection of the fact that the complainants of all the 58 'detention' cases dealt with by the Head Office were men. It needs to be pointed out that BLAST is the only organisation which routinely files of cases challenging the legality of preventive detention under the Special Powers Act, 1974. All the detainees under the Special Powers Act, 1974 had been men. These cases can only be filed in the High Court Division of the Supreme Court and the lawyers engaged by the Trust for these, primarily *habeus corpus* writs, have been uniformly successful in getting the detentions declared illegal by the Court. Increasingly, the Head Office is receiving application for such *habeus corpus* writs from all over the country. It also needs to be mentioned that the fees offered by the Trust to panel lawyers for conducting these *habeus corpus* writs, compared to fees charged privately by advocates engaged in such or similar cases, is nominal. This surely indicates the commitment of our panel lawyers for public service. This, however, must not be construed to mean that other panel lawyers engaged in other types of cases in other courts have any lesser commitment to public service. As already indicated, the management committees of the Units, consisting of the most senior and respected lawyers of the districts are associated with the Trust voluntarily, without any financial benefit.

Table 5b: Men: Women proportion of complaints received

Offices/Unit	Complainants Received				
	Men	Women	Total	Man %	Women %
Head Office	156	89	245	63.7	36.3
Barisal	39	159	198	19.7	80.3
Khulna	24	114	138	17.4	82.6
Rajshahi	12	271	283	4.2	95.8
Chittagong	60	339	399	15	85
Sylhet	38	71	109	35	65
Comilla	28	79	107	26	74
Jessore	39	85	124	31.5	68.5
Rangpur	49	122	171	28.7	71.3
Noakhali	13	60	73	17.8	82.2
Dhaka	57	162	219	26	74
Mymensing	12	281	293	4	96
Bogura	5	17	22	22.7	77.3
<b>Total</b>	<b>532</b>	<b>1849</b>	<b>2381</b>	<b>22.35</b>	<b>77.65</b>

The following chart graphically depicts the men:women proportion of the complainants.



Seventy seven (77) complaints were sent to the Head Office by the Unit Offices of the Trust for filing in the High Court Division of the Supreme Court of Bangladesh.

**Cases filed:**

During 1997, one thousand four hundred and fifty two (1452) cases were **filed** in different courts of the country including the Supreme Court of Bangladesh. Another one thousand four hundred and eighty three (1483) cases were carried over from the previous years, totalling two thousand nine hundred and thirty five (2935) court cases **dealt with** during 1997.

**Table 6:** Total Cases dealt with by the Head Office and different Units during 1997

<b>Office Unit</b>	<b>Cases carried over from previous years</b>	<b>Cases filed in 1997</b>	<b>Cases dealt with in 1997</b>
Head Office	136	132	268
Barisal	223	116	339
Chittagong	318	249	567
Dhaka	235	145	380
Khulna	144	105	249
Rajshahi	208	140	348
Sylhet	36	88	124
Mymensingh	109	179	288
Noakhali	39	62	101
Jessore	35	77	112
Comilla		36	36
Rangpur		105	105
Bogura		18	18
<b>Total</b>	<b>1483</b>	<b>1452</b>	<b>2935</b>

Comilla unit was established towards the end of 1996 and after renting of office, recruitment of staff, local publicity and other initial activities, it was well into 1997 that the services offered by the Unit became widely known. It has been our experience that after opening of a new Unit Office it takes 3 to 6 months for the prospective clients to become confident of the services rendered by the Trust and begin to contact the office. As the number of cases which a Unit can handle is limited by a number of factors, including availability of resources, it is not the policy of the Trust

to actively publicise the services rendered by it for the apprehension that too great a number of prospective litigants may strain the resources and may be detrimental to the quality of services offered.

During 1997, seven hundred and sixty (760) cases were **settled**. Of these in three hundred and ninety seven (397) cases the court verdicts were in favour of our clients while in fifty two (52) cases the court verdicts went against our clients.

**Detention of a boy of 14 under the Special Powers Act, 1974 declared illegal by the High Court Division**

Janagir Gazi, 14 years of age and a student of Mosjiall Secondary School, Khulna, was arrested on 20.8.1997 by the Khanjahan Ali Police Station of the Khulna District, and on 4.9.1997 an order of detention was served upon him for 30 days which was later extended for another three (3) months by an Assistant Secretary of the Ministry of Home Affairs.

BLAST received the complaint on 14.9.1997 through the detainee's uncle. On 24.9.1997 Advocates Abdul Mannan Khan [Staff Lawyer], and Farida Yeasmin [Asst. Director] moved the High Court Division of the Supreme Court challenging the detention of the minor Jahangir Gazi. *Rule Nisi* was issued on the Secretary of the Ministry of Home Affairs and after hearing the rule was made absolute by the Court, ordering Jahangir to be set at liberty.

A total of one hundred and one (101) cases were defaulted either due to repeated non-appearance of the client on the court-dates, or the matter having been already settled by the parties after the initiation of court proceedings, or the clients losing interest in litigation and other similar reasons. It needs to be mentioned that sometimes our clients, after having settled the dispute by themselves, do not inform the engaged lawyer and hence some of these cases are dismissed under section 248 of the

Cr.P.C. Therefore, though these cases are recorded as 'dismissed' in our documents, we are confident that the filing of these cases facilitated settlement of the disputes outside the courts. Another two hundred and ten (210) cases were withdrawn by the clients as

they could arrive at mutually acceptable compromise, outside the courts.

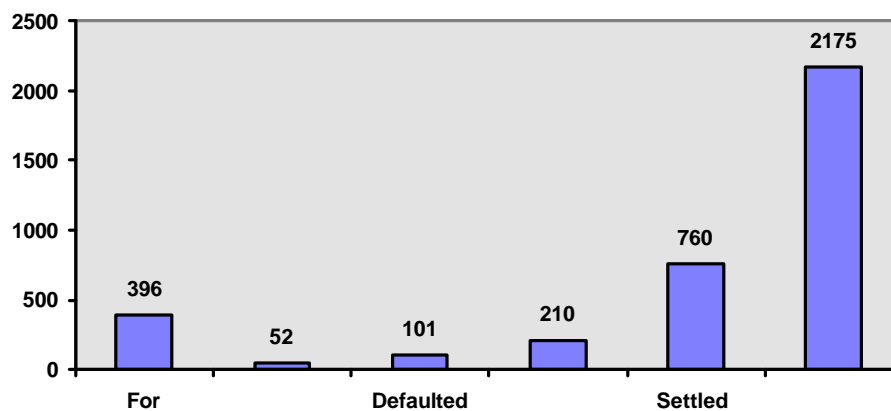
At the end of 1997, two thousand one hundred and seventy six (2176) cases remained **pending** at the Supreme Court of Bangladesh and various District and Subordinate Courts of the country.

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Table 6a: The state of the cases filed

Unit	Court verdict			Compro mised	Cases settled in 1997	Pending for disposal
	For	Against	Defaulted			
Head Office	75	6	0	2	83	185
Barisal	26	9	7	39	81	258
Chittagong	48	14	17	32	111	456
Dhaka	28	1	20	23	72	308
Khulna	34	5	11	15	65	184
Rajshahi	84	7	14	34	139	209
Sylhet	27	5	3	6	41	83
Mymensngh	53	2	22	11	88	200
Noakhali	8	1	3	8	20	81
Jessore	11		4	19	34	78
Comilla	2	2		6	10	26
Rangpur				16	16	89
Bogura					0	18
<b>Total</b>	<b>396</b>	<b>52</b>	<b>101</b>	<b>210</b>	<b>760</b>	<b>2175</b>

Chart showing results of cases during 1997



(settled in the above chart and the preceding table indicates the sum total of for, against, defaulted and compromised cases. However, our

*record does not clearly indicate the result of one case and hence the discrepancy of one in the total. This case is being looked into for further detail.)*

As a rule, BLAST takes up all cases, depending on the merit and the status of the applicant. As a result, the Trust deals with multifarious types of litigation. The types and corresponding numbers of cases dealt with during the year is detailed in the Table below.

Table 7: The types of cases by category, dealt with in 1997

Types of cases filed	Total cases dealt with in 1997	Cases settled in 1997	Pending at the end of 1997
<b>In the District and Sub-ordinate Court</b>			
Family Court Cases	921	307	614
Family Appeal	24	8	16
Criminal cases	1159	249	910
Criminal Appeal	29	3	26
Bail cases	35	19	16
Criminal Motion & Revision	27	13	14
Session trial cases	60	7	53
Land Cases	187	35	152
Decree execution	98	9	89
Labour Court	11	2	9
Miscellaneous	156	39	117
<b>Sub-Total</b>	<b>2707</b>	<b>691</b>	<b>2016</b>
<b>In the Supreme Court of Bangladesh</b>			
Detention	80	58	22
Criminal Revision	31	3	28
Criminal Appeal	20	1	19
Other Writs	9	1	8
Writ[Service]	8	1	7
Civil Revision	74	3	71
Civil Appeal	5	2	3
(In Administrative Tribunal)	1	0	1
<b>Sub-Total</b>	<b>228</b>	<b>69</b>	<b>159</b>
<b>Grand Total</b>	<b>2935</b>	<b>760</b>	<b>2175</b>

As the Table above indicates, the highest number of cases are those filed in the Family Court and criminal matters.

Table 7a: The results of these cases by types

Types of Cases	In Favour	Against	default	compromised	total	Pending
<b>In the District and Sub-ordinate Courts</b>						

Family Court Cases	194	0	56	57	307	614
Family Appeal	6	1	0	1	8	16
Criminal cases	53	24	41	131	249	910
Criminal Appeal	1	1	0	1	3	26
Bail cases	13	6	0	0	19	16
Criminal Motion & Revision	9	4	0	0	13	14
Session trial cases	5	1	0	1	7	53
Land Cases	21	6	2	6	35	152
Decree execution	7	0	0	2	9	89
Labour Court	1	1	2	0	2	9
Miscellaneous	21	6	0	10	39	117
<b>Sub-Total</b>	<b>331</b>	<b>50</b>	<b>101</b>	<b>209</b>	<b>691</b>	<b>2016</b>
<b>In the Supreme Court of Bangladesh</b>						
Detention	58	0	0	0	58	22
Criminal Revision	3	0	0	0	3	28
Criminal Appeal	1	0	0	0	1	19
Writ	1	0	0	0	1	8
Writ [Service]	0	1	0	0	1	7
Civil Revision	2	1	0	0	3	71
Civil Appeal	1	1	0	0	2	3
(In Administrative Tribunal)	0	0	0	0	0	1
<b>Sub-Total</b>	<b>66</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>69</b>	<b>159</b>
<b>Grand Total</b>	<b>397</b>	<b>52</b>	<b>101</b>	<b>210</b>	<b>760</b>	<b>2175</b>

It may be noted that in each and every one of the 58 'detention cases' in which the Trust challenged the legality of such detention under the Special Powers Act, 1974, the 'preventive detentions' were declared illegal by the High Court Divisions and the detainees were ordered to be released by the Court.

From the first full calendar year of activities of BALST till the end of 1997, i.e., from 1994 to 1997, a total of three thousand six hundred and seventy five (3675) cases have been filed. Of these:

- ? twenty one (21) cases were settled in 1994;
- ? two hundred seventy three (273) cases were settled in 1995;
- ? four hundred forty six (446) cases were settled in 1996; and
- ? seven hundred and fifty nine (760) in 1997.

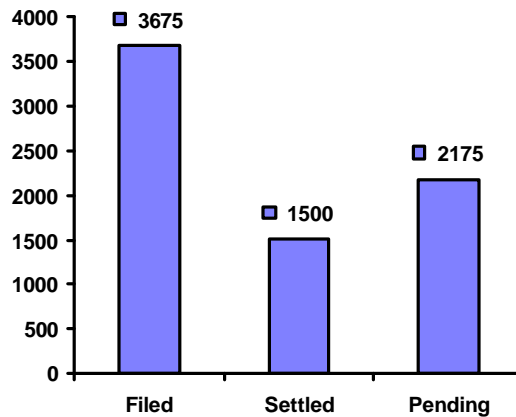
By the end of 1997, as already indicated, two thousand one hundred and seventy five (2175) cases remained pending at the Supreme Court of Bangladesh and various District and Subordinate Courts of the country.

**Table 8:** The position of cases dealt with by the Trust during the period of 1994 to 1997

Year	Filed	Settled					Pending
		1994	1995	1996	1997	Total	
1994	459	21	166	69	34	290	169
1995	727	0	107	206	123	436	291
1996	1037	0	0	171	331	502	535
1997	1452	0	0	0	272	272	1180
<b>Total</b>	<b>3675</b>	<b>21</b>	<b>273</b>	<b>446</b>	<b>760</b>	<b>1500</b>	<b>2175</b>

Thus, exactly fifteen hundred cases have been settled till the end of 1997.

The chart below shows the status of all the cases filed since 1994.



**Mediation:**

One hundred and seventy two (172) complaints were mediated during 1997, and another two hundred and forty seven (247) complaints are now pending for mediation. One hundred and

eighty one (181) complaints are pending for filing, and another fifty six (56) complaints are pending due to the lack of documents.

### **Lawyers Engaged**

In 1997 the Trust engaged five hundred and twenty seven (527) lawyers for conducting the one thousand four hundred and fifty two (1452) cases that were filed. Out of the five hundred twenty seven (527) lawyers, two hundred ninety eight (298) were already engaged in the previous years and the rest two hundred twenty nine (229) panel lawyers were newly engaged in 1997.

**Table 9:** The number of engaged lawyers in 1997 for conducting cases

<b>Unit Offices</b>	<b>Total engaged Lawyers</b>	<b>Engaged from previous year</b>	<b>Newly engaged in 1997</b>
Head Office (Supreme Court)	30	20	10
Head Office (District Court)	10	6	4
Dhaka Unit	43	31	12
Barisal Unit	64	35	29
Chittagong Unit	84	55	29
Khulna Unit	32	24	8
Rajshahi Unit	59	48	11
Sylhet Unit	34	16	18
Mymensingh Unit	40	21	19
Noakhali Unit	38	26	12
Rangpur	31	16	12
Comilla	26		31
Jessore Unit	28		26
Bogura sub-unit	8		8
<b>Total</b>	<b>527</b>	<b>298</b>	<b>229</b>

The Trust endeavours to engage as many lawyers in its activities as possible. Needless to say, certain criteria such as commitment to public service, integrity, empathy for the poor and the

disadvantaged as well as experience and expertise are taken into account before handing over a case to a lawyer. The Unit Management Committees, consisting of the elected leaders of the respective District Bar Associations, are responsible for the selection of the lawyers.

Table 9a: The number of engaged Lawyers in the period of 1994-1997.

<b>Unit Offices</b>	<b>Total Engaged Lawyers</b>	<b>Engaged from previous year</b>	<b>Engaged in 1997</b>
1994	168		168
1995	315	132	183
1996	390	182	208
1997	527	298	229
<b>Total</b>	<b>1400</b>	<b>612</b>	<b>788</b>

The total number of lawyers who appeared in different cases in various stages (788) is more than the number of lawyers engaged in 1997, i.e., 527 because of the fact that many lawyers who had been previously engaged for cases filed in 1994 through 1996 continued to litigate these cases in 1997 as some of these cases were not yet settled.

It is heartening to note that as many as 1,400 lawyers have been engaged by the Trust to litigate cases for the Trust's clients. Of the 23,000 or so lawyers enrolled with the Bangladesh Bar Council, we estimate that not more than 10,000 have had regular practising experience as lawyers for 5 years or more. Since almost all the lawyers engaged for litigating cases for the Trust have had 5 years or more of practising experience, we estimate that as many as 14% of all such lawyers of the country have been directly involved with the litigating activities of BLAST over the last four years.

It needs to be mentioned that the number of women lawyers are awfully inadequate, and more so with practising experience of 5 or more years. Consequently, BLAST has not been able to engage as

many women lawyers as it would have liked. Nevertheless, constant efforts are underway to induct as many women lawyers into the ambit of activities of BLAST as possible.

## **8. LEGAL AID AND SERVICES RENDERED**

### **8.1 THE HEAD OFFICE**

A total of two hundred and seventy six (276) complaints were dealt with during the year by the Head Office. Of these, two hundred and forty five (245) complaints were received in this year and thirty one (31) complaints were carried over from the previous years. Out of these 245 complaints, 156 (63.7%) complainants were men and 89 (36.3%) were women.

Out of the said 245 complaints, one hundred and thirty two (132) were filed as cases in different courts including the High Court Division of the Supreme Court of Bangladesh.

#### 8.1.i In the Supreme Court of Bangladesh

One hundred and eleven (111) cases were filed by the Head Office in the High Court Division of the Supreme Court of Bangladesh. Of these, sixty nine (69) cases were settled during the year. Of the settled cases, sixty six (66) court verdicts were in favour of our clients and three (03) went against.

Ten (10) complaints were settled through mediation. Four (04) other complaints were sent to the Unit Offices of the Trust.

The Trust was unable to take up twenty nine (29) complaints due to various reasons, such as non-attendance, mutual compromise and so on. Eight (08) complaints are pending at the end of the year due to necessary papers not being available and other reasons.

#### 8.1.ii In the District Judge's Court:

Ninety seven (97) complaints were received in the year 1997 and fourteen (14) complaints were carried over from previous year, making a total of one hundred eleven (111) complaints handled

during the year for matters relating to the jurisdiction of the District and Sub-ordinate Courts.

Twenty one (21) cases were filed in the various District and Subordinate Courts of the country where the Trust does not as yet have a Unit Office. It has been the policy of the Trust to take up cases even for districts where the Trust does not have an office. In such instances the respective Bar Associations of the concerned districts are contacted through the Presidents and/or Secretaries and they are requested to select a lawyer for filing of the case for the client of the Trust. The payment of fees for the engaged lawyer is also made through or with the help of the President and Secretary.

Of the twenty one cases filed, twelve (12) cases were settled and in ten (10) these cases court verdicts were in favour of our clients. One (01) case went against our client and other was withdrawn by the client since a compromise was reached by the parties to the dispute. Another eight (08) complaints were settled through mediation and seven (07) complaints are now pending for mediation.

Thirty one (31) complaints were sent to the Unit Offices of the Trust.

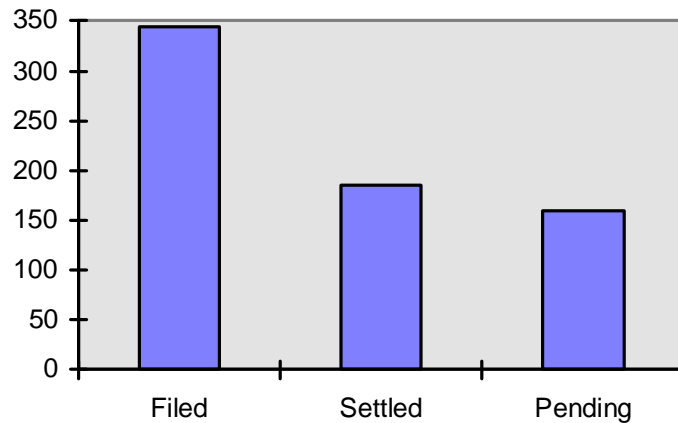
The Head Office could not take up thirty two (32) complaints due to non-attendance, non-availability of documents and so on.

A total of three hundred and ninety (390) cases were filed by the Head Office of the Trust during the period **1994 to 1997**. Out of these

- ? six (06) cases were decided in 1994,
- ? thirty five (35) in 1995,
- ? eighty one (81) in 1996, and
- ? eighty three (83) during 1997.

During the same period and of the 390 cases, a total of **344 cases were filed in the Supreme Court** of Bangladesh. No other organisation deals with such a number of cases in the Supreme Court of Bangladesh and in fact BLAST is practically the only organisation which regularly takes up the cases of the poor and the disadvantaged for litigation in the highest court of the country.

The chart below depicts the status of the cases filed in the Supreme Court during 1994-97. The comparatively high proportion of settled cases is due to the fact that verdict in the 'preventive cases' are usually delivered within 3 to 6 months after filing of these cases.



In the period between 1994 to 1997 the Head **Office engaged one hundred and twenty five (125) panel lawyers** for the three hundred and ninety (390) cases. During 1997 the head office engaged forty (40) panel lawyers, out of them twenty four (24) had already been engaged during the previous years; so 16 were newly engaged in 1997.

8.1.iii Barisal Divisional Unit:

A total of one hundred and ninety eight (198) complaints were received during 1997 and another thirty four (34) complaints were carried over from previous year, making a total of two hundred and thirty two (232) complaints dealt with by the Barisal Unit Office. Out of these 198 complaints, 39 (19.7%) complainants were male and 159 (80.3%) female.

Of the 232 complaints, one hundred and sixteen (116) **cases** were filed in 1997 and another two hundred twenty three (223) cases were carried over from previous years, in the Districts and Subordinate Courts of Barisal. Out of this total of three hundred and thirty nine (339) cases, eighty one (81) cases were settled.

Of these,

- ? twenty six (26) cases court verdicts were in favour of our clients;
- ? nine (09) cases went against our client;
- ? seven (07) cases were defaulted;
- ? thirty nine (39) cases were withdrawn by the clients; and the remaining
- ? two hundred and fifty eight (258) cases are pending for disposal.

Out of the 116 cases filed during 1997, **women** litigants comprised 95.7% (111) of the total.

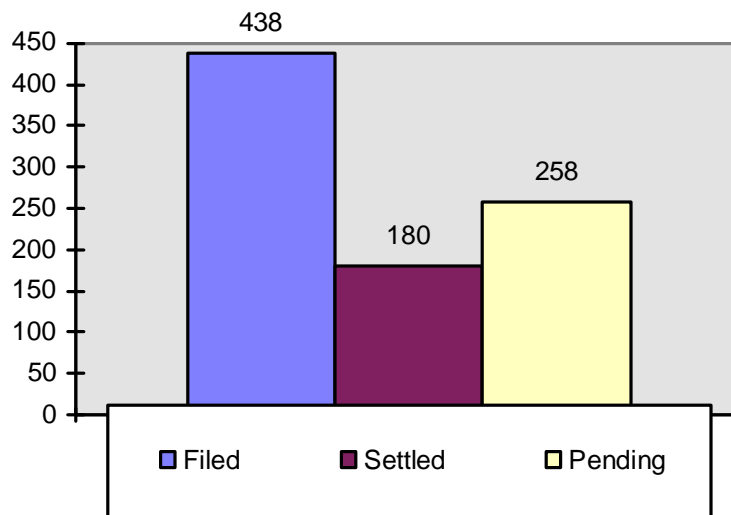
Eighteen (18) complaints were settled through **mediation** and forty six (46) disputes are pending for mediation. Eight (08) complaints are pending for filing. Because of the lack of appropriate documents and other related causes forty one (41) complaints could not be proceeded with. Three (03) were sent to the Head Office for filing cases in the High Court Division of the Supreme Court of Bangladesh.

A total of four hundred and thirty eight (438) cases were filed in the period of 1994 to 1997 by the Barisal Unit of the trust. Of these,

- ? two (02) cases were settled in 1994;
- ? thirty four (34) in 1995;
- ? sixty three (63) in 1996; and
- ? eighty one (81) cases were settled in 1997.

By the end of 1997, two hundred and fifty eight (258) cases remained pending at the Barisal District and Subordinate Courts.

The chart below depicts the status of the cases filed by the **Barisal Unit** during 1994 to 1997.



During the period of 1994 to 1997 the Barisal Unit Office engaged two hundred and twelve (212) **lawyers** for the four hundred and thirty eight (438) cases. In 1997 the Barisal Unit Office engaged sixty four (64) panel lawyers, out of them thirty five (35) were engaged in the pervious year and twenty nine (29) were newly engaged in 1997.

8.1.iv Bogura Sub-Unit:

This sub-unit of the Head Office of the Trust has started functioning in August, 1997. The sub-unit received twenty two (22) complaints during this period and out of it eighteen (18) were filed as cases in different Courts in Bogura. None of the cases were settled in 1997. Out of these 22 complaints, 5 (22.7%) complainants were male and 17 (77.3%) were female.

Out of the said 18 cases filed, the women and man ratio in the litigation was women 16 (88.9%) and man 2 (11.1%).

During these five (5) months of 1997, eight (08) lawyers were engaged for dealing with the complaints, mediation and filing of cases.

8.1.v. Chittagong Divisional Unit:

A total of three hundred and ninety nine (399) complaints were received during the year. Another twenty nine (29) complaints were carried over from the previous year, making a total of four hundred and twenty eight (428) complaints dealt with by the Chittagong Unit Office. Out of the 399 complaints, 60 (15%) complainants were male and 339 (85%) were female.

Of the 428 complaints dealt with during 1997, two hundred and forty nine (249) **cases** were filed in 1997 and three hundred and eighteen (318) cases were carried over from the previous years, in the Districts and Subordinate Courts of Chittagong. Thus, the Chittagong Unit dealt with a total of five hundred and sixty seven (567) cases during the year. Out of these, one hundred and eleven (111) cases were settled. Of the settled cases, in

- ? forty eight (48) cases the court verdicts were in favour of our clients;
- ? fourteen (14) cases went against our client;
- ? seventeen (17) cases were defaulted;
- ? thirty two (32) cases were withdrawn by the clients, and

? the remaining four hundred and fifty six (456) are pending at the various stages of the judicial process.

Out of the said 249 cases, the women and man ratio was women 217 (87.1%) and man 32 (12.9%).

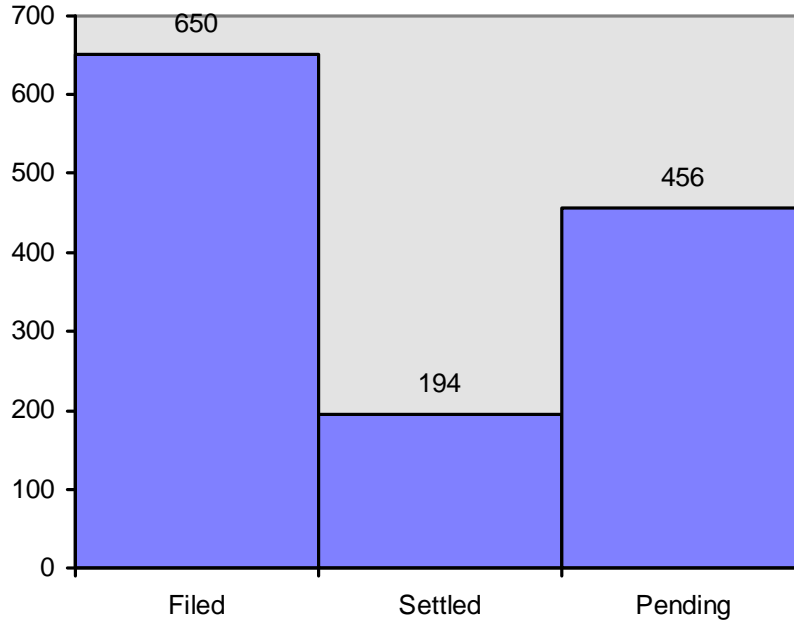
Seventeen (17) complaints were settled through mediation and thirty five (35) disputes are now pending for mediation. Forty four (44) complaints are pending for filing, and another four (4) complaints are being enquired into for necessary details. Because of the lack of appropriate documents sixty nine (69) complaints could not be proceeded with. Ten (10) complaints were sent to the Head Office for filing of cases in the High Court Division of the Supreme Court of Bangladesh.

The Chittagong Unit filed a total of six hundred and fifty (650) cases in the period between 1994 to 1997. Of these,

- ? two (02) cases were decided in 1994;
- ? twenty three (23) cases were decided in 1995;
- ? fifty eight (58) cases were decided in 1996; and
- ? one hundred and eleven (111) cases were decided in 1997.

At the end of 1997, four hundred and fifty six (456) cases remained pending at the Chittagong District and Subordinate Courts.

The chart below depicts the status of the cases filed by the **Chittagong Unit** during 1994 to 1997.



In the period of 1994 to 1997 the Chittagong Unit Office engaged two hundred and fifty one (251) **lawyers** for the six hundred and fifty (650) cases. In 1997 Chittagong Unit Office engaged eighty four (84) lawyers, out of them fifty five (55) lawyers were already engaged in pervious year and twenty nine (29) panel lawyers were newly engaged in this year.

8.1. vi Comilla District Unit:

A total of one hundred and seven (107) complaints were received during the year by the Comilla Unit Office of the Trust. Out of these 107 complaints, 28 (26%) complainants were male and 79 (74%) were female.

Thirty six (36) cases were filed in the Districts and Subordinate Court of Comilla. Of these, ten (10) cases were settled: in two (02) cases court verdicts were in favour of our clients, while two (02) cases went against, and six (06) cases was withdrawn by the clients as mutual compromise were reached by the parties to the

dispute. The remaining twenty six (26) cases are pending at various stages of the judicial process.

Out of the said 36 cases, the women and man ratio in the litigation was: women 32 (88.9%) and man 4 (11.1%).

Six (06) complaints were settled through mediation, and another thirty four (34) complaints are pending for mediation. Three (03) complaints are pending for filing. Twenty seven (27) complaints could not be proceeded with.

As already indicated, the Comilla Unit is one of the newer ones and hence the level of it's activities is below the older ones, which was expected. Also, the level of activity will pick up in 1998 as the Unit and it's services gets better known in the local community.

In 1997, the Comilla Unit engaged twenty six (26) panel lawyers for the thirty six (36) cases filed.

#### 8.1. vii. Dhaka Divisional Unit

A total of two hundred and nineteen (219) complaints were received during the year and another forty five (45) complaints were carried over from the previous years, totalling two hundred and sixty four (264) complaints dealt with by the Dhaka Unit Office. Of the 219 complaints received in 1997, 57 (26%) complainants were male and 162 (74%) were female.

One hundred and forty five (145) **cases** were filed in 1997 and another two hundred and thirty five (235) cases were carried over from the previous year. Hence, three hundred and eighty (380) cases in the District and Subordinate Courts of Dhaka were conducted by the Dhaka Unit during the reporting year.

Of these, seventy two (72) cases were settled. In

? twenty eight (28) cases court verdicts were in favour of our clients;

- ? one (01) case went against our client;
- ? twenty (20) cases were defaulted;
- ? twenty three (23) cases are withdrawn by the clients; and the remaining
- ? three hundred and eight (308) cases are pending at various stages of the judicial process.

Out of the 145 cases field in 1997, the women and man ratio in the litigation was women 108 (74.4%) and man 37 (25.6%).

### **Life Sentence for Repression on Women**

Rehana Akhter @ Mamuni of the old city of Dhaka was going to a neighbouring house when she was kidnapped and raped by Abdul Aziz of the same locality. A criminal case was lodged [Lalbagh PS Case NO. 7(11) 96] by her father alleging the rape of her daughter.

After trial the accused was sentenced under Women and Children Repression (Special) Act, 1995 to serve a life term rigorous imprisonment. BLAST provided legal aid in the case to the victim of the crime.

During the year, eleven (11) complaints were settled through mediation and thirty four (34) more applications are pending for mediation. Sixteen (16) complaints are pending for filing and eight (08) cases are pending due to the necessary documents not being available.

As the necessary papers were not available, forty nine (49) cases could not be proceeded with and one (01) case was sent to the Head Office of the Trust for filing in the High Court

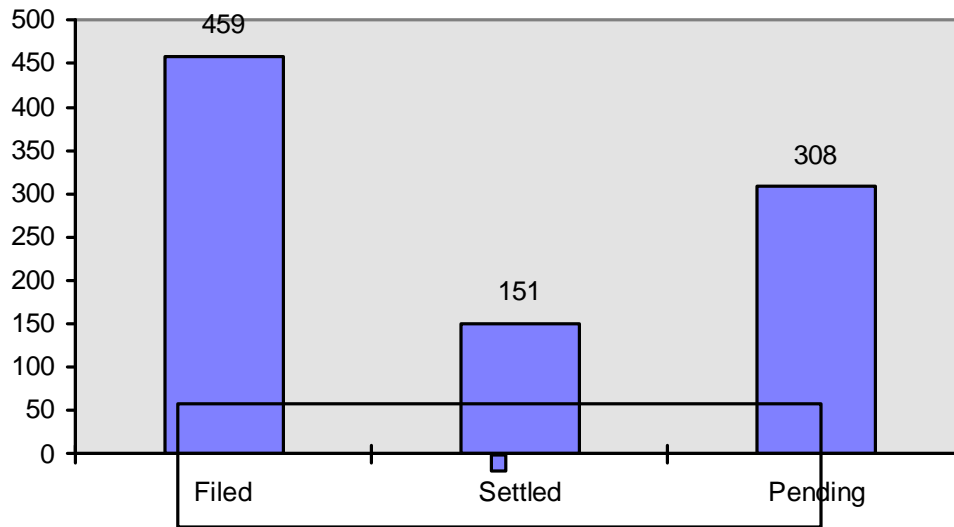
Division of the Supreme Court of Bangladesh.

A total of four hundred and fifty nine (459) cases were filed by the Dhaka Unit Office in the period between 1994 and 1997. Out of these,

- ? one (01) case was settled in 1994;
- ? thirty six (36) cases in 1995;
- ? forty two (42) cases in 1996; and
- ? seventy two (72) cases during the year 1997.

At the end of 1997, three hundred and eight (308) cases remained pending at the Dhaka District and Subordinate Courts.

The following chart depicts the state of all the cases filed by the Dhaka Unit during 1994 to 1997.



During 1994 to 1997, the Dhaka Unit Office engaged one hundred and sixty four (164) **lawyers** for the four hundred and fifty nine (450) cases. During 1997, it availed the services of a total of forty three (43) lawyers. Of them, thirty one (31) were engaged in the previous years while another twelve (12) lawyers were newly recruited in 1997.

#### 8.1. viii Jessore District Unit

The Jessore Unit Office of the Trust received a total of one hundred and twenty four (124) complaints in 1997. Another 4 complaints were carried over from the previous year, totalling one hundred and twenty eight (128) complaints dealt by the Unit in

1997. Of the 124 complaints received in 1997, 39 (31.5%) complainants were male and 85 (68.5%) were female.

Seventy seven (77) **cases** were filed during the year and another thirty five (35) cases were carried over from 1996, making it total of one hundred and twelve (112) cases in the Districts and Subordinate Courts of Jessore. Out of these, thirty four (34) were settled. Of these settled cases,

- ? eleven (11) cases court verdicts were in favour of our clients;
- ? four (04) cases were defaulted;
- ? nineteen (19) cases were withdrawn by the clients; and the remaining
- ? seventy eight (78) cases are pending at the various stages of the judicial process.

Of the 77 cases filed during 1997, the women and man ratio was:

**Khalil compensated for losing his leg**

On his way to Barguna, Khalilur Rahman, aged 10/12, was travelling by MV Payra. While anchored, vessel M.V. Udyayan hit MV Payra, causing a serious accident on which Khalil's right leg was severed from his body.

The poor day-labourer father of Khalil did not get any redress from the owners of the vessels concerned and finally he lodged a complaint with the Maritime Magistrate vide M.A.C. No. 5/95. As Anwar Hussain, Khalil's father, did not have enough means to continue the case, he approached BLAST.

BLAST engaged a panel lawyer. Upon hearing the case the Magistrate convicted Md. Abdul Mannan and Jahangir Alam of the vessels for their negligence. Abdul Mannan was sentenced to three months of imprisonment and Jahangir Alam was ordered to compensate Khalil with Taka 50,000.00 (fifty thousand).

women 61 (79.2%) and man 16 (20.8%).

Thirteen (13) complaints were settled through **mediation** and seven (07) are pending for mediation.

Another six (06) complaints are pending for filing and one (1) could not be resolved. Due to different reasons twenty one (21) complaints could not be proceeded with and three (03)

complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

The Jessore Unit engaged 28 **lawyers** for the seventy seven (77) cases dealt with in 1997. The Jessore Unit was established in 1996 and during the two years (1996-97) it engaged 42 panel lawyers for the one hundred and twelve (112) cases filed.

8.1. ix Khulna Divisional Unit

A total of one hundred and thirty eight (138) complaints were received during 1997 and eleven (11) complaints were carried over from the previous years, making a total of one hundred and forty

nine (149) complaints dealt with by the Khulna Unit Office of the Trust. Of the 138 complaints received during the year, 24 (17.4%) complainants were male and 114 (82.6%) were female.

One hundred and five (105) **cases** were filed in 1997 and one hundred and forty four (144) cases were carried over from the previous year, making a total of two hundred forty nine (249) cases dealt with in the Districts and Subordinate Courts by the Khulna Unit Office. Out of these sixty five (65) cases were settled. Of the settled cases, in

- ? thirty four (34) the court verdicts were in favour of our clients;
- ? five (05) cases went against our clients;
- ? eleven (11) cases were defaulted;
- ? fifteen (15) cases was withdrawn by the clients; and the remaining
- ? one hundred and eighty four (184) cases are pending at the various stages of the judicial process.

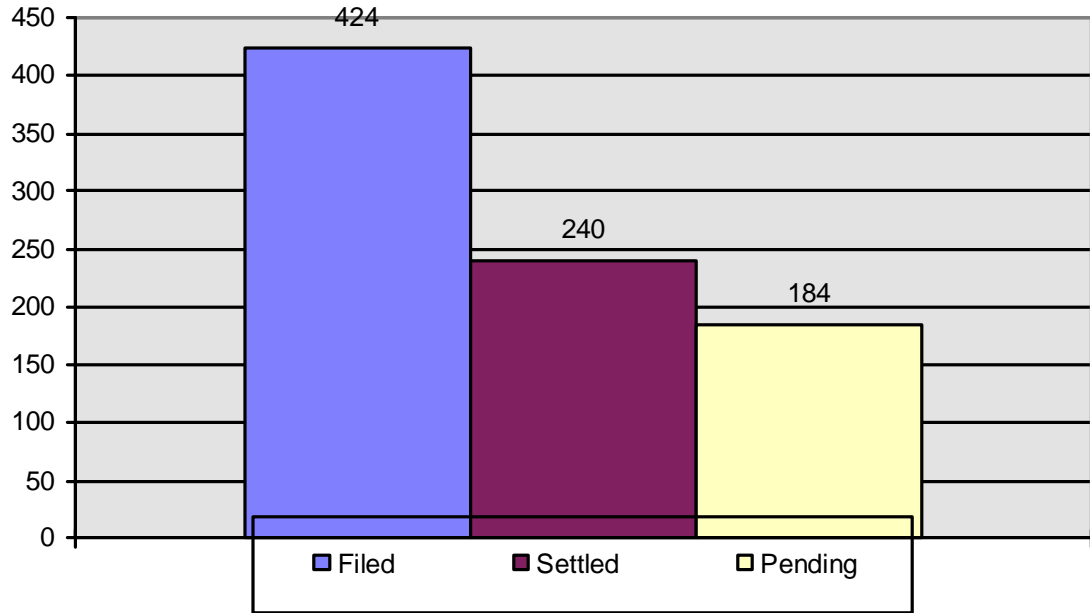
Of the 105 cases filed in 1997, the women and man ratio was: women 87 (82.8%) and man 18 (17.2%).

Eight (08) complaints were settled through **mediation** and two (02) cases were pending for mediation. One (01) complaint is pending for filing as a court case. Thirty (30) complaints could not be proceeded with either due to lack of necessary papers, evidence, or other relevant reasons. And three (03) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Courts of Bangladesh.

A total of four hundred and twenty four (424) cases were filed in the period of 1994 to 1997. Of these,

- ? nine (09) cases were settled in 1994;
- ? eighty seven (87) in 1995;
- ? seventy nine (79) in 1996, and
- ? sixty five (65) in 1997.

At the end of 1997, one hundred and eighty four (184) cases remained pending at the Khulna District and Subordinate Courts.



In terms of settled cases, as the above chart indicates, the Khulna Unit seems to have the best ratio among the cases filed during the last three years.

In the period of 1994 to 1997 the Khulna Unit Office had engaged one hundred and twenty two (122) **lawyers** for the four hundred and seventy nine (479) cases litigated. In 1997, the Khulna Unit Office engaged thirty two (32) lawyers. Of them, twenty four (24) were engaged in the previous years and eight (08) were newly engaged in 1997.

#### 8.1.x Mymensingh District Unit

A total of two hundred and ninety three (293) complaints were received by the Mymensingh Unit during 1997. Another thirty eight (38) complaints were carried over from previous years, making it a total of three hundred and thirty one (331) complaints handled by Unit Office. Out of these 293 complaints received during the year, 12 (4%) complainants were male and 281 (94%) were female.

One hundred and seventy nine (179) **cases** were filed in 1997 and another one hundred and nine (109) cases were carried over from previous years. Thus a total of two hundred and eighty eight (288) cases in the Districts and Subordinate Court of Mymensingh were dealt with by the Unit.

Of these cases, 88 were settled. Of the settled cases, in

- ? fifty three (53) cases the court verdicts were in favour of our clients;
- ? two (02) cases went against our clients;
- ? twenty two (22) cases were defaulted;
- ? eleven (11) cases was withdrawn by the clients due to compromise, and
- ? two hundred (200) are pending at the various stages of the judicial process.

Out of the 179 cases filed in 1997, the women and man ratio in the litigation was: women 174 (97.2%) and man 5 (2.8%).

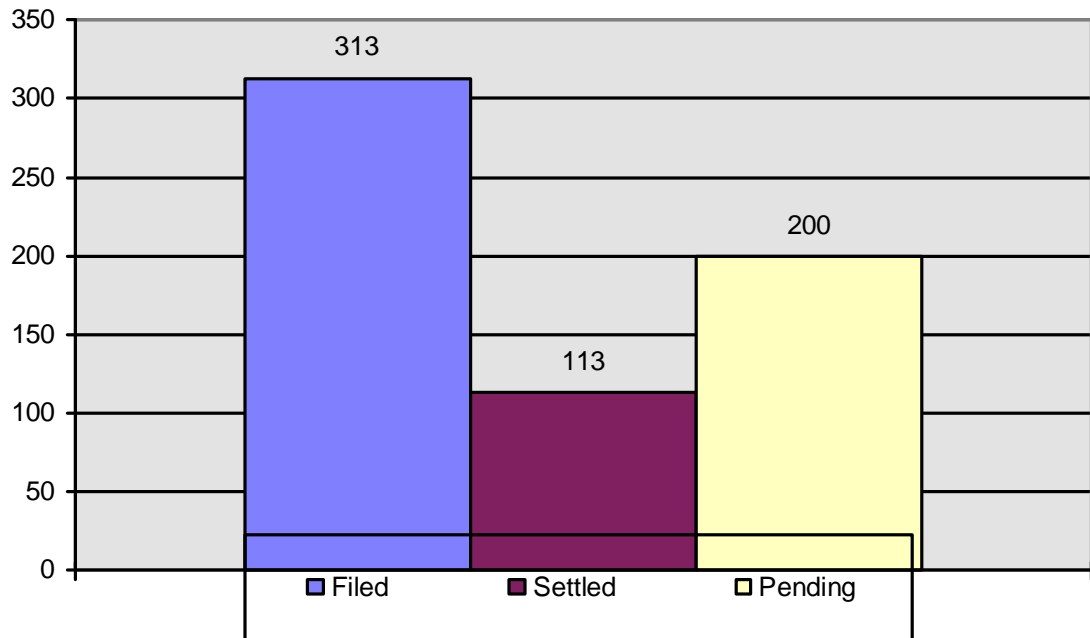
As many as forty three (43) complaints were settled by the Mymensingh Unit through **mediation** and thirty seven (37) applications are pending for mediation. Another thirty seven (37) complaints are pending for filing. Due to different reasons thirty (30) complaints could not proceeded with and two (02) complaints were sent to the Head Office of the Trust for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of three hundred and thirteen (313) cases were filed in the period of 1995 to 1997. Of these,

two (02) cases were decided in 1995;  
twenty three (23) in 1996; and  
eighty eight (88) cases in 1997.

By the end of 1997 two hundred (200) cases remained pending at the Mymensingh District and Subordinate Courts.

The chart below depicts the status of all the cases filed by the Unit since the beginning of its operation in 1995.



In the period of 1995 to 1997, the Mymensingh Unit Office engaged eighty one (81) lawyers for the three hundred and thirteen (313) cases filed during the period. In 1997 the Mymensingh Unit Office engaged forty (40) panel lawyers. Of them, twenty one (21) were engaged in the previous years and nineteen (19) were newly engaged in 1997.

8.1. xi Noakhali District Unit

A total of seventy three (73) complaints were received during the year and twenty one (21) complaints were carried over from the previous year, making a total of ninety four (94) complaints dealt with by the Noakhali Unit Office of the Trust. Out of these 73 complaints received in 1997, 13 (17.8%) complainants were male and 60 (82.2%) were female.

Sixty two (62) **cases** were filed in 1997 and another thirty nine (39) cases were carried over from the previous year. Thus, one hundred and one (101) cases in the Districts and Subordinate Court of Noakhali were handled by the Unit Office. Out of these, twenty (20) cases were settled. Of these settled cases, in

- ? eight (08) cases court verdicts were in favour of our clients;
- ? one (01) cases was against our client;
- ? three (03) cases were defaulted;
- ? eight (08) cases was withdrawn as compromised; and another
- ? eighty one (81) cases are pending at various stages of the judicial process.

The Noakhali Unit seemed to have performed, as already indicated, somewhat sluggishly during the one and a half years of it's operation. As indicated in the personnel section, each District Unit is staffed by three persons: one co-ordinator, one paralegal-cum-office assistant who also performs the duties of accountant and another person is employed as a messenger. For various reasons the Noakhali Unit had the most frequent turn over of the personnel and this disrupted the smooth functioning of the Unit. With more stringent monitoring and supervision, it is expected that the Unit will perform more efficiently in the coming years.

8.1. xii Rajshahi Divisional Unit

A total of two hundred and eighty three (283) complaints were received during the year and twelve (12) complaints were carried

over from the previous year. Thus, a total of two hundred and ninety five (295) complaints were dealt by the Rajshahi Unit Office of the Trust during 1997. Out of these 283 complaints, 12 (4.2%) complainants were male and 271 (95.8%) were female.

#### **Relief for Zebunnessa**

Zebunnessa, a young girl, was working in low-paid job with a local NGO. Md. Maniruzzaman, aged about 50 and married with a few grown up children was enamored for Zebunnessa. Despite knowing the fact that old Maniruzzaman is married, Zebunnessa agreed to marry Maniruzzaman to become his second wife. However, hitches soon developed and their dispute was brought to BLAST's Rajshahi Divisional Unit Office for mediation. In the meantime, Maniruzzaman's first wife persuaded him to divorce Zebun.

The mediation led to a settlement through a payment of Taka 35,000.00 as dower and Taka 15,000.00 as maintenance for a total of Taka 50,000.00 to Zebun by her ex-husband.

One hundred and forty (140) **cases** were filed in 1997 and another two hundred and eight (208) cases were carried over from previous years; totaling a work load of three hundred forty eight (348) cases in the Districts and Subordinate Court of Rajshahi.

Of these 348 cases, one hundred and thirty nine (139) cases were settled. Of these, in eighty four (84) cases court verdicts were in favour of our clients; seven (07) cases went against our client; fourteen (14) cases were defaulted; thirty four (34) cases was withdrawn by the clients following compromise; and two hundred and nine (209) cases are pending at various stages of the judicial process.

Of the 140 cases filed during 1997, the women and man ratio of the Trust's clients was: women 137 (97.9.4%) and man 3 (2.1%).

Forty four (44) complaints were settled through **mediation** and another thirty eight (38) complaints are pending for mediation. Nine (09) complaints are pending for filing and four (04) complaints are pending due to the lack of documents. For the same reason fifty six (56) complaints could not be proceeded with

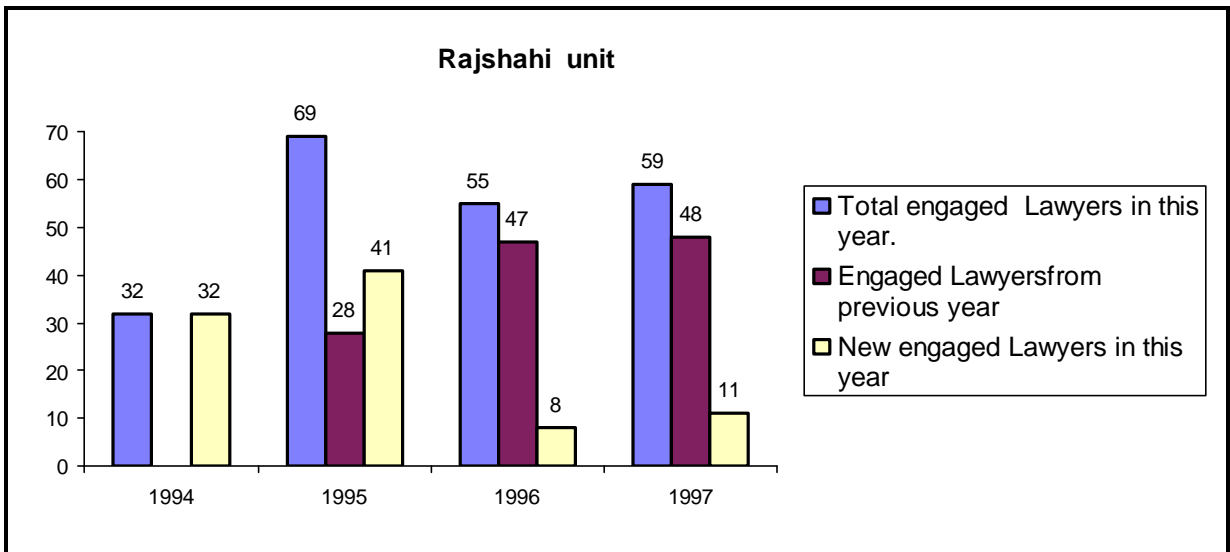
and another four (04) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of four hundred and seventy nine (479) cases were filed in the period of 1994 to 1997 by the Rajshahi Unit. Of these,

- ? one (01) case was decided in 1994;
- ? fifty six (56) cases in 1995;
- ? seventy four (74) cases in 1996; and another
- ? one hundred and thirty nine (139) cases were decided in 1997.

At the end of 1997 two hundred and nine (209) cases remained pending at the Rajshahi District and Subordinate Courts.

In the period of 1994 to 1997 the Rajshahi Unit Office engaged a total of two hundred and fifteen (215) **lawyers** for the four hundred and seventy nine (479) cases conducted during the period. In 1997 it engaged fifty nine (59) panel lawyers. Out of them forty eight (48) were engaged in previous year while eleven (11) panel lawyers were newly engaged in this year.



8.1. xiii Rangpur District Unit:

A total of one hundred and seventy one (171) complaints were received during the year by the Rangpur Unit Office of the Trust. Out of these 171 complaints, 49 (28.7%) complainants were male and 122 (71.3%) were female.

One hundred and five (105) **cases** were filed in 1997 in the Districts and Subordinate Court of Rangpur. Out of these one hundred and five (105) cases, sixteen (16) cases were settled.

Two (02) complaints are waiting to be settled through mediation. Thirty eight (38) complaints are pending for filing and thirteen (13) complaints are pending due to the lack of documents. Thirteen (13) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

In 1997 the Rangpur Unit Office engaged a total of 31 lawyers to litigate the 105 cases filed.

8.1. xiv Sylhet Divisional Unit:

A total of one hundred and nine (109) complaints were received during 1997 and eight (08) complaints were carried over from previous years, making it a total of one hundred and seventeen (117) complaints dealt with by the Sylhet Unit Office. Out of these, 109 complaints, 38 (35%) complainants were male and 71 (65%) were female.

Eighty eight (88) **cases** were filed in 1997 and another thirty six (36) cases were carried over from previous years, making a total of one hundred and twenty four (124) cases dealt with in the Districts and Subordinate Court of Sylhet.

Out of these one hundred and twenty four (124) cases, forty one cases (41) were settled during 1997, Of the 41 settled cases, in

? twenty seven (27) cases court verdicts were in favour of our clients;

- ? five (05) cases went against our clients;
- ? three (03) cases were defaulted;
- ? six (06) cases was withdrawn by the clients following compromise; and
- ? eighty three (83) are pending at the various stages of the judicial process.

In the 88 cases filed during the year, the woman: man ratio was woman 54 (61.4%) and man 34 (38.6%).

Two (02) complaints were settled through **mediation** and six (06) complaints are pending for mediation. Seven (07) complaints are pending for filing and another three (03) are pending due to unavailability of documents. As necessary papers were not available ten (10) complaints could not be proceeded with and one (01) was sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of one hundred and forty six (146) cases were filed in the period of 1995 to 1997. Of these:

- ? twenty two (22) cases were decided in 1996; and
- ? forty one (41) in 1997.

At the end of 1997 eighty three (83) cases remain pending at the Sylhet District and Subordinate Courts.

During the period of 1995 to 1997 the Sylhet Unit Office engaged fifty five (55) **lawyers** for its one hundred and forty six (146) cases. In 1997 the Sylhet Unit Office engaged thirty four (34) lawyers of whom sixteen (16) were already engaged in 1996 and the rest eighteen (18) were newly engaged in 1997.

Among the Divisional Units, the Sylhet Unit has received the least number of complaints and, consequently, it has also dealt with a smaller number of cases. However, there has been a considerable increase of clients in 1997 over 1996 and it seems that information about the services offered by the Unit Office are gradually

becoming better known. We expect the demand for the services of this Unit to increase in 1998.

## 9. LEGAL AID CLINICS

With the aim to provide legal literacy, awareness and mediation services for the local residents, the two Legal Aid Clinics in Gopibag and Mahammadpur were established in Dhaka.

### **Nasima' dower and maintenance realised**

Panu Mia enticed Nasima Akhter Nasreen to abroad with fake hope of a job and instead married her without any registration during the subsistence of his another marriage. Returning home after three years in 1993, Panu Mia failed to provide for any maintenance for Nasima and their child. The Mahila Parishad referred the case to BLAST's Gopibagh Clinic, and the later referred it for filing as a family case in the Dhaka District Court. During the pendency of the case the Clinic arranged a mediation of the dispute. Panu Mia negotiated with Nasima for a divorce on payment of dower and past maintenance of Taka 75,001.00, and Taka 15,000.00 for maintenance during the iddat period as well as Taka Taka 10,000.00 for the past maintenance of the child, totalling Taka 100,001.00. Panu Miah also agreed to pay Taka 500.00 per month for the maintenance of the child till he attains the age of 7.

The legal aid clinics, began as pilot projects, have proved to be an effective method of serving the very poor as most of the clients of these clinics are slum dwellers. Another important purpose for setting up of one of these clinics (Mohammadpur) was to engage senior students of the Law Department of Dhaka University to provide them an opportunity to familiarise themselves with the legal services required by the very poor as well as gain an understanding of the functioning of the legal system at the level of the extremely marginalised.

During the reporting year, two batches of 3 senior students each worked at the clinic. The students undertook legal literacy

campaign among slum dwellers and arranged mediation of their disputes. Their work is supervised by a trainee-advisor, an experienced lawyer. Mediations sessions are organised twice a week – on Fridays and Saturdays – and the rest of the days are spent on literacy and awareness campaign and for background work for the ensuing mediation. In instances when mediation attempts fail or are not appropriate, the case is referred to the head office for litigation, if necessary. These two Law Clinics have undertaken substantial work. In 1997 they jointly received one hundred and thirty two (132) complaints. Out of these twenty seven (27) were settled through mediation and forty nine (49) are pending for mediation, seventeen (17) complaints were sent to the Head Office for filing cases and thirty nine (39) complaints are pending due to the lack of documents.

### 9.1 GOPIBAGH CLINIC

The Gopibag Legal Aid Clinic started functioning from 1st August, 1994, in association with *Mohila Parisad*, a women's organization, at 89/3-A Ramkrishna Mission Road, Dhaka.

The following table reflects the mediation activities of the Gopibagh Clinic. s activities during the year 1997.

<b>Nature of complaint</b>	<b>from last year</b>	<b>Received this year</b>	<b>Total</b>	<b>Mediated</b>
Family dispute	8	26	34	7
Maintenance	18	14	34	6
2 <sup>nd</sup> Marriage	6	10	16	2
Dowry	4	2	6	1
Cruelty to women	2	2	4	
Miscellaneous	10	8	18	1
<b>Total</b>	<b>48</b>	<b>64</b>	<b>112</b>	<b>17</b>

Referred to Head Office	Total	Pending Mediation	Pending for papers	Total pending
3	10	23	1	24
3	9	25	0	25
3	5	8	3	11
	1	5	0	5
		4		4
	1	17		17
<b>9</b>	<b>26</b>	<b>82</b>	<b>4</b>	<b>86</b>

## 9.2 MOHAMMEDPUR CLINIC

The Mahammadpur clinic at 13/11 Babar Road, Dhaka was founded in October, 1994. The following table reflects the mediation activities of the Mohammadpur Clinics activities during the year 1997.

**Table 10**

Nature of complaint	from last year	Received this year	Total	Mediated
Family dispute	0	25	25	7
Maintenance	3	40	43	11
2 <sup>nd</sup> Marriage	0	17	17	6
Dowry	0	10	10	2
Cruelty to women	0	8	8	1
Miscellaneous	0	1	1	1
<b>Total</b>	<b>3</b>	<b>101</b>	<b>104</b>	<b>28</b>

Locally mediated	Sent to Head Office	Recorded	Total	Pending Mediation	Pending for papers	Total pending
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7	2	6	22	3	0	3
12	4	14	41	2	0	2
5	0	3	14	3	0	3
3	0	3	8	2	0	2
1	0	2	4	4	0	4
0	0	0	1	0	0	0
<b>28</b>	<b>6</b>	<b>28</b>	<b>90</b>	<b>14</b>	<b>0</b>	<b>14</b>

The table below shows the position of the complains received in 1997 by the two Law Clinics of the Trust.

	<b>Total Settled</b>	<b>Total Pending</b>	<b>Total</b>
Mediated	45	100	145
Kept Pending, due to lack of relevant information		4	4
Sent to the Head Office		15	15
<b>Total</b>	<b>45</b>	<b>119</b>	<b>164</b>

The legal awareness campaign is carried out in the field by the clinic workers going into dwelling houses and into slums. Through discussion the residents are made aware about the work of the clinic as well as some basic legal issues in areas of family law, laws relating dowry, maintenance, etc. The clinics also have leaflets to advertise their work, but word of mouth is by far the most effective tool when dealing with the people within and around their target areas. The two clinics estimate that they have reached more than two thousand persons through literacy and awareness campaigns as well as mediation activities during the year.

## 10. TRAINING, WORKSHOPS AND WORKSHOPS ORGANIZED BY THE TRUST DURING 1997

<b>INTERNATIONAL SEMINARS/ SEMINARS/ WORKSHOPS/ TRAINING PROGRAMMES Organized by the Projects/ Trust</b>				
#	Topic	Project/Unit	Date	No. of participants
1	ADR Techniques and Methods (7 training course)	Mediation Project	7-8 Jan '97 27-28Jan '97 30-31Jan '97 18-19July '97 25-26July '97 25-27Dec '97	380
2	Use of UN Complaint Procedures	Head Office	20 July-7 August	17
3	Law and Management Regarding Safety for the Women Workers of the Garments Industries	Women Workers Right	3 December	51
4	Manobadhikar, Ain Sahaeta-O-Ainjibir Bhumika	Comilla Unit	15 February	65
5	International Seminar on Human Rights and Sustainable Development and Regional Co-operation	Head Office	25-28 March	200 (approx)
6	Election Laws	Legal Advocacy	10 June	150
7	Law Making Process	Legal Advocacy	20 July	35
8	Roundtable Discussion with Lawyers on Fire Accident in Garments Factories	Women Workers Right	5 August	07
9	Refreshers Course ADR Technique and Methods	Mediation Project	30 Aug '97	21

10	Local Government (Gram Parishad) Act, 1997	Legal Advocacy	14 September	150
11	Local Government (Gram Parishad) Act, 1997	Legal Advocacy	17 September	150
12	Violence Against Women	Head Office/MLAA	3-4 October	
13	Bichar Beboatha Sadagharan Manusher Voganti: Uttaran Kon Pathey	Chittagong Unit	15 October	135
14	Discussion on village panchayat members	Mediation Project	17 Oct '97	50
15	Ainer Sashan Prothishtaey BLAST er Bhumikar Mullayan	Khulna Unit	8 November	
16	Roundtable Discussion on Gram Parishad Act & Human Rights Charter of Demands	Legal Advocacy	30 November	30
17	Human Rights Commission	Legal Advocacy	4 December	160

(incomplete)

## 11. CONCLUSION

In summing up the progress made by BLAST in 1997 it is evident that the organization is growing at quite a rate and that its capacity to handle volumes of work has increased dramatically from its modest beginning. In 1994 the Trust, composed of five divisional units and the head office, received a total of 459 cases and settled only 2, yet by 1997 it had expanded to twelve district including six divisional units, filing 1452 cases and settling 760 of them. The numbers of lawyers BLAST has employed over the three years also shows a marked increase in its activities.

## Appendix A

### **BLAST DIRECTORY**

Head office  
Bangladesh Legal Aid and Services  
Trust  
141/1 Segunbagicha  
Dhaka - 1000  
Tel: 837 185, 934 9126  
Fax: 934 7107  
e-mial: blast@bangla.net

Mr. Fazlul Haq  
Executive Director.

Barisal Unit  
Bangladesh Legal Aid and Services  
Trust  
Barisal Bar Association Building  
Barisal.

Mr. Mansurul Alam  
co-ordinator

The Chittagong Unit  
Bangladesh Legal Aid and Services  
Trust  
31, Nazir Ahmed Chowdhury Rd.,  
(Alip Biponi) Anderkilla  
Chittagong - ?400

Mr. Rezaul Karim Chowdhury  
Coordinator.

The Dhaka Unit  
Bangladesh Legal Aid and Services Trust  
3, Court House St.,  
Dhaka - 1100.

Mr. Khandokar Abdul Mannan  
Coordinator.

The Jessore Unit  
Bangladesh Legal Aid and Services Trust  
Momin Nagar (1<sup>st</sup> Floor)  
No 3, Mojib Sarak,  
Jessore - 7400.

Mr. Md. Ishaq  
Coordinator.

The Khulna Unit  
Bangladesh Legal Aid and Services Trust  
64, Poura Super Market  
Khulna -

Mr. Ashoke Kumar Saha  
Coordinator.

The Comilla Unit  
Bangladesh Legal Aid and Services  
Trust  
Comilla Bar Association  
Comilla -3500

Mr. Md. Adbul Mannan  
Coordinator.

The Rangpur Unit  
Bangladesh Legal Aid and Services Trust  
Rangpur Bar Association Building  
Rangpur.

Mr. Abdul Quiyum Mondol  
Coordinator.

The Maymensingh Unit  
Bangladesh Legal Aid and Services Trust  
Maymensingh Bar Association Building  
Maymensingh -2200.

Mr. A. H. Habib Khan  
Coordinator.

The Noakhali Unit  
Bangladesh Legal Aid and Services Trust  
Noakhali Bar Association Building  
Majhdi Court  
Noakhali.

Mr. Abdur Rahim  
Coordinator.

The Rajshahi Unit  
Bangladesh Legal Aid and Services Trust  
Kabil Manson (4<sup>th</sup> Floor) Mallopara  
Shaheb Bazar  
Rajshahi.

Mr. Abdus Samad  
Co-cordinator.

Bogura Sub Unit  
Bangladesh Legal Aid and Services Trust  
Bogura Bar Association Building  
Bogura -

Mr. Sadrul Alam Ranju  
Coordinator

The Patuakhali Unit  
Bangladesh Legal Aid and Services Trust  
Patuakhali Bar Association Building  
Patuakhali

Mr. Abul Kashem  
Acting Coordinator

The Sylhet Unit  
Bangladesh Legal Aid and Services Trust  
Sylhet Bar Association  
Sylhet B3100.

Mr. Md. Irfanuzzaman Chowdhury  
Coordinator.

### **The Law Clinics**

Legal Aid Clinic Bangladesh Legal Aid and Services Trust 13/11, Babar Rd. Mahammadpur Dhaka.	Legal Aid Clinic Bangladesh Legal Aid and Services Trust 89/3-A R. K. Mission Rd. Dhaka.
Harun-ur-Rashid Khan Trainee Adviser.	Ms. Masuda Rahana Begum Trainee Adviser.

### **Mediation Units**

There are no offices at the local level and the work is conducted from the homes of the workers and supervisors. The addresses below are the three divisional units of BLAST under which the Rural Mediation Project is carried out.

The Mediation Unit Bangladesh Legal Aid and Services Trust Barisal Unit Barisal Bar Association (2 <sup>nd</sup> Floor) Barisal	Mr. Anawar Hossain Mediation co-ordinator Ghosal Raj Compound Bogura Road Barisal
The Mediation Unit Bangladesh Legal Aid and Services Trust Khulna Unit 64, Paura Super Market Khulna	Mr. Md. Shahjahan Kabir Mediation Co-ordinator Village: Pantita P.O. Terkhada District :Khulna
The Mediation Unit Bangladesh Legal Aid and Services Trust Sylhet Unit Sylhet Bar Association (3 <sup>rd</sup> Floor) Sylhet B3100	Mr. Md. Aiyub Ali Mediation Co-ordinator Village: Hemidpur P.O. Biswanath District: Sylhet



## Appendix B

### **Reasons for not proceeding with complaints or rejecting cases**

#### **Unit Offices**

<b>Reasons for not proceeding with complaints or rejecting cases</b>	<b>Numbers</b>
Clients failing to maintain contact with office after submitting complaints	154
After the first letter being sent for mediation, the organization was informed of local compromises to the disputes	45
Legal complications and unavailability of documents [absence of <i>kabilnana</i> for second marriages, non-availability of last order for dismissal from service, cases under consideration by Village Courts, etc.]:	32
Non-attendance of both parties despite repeated reminders	28
Clients financially solvent and requested mediation rather than court cases	13
Could not be handled in 'non-unit' districts	13
Clients requiring defense against charges of cruelty to women and children and the dowry prohibition act ( <i>always very difficult decisions</i> )	11
Our client's failure to comply with the mediation decision	11
Discovery that privately funded court cases were in progress	10
Clients being released from the cases:	07
Barred by limitation which were deemed not possible to be condoned	07
Cases being conducted by lawyers not engaged by the Trust	02

Failure to produce the witnesses on the date fixed for mediation	02
Client proved to be making false and totally unfounded claims	02
The defendant residing outside the country	01
Cases being conducted by the government	01
<b>Total</b>	<b>339</b>

## Head office

<b>Reasons for not proceeding with or rejecting cases</b>	<b>Numbers</b>
Clients failing to maintain contact with office after submitting complaints	31
Legal complications and unavailability of documents [absence of <i>kabilnana</i> for second marriages, non-availability of last order for dismissal from service, cases under trail by Village Courts etc.]:	15
Cases being conducted by the government:	13
Barred by limitation which were deemed not possible to be condoned	07
Clients financially solvent and requested mediation rather than court cases	03
Clients requiring defense against charges of cruelty to women and children and the dowry prohibition act	02
Discovery that privately funded court cases are in process	01
Clients being released from the cases	01
<b>Total</b>	<b>73</b>