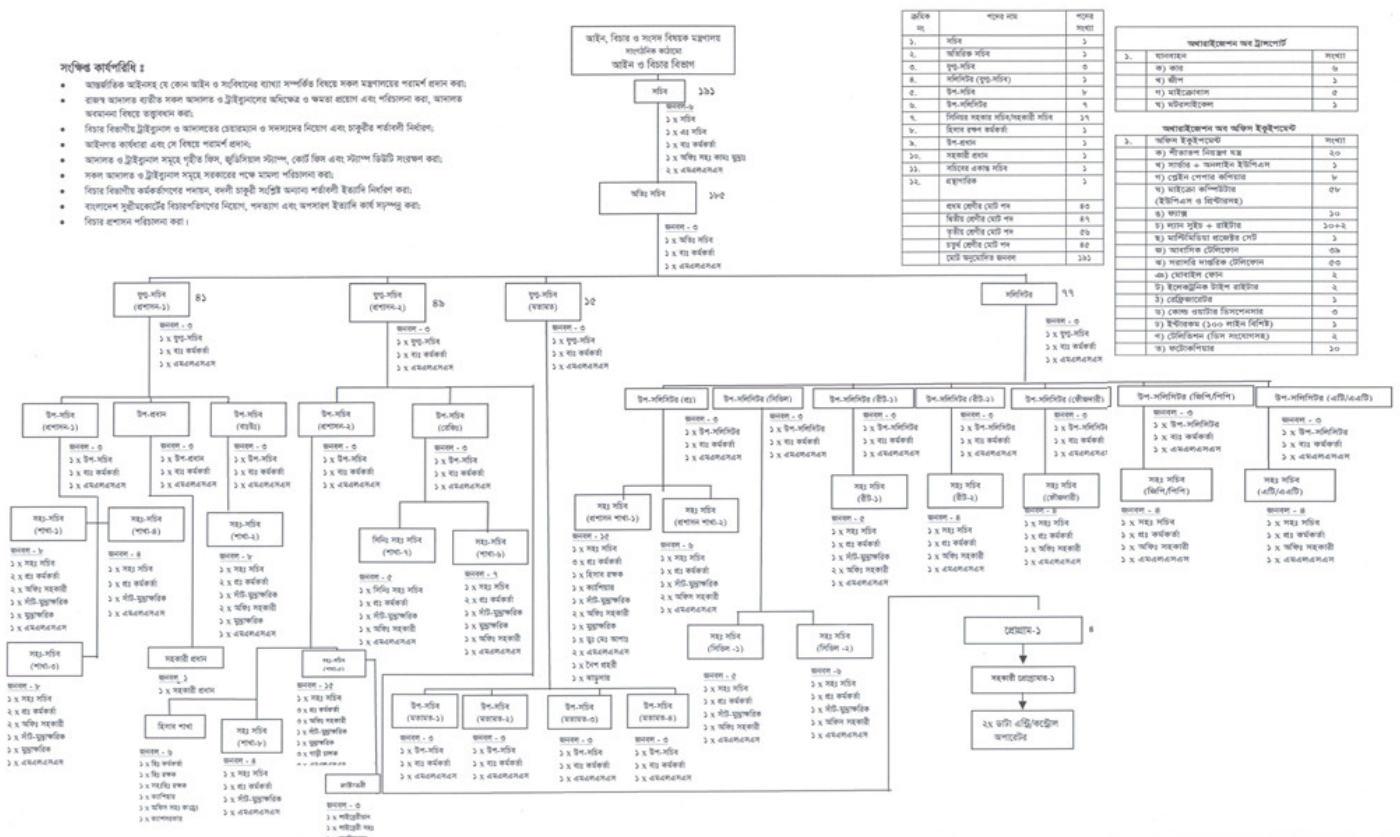


Chapter 10 - Court Staff Service

- [Court Staff Organogram](#)
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Court Staff Organogram



The government operates courts in the regions, districts, and subdistricts that make up the local administrative system. The judges in these courts are appointed by the president through the Ministry of Law and Justice or the Ministry of Home Affairs. Most cases heard by the court system originate at the district level, although the newer subdistrict courts experienced an increased caseload in the late 1980s. Upon appeal, cases may go up to the Supreme Court, but litigation may be very slow; in 1987 there were 29 Supreme Court judges dealing with 21,600 pending cases. The Supreme Court, as of June 1988, had permanent benches--called the High Court Division--in Dhaka, Comilla, Rangpur, Barisal, Sylhet, Chittagong, and Jessore. It hears appeals from district courts and may also judge original cases. The Appellate Division of the Supreme Court in Dhaka reviews appeals of judgment by the High Court Division. The judges of both divisions are appointed by the president.

At the grass-roots level, the judicial system begins with village courts. An aggrieved party may make an official petition, which requires a fee, to the chairman of the union council (the administrative division above the village), who may call a session of the village court with himself as chairman and two other judges nominated by each of the parties to the dispute. The parties may question the impartiality of the chairman and have him replaced. The majority of cases end at the village court level, which is inexpensive and which hands down judgments that reflect local

opinion and power alignments. There are occasions, however, when the union council chairman may reject an official petition to constitute a village court or when one party desires a higher opinion. In these cases, the dispute goes to a government court at the subdistrict level. Cases may wind their way up from district courts to permanent benches of the High Court Division. Once cases leave the village courts, they become expensive affairs that may last for years, and few citizens have the financial resources to fund a lengthy court battle.

Rapid political changes in independent Bangladesh have compromised the court system. The Constitution originally stated that the president could remove members of the Supreme Court only if two-thirds of Parliament approved, but the Proclamation (Amendment) Order of 1977 included a clause that eliminated the need for parliamentary involvement. The clause set up the Supreme Judicial Council, consisting of the chief justice and the next two senior judges. The council may determine that a judge is not "capable of properly performing the functions of his office" or is "guilty of gross misconduct." On their advice, the president may remove any judge. In addition, executive action has completely eliminated judicial authority for long periods. For example, under martial law regulations enacted in 1982, the Supreme Court lost jurisdiction over the protection of fundamental rights, and all courts operated under provisions of law promulgated by the chief martial law administrator; special and summary martial law courts handed down judgments that were not subject to review by the Supreme Court or any other court. Furthermore, the Fifth Amendment and the Seventh Amendment placed martial law proclamations and judgments outside the review of the court system. In these ways, the courts have been forced to serve the interests of the ruling regime, rather than standing as an independent branch of government.

JCDS Standard Court Staff Data

What is JCDS standard ?

JCDS stands for Judiciary Core Data Structure. There are few information which repeats very often in government use. So it is necessary to make a core data structure so that different government applications can follow the same structure to make the government service easier and faster.

According to JCDS, there are twelve mandatory fields and eight optional fields for a citizen.

The JCDS guidelines can be downloaded from the link < JCDS guidelines >

JCDS description about each field:

The Universal Data Element Framework (UDEF) provides a conceptual naming convention framework with associated structured unique identifiers for indexing and aligning semantically equivalent concepts. It provides a means to associate different data element names (i.e. vocabulary terms) that semantically refer to the same concept, to a standard data element concept name provided by the framework that conforms to the relevant international standard on naming conventions, ISO/IEC 11179-5. A key definition provided in paragraph 3.3.9 of ISO/IEC 11179-1 is “data element concept – a concept that can be represented in the form of a data element described independently of any particular representation.” Interpreting the meaning of data element concepts is the essential first step of enabling semantic interoperability between disparate applications.

Although JCDS is not currently adopting the very generic enterprise-wide perspective of the UDEF, the following meta-data definitions of the JCDS elements will ensure our initial country-wide e-Governance applications interoperability. JCDS can easily adopt the UDEF at a later date for international and industry-wide interoperability when the situation warrants doing so. Applying UDEF principles to the current JCDS can unnecessarily complicate its adoption and delay the JCDS implementations further.

Fields of JCDS:

- National Id
- Blood Group
- Educational Qualification
- Marital Status
- Name in Bangla

- Mother's Information
- Father's Information
- Date of Birth
- Ethnicity
- Birth Place
- Biometric Information
- Disability
- Nationality
- Gender
- Religion
- Occupation
- Present Address
- Permeant Address

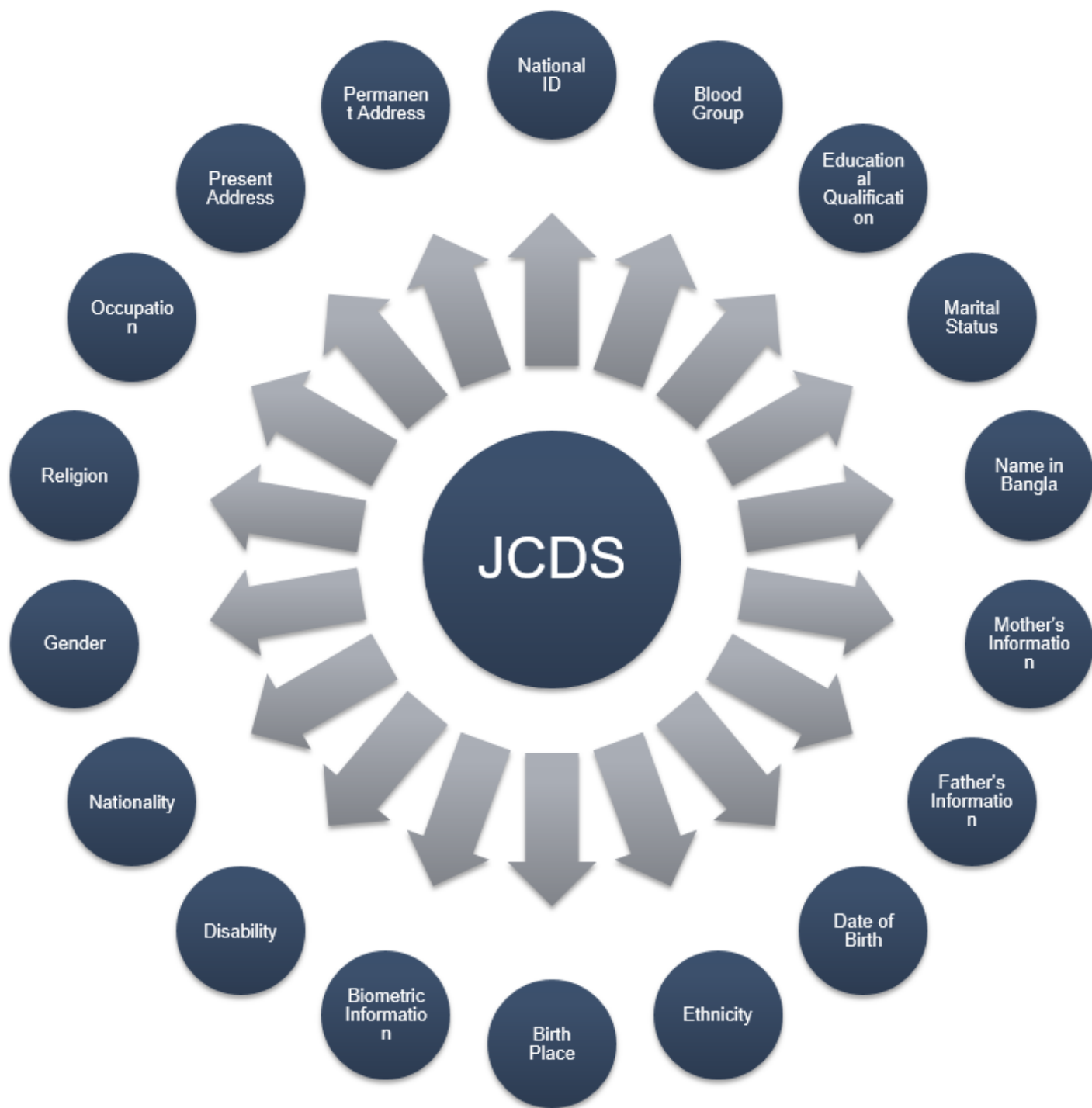


Figure: JCDS Standards Staff Data