

- (h) the expression “post office” includes every house, building, room, carriage or place used for the purposes of the Post Office, and every letter-box provided by the Post Office for the reception of postal articles:
- (i) the expression “postal article” includes a letter, postcard, newspaper, book, pattern or sample packet, parcel and every article or thing transmissible by post:
- (j) the expression “Postmaster General” includes a Deputy Postmaster General or other officer exercising the powers of a Postmaster General: and
- (k) the expression “Post Office” means the department established for the purpose of carrying the provisions of this Act into effect and presided over by the Director General.

3. For the purposes of this Act,-

- (a) a postal article shall be deemed to be in course of transmission by post from the time of its being delivered to a post office to the time of its being delivered to the addressee or of its being returned to the sender or otherwise disposed of under Chapter VII:
- (b) the delivery of a postal article of any description to a postman or other person authorised to receive postal articles of that description for the post shall be deemed to be a delivery to a post office: and
- (c) the delivery of a postal article at the house or office of the addressee, or to the addressee or his servant or agent or other person considered to be authorised to receive the article according to the usual manner of delivering postal articles to the addressee, shall be deemed to be delivery to the addressee.

Meanings of
“in course of
transmission
by post” and
“delivery”

CHAPTER II

PRIVATE AND PROTECTION OF THE GOVERNMENT

4.(1) Wherever within Bangladesh posts or postal communications are established by the Government, the Government shall have the exclusive privilege of conveying by post, from one place to another, all letters, except in the following cases, and shall also have the exclusive privilege of performing

Exclusive
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letters re-
served to the
Government

all the incidental services of receiving, collecting, sending, dispatching and delivering all letters, except in the following cases, that is to say,—

- (a) letters sent by a private friend in his way, journey or travel, to be delivered by him to the person to whom they are directed, without hire, reward or other profit or advantage for receiving, carrying or delivering them;
- (b) letters solely concerning the affairs of the sender or receiver thereof, sent by a messenger on purpose; and
- (c) letters solely concerning goods or property, sent by sea or by land or by air to be delivered with the goods or property which the letters concern, without hire, reward or other profit or advantage for receiving carrying or delivering them:

Provided that nothing in the section shall authorise any person to make collection of letters accepted as aforesaid for the purpose of sending them otherwise than by post.

(2) For the purposes of this section and section 5, the expression “letters” includes postcards.

Certain persons expressly forbidden to convey letters

5. Wherever within Bangladesh posts or postal communications are established by the Government, the following persons are expressly forbidden to collect, carry, tender or deliver letters, or to receive letters for the purpose of carrying or delivering them, although they obtain no hire, reward or other profit or advantage for so doing, that is to say:—

- (a) common carriers of passengers or goods, and their servants or agents, except as regards letters solely concerning goods in their carts or carriages;
- (b) owners and masters of vessels sailing or passing on any river or canal in Bangladesh, or between any ports or places in Bangladesh, and their servants or agents, except as regards letters solely concerning goods on board, and except as regards postal articles received for conveyance under Chapter VIII; and
- (c) owners, pilots and other members of the crew of aircraft flying from or to any airports in Bangladesh.

6. The Government shall not incur any liability by reason of the loss, misdelivery or delay of, or damage to, any postal article in course of transmission by post, except in so far as such liability may in express terms be undertaken by the Government as hereinafter provided; and no officer of the Post Office shall incur any liability by reason of any such loss, misdelivery, delay or damage, unless he has caused the same fraudulently or by his wilful act or default.

Exemption from liability for loss, misdelivery, delay or damage

CHAPTER III

POSTAGE

7.(1) The Government may, by notification in the official Gazette, fix the rates of postage and other sums to be charged in respect of postal articles sent by the inland post under this Act, and may make rules as to the scale of weights, terms and conditions subject to which the rates so fixed shall be charged:

Power to fix rates of inland postage

Provided that the highest rate of postage, when prepaid, shall not exceed the rate set forth for each class of postal articles in the first schedule.

(2) Unless and until such notification as aforesaid is issued, the rates set forth in the said schedule shall be the rates chargeable under this Act.

(3) The Government may, by notification in the official Gazette, declare what packets may be sent by the inland post as book, pattern and sample packets within the meaning of this Act.

8. The Government may, by rule,—

- (a) require the prepayment of postage on inland postal articles or any class of inland postal articles, and prescribe the manner in which prepayment shall be made;
- (b) prescribe the postage to be charged on inland postal articles when the postage is not prepaid or is insufficiently prepaid:

Power to make rules as to payment of postage and fees in certain cases