

under the provisions of clause (a) of sub-section (1) may, within two months from the date of such detention, apply to the Government for release of the same, and the Government shall consider such application and pass such orders thereon as it may deem to be proper:

Provided also that, if such application is rejected, the applicant may, within two months from the date of the order rejecting the application, apply to the ¹[High Court Division] for release of the article and its contents on the ground that the article did not contain any newspaper, book or other document containing any treasonable or seditious matter.

(4) In this section "document" includes also any painting, drawing or photograph, or other visible representation.

27C. Every application made under the second proviso to sub-section (3) of section 27B shall be heard and determined in the manner provided by section 99D to 99F of the Code of Criminal Procedure, 1898, by a Special Bench of the ²[High Court Division] constituted in the manner provided by section 99C of that Code.

Procedure for disposal by High Court Division of applications for release of newspapers and articles so detained

27D. No order passed or action taken under section 27B shall be called in question in any Court otherwise than in accordance with the second proviso to sub-section (3) of that section.]

Jurisdiction barred

CHAPTER VI

REGISTRATION, INSURANCE AND VALUE-PAYABLE POST

28. The sender of a postal article may, subject to the other provisions of this Act, have the article registered at the post office at which it is posted, and require a receipt therefore; and the Government may, by notification in the official Gazette, direct that, in addition to any postage chargeable under this Act,

Registration of postal articles

¹ The words "High Court Division" were substituted, for the words "High Court" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words "High Court Division" were substituted, for the words "High Court" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

such further fee as may be fixed by the notification shall be paid on account of the registration of postal articles.

Power to make rules as to registration

29.(1) The Government may make rules as to the registration of postal articles.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may,—

- (a) declare in what cases registration shall be required;
- (b) prescribe the manner in which the fees for registration shall be paid; and
- (c) direct that twice the fee for registration shall be levied on the delivery of a postal article required to be registered on which the fee for registration has not been prepaid.

(3) Postal articles made over to the Post Office for the purpose of being registered shall be delivered, when registered, at such times and in such manner as the Director General may, by order, from time to time appoint.

Insurance of postal articles

30. The Government may, by notification in the official Gazette, direct,—

- (a) that any postal article may, subject to the other provisions of this Act, be insured at the post office at which it is posted, against the risk of loss or damage in course of transmission by post, and that a receipt therefor shall be granted to the person posting it; and
- (b) that, in addition to any postage and fees for registration chargeable under this Act, such further fee as may be fixed by the notification shall be paid on account of the insurance of postal articles.

Power to require insurance of postal articles

31. The Government may, by notification in the official Gazette, declare in what cases insurance shall be required, and direct that any postal article containing anything required to be insured, which has been posted without being insured, shall be returned to the sender or shall be delivered to the addressee, subject to the payment of such special fee as may be fixed by the notification:

Provided that the levy of such special fee as aforesaid shall not impose any liability upon the Government in respect of the postal article.

32.(1) The Government may make rules as to the insurance of postal articles.

Power to make rules as to insurance

(2) In particular and without prejudice to the generality of the foregoing power, such rules may,—

- (a) declare what classes of postal articles may be insured under section 30;
- (b) fix the limit of the amount for which postal articles may be insured; and
- (c) prescribe the manner in which the fees for insurance shall be paid.

(3) Postal articles made over to the Post Office for the purpose of being insured shall be delivered, when insured, at such places and times and in such manner as the Director General may, by order, from time to time appoint.

33. Subject to such conditions and restrictions as the Government may, by rule, prescribe, Government shall be liable to pay compensation, not exceeding the amount for which a postal article has been insured, to the sender thereof for the loss of the postal article or its contents, or for any damage caused to it in course of transmission by post:

Liability in respect of postal articles insured

Provided that the compensation so payable shall in no case exceed the value of the article lost or the amount of the damage caused.

34. The Government may, by notification in the official Gazette, direct that, subject to the other provisions of this Act and to the payment of fees at such rates as may be fixed by the notification, a sum of money specified in writing at the time of posting by the sender of a postal article shall be recoverable on the delivery thereof from the addressee, and that the sum, so recovered, shall be paid to the sender:

Transmission by post of value-payable postal articles

Provided that the Government shall not incur any liability in respect of the sum specified for recovery, unless and until that sum has been received from the addressee.

Explanation— Postal articles sent in accordance with the provisions of this section may be described as “value-payable” postal articles.

Power to make rules as to value payable postal articles

35.(1) The Government may make rules as to the transmission by post of value-payable postal articles.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may,—

- (a) declare what classes of postal articles may be sent as value-payable postal articles;
- (b) direct that no postal article shall be so sent unless the sender declares that it is sent in execution of a *bona fide* order received by him;
- (c) limit the value to be recovered on the delivery of any value-payable postal article;
- (d) prescribe the form of declaration to be made by the senders of value-payable postal articles, and the time and manner of the payment of fees;
- (e) provide for the retention and repayment to the addressee in cases of fraud of money recovered on the delivery of any value-payable postal articles; and
- (f) prescribe the fees to be charged for inquiries into complaints regarding the delivery of or payment for value-payable postal articles.

(3) Postal articles shall be made over to the Post Office for the purpose of being sent as “value-payable” and shall be delivered, when so sent, at such times and in such manner as the Director General may, by order, from time to time appoint.

(4) No suit or other legal proceeding shall be instituted against the Government, or any officer of the Post Office in respect of anything done, or in good faith purporting to be done, under any rule made under clause (e) of sub-section (2).

36.(1) Where arrangements are in force with ¹[any foreign country], for the transmission by post of registered, insured or value-payable postal articles between Bangladesh and ²[such country], the Government may make rules to give effect to such arrangements.

Power to give effect to arrangements with other countries

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—

- (a) the form of declaration to be made by the senders of such postal articles as aforesaid; and
- (b) the fees to be charged in respect thereof.

CHAPTER VII

UNDELIVERED POSTAL ARTICLES

37.(1) The Government may make rules as to the disposal of postal articles which for any reason cannot be delivered (hereinafter referred to as “undelivered postal articles”).

Power to make rules as to disposal of undelivered postal articles

(2) In particular and without prejudice to the generality of the foregoing power, such rules may,—

- (a) prescribe the period during which undelivered postal articles at a post office shall remain in that office; and
- (b) provide for the publication of lists of undelivered postal articles, or of any class of undelivered postal articles.

(3) Every undelivered postal article, after being detained at a post office for the period prescribed by rule under the foregoing provisions of this section, shall be either forwarded, free of further charge, to the post office at which it was posted, for return to the sender, or sent to the office of the Post Master General.

¹ The words "any foreign country" were substituted, for the words and commas "the United Kingdom, or with any British possession, Acceding State or foreign country" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words "such country" were substituted, for the words and comma "the United Kingdom or such possession, State or country" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).