

The Post Office Act, 1898

(ACT NO. VI OF 1898)

¹♠An Act to consolidate and amend the Law relating to the Post Office.

WHEREAS it is expedient to consolidate and amend the law relating to the Post Office; It is hereby enacted as follows:-

CHAPTER I PRELIMINARY

**Short title,
extent,
application
and
commencement.**

1.(1) This Act may be called the Post Office Act, 1898.

(2) It extends to the whole of Bangladesh and applies to all citizens of Bangladesh and persons in the service of Government wherever they may be.

(3) It shall come into force on the first day of July, 1898.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) the expression “Director General” means the Director General, Bangladesh Post Office:

²[(aa) the expression “franking machine” means a machine by the impression of which the name of the office of posting, date of posting and the amount of postage realised are printed on the postal articles:]

(b) the expression “inland,” used in relation to a postal article, means-

³[(i) posted in Bangladesh and addressed to any place in Bangladesh];

⁴[* * *]:

Provided that the expression “inland” shall not apply to any class of postal articles which may be specified in this behalf by the Government by

notification in the official Gazette, when posted in or at or addressed to any places or post offices which may be described in such notification:

(c) the expression "mail bag" includes a bag, box, parcel or any other envelope or covering in which postal articles in course of transmission by post are conveyed, whether it does or does not contain any such article:

(d) the expression "mail ship" means a ship employed for carrying mails, pursuant to contract or continuing arrangement, by the Government or ⁵[a foreign country]:

(e) the expression "officer of the Post Office" includes any person employed in any business of the Post Office or on behalf of the Post Office:

(f) the expression "postage" means the duty chargeable for the transmission by post of postal articles:

(g) the expression "postage stamp" means any stamp provided by the Government for denoting postage or other fees or sums payable in respect of postal articles under this Act., and includes adhesive postage stamps and stamps printed, embossed, impressed or otherwise indicated on any envelope, wrapper, postcard or other article:

(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.

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

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.

CHAPTER II

PRIVILEGE AND PROTECTION OF THE GOVERNMENT

**Exclusive
privilege of
conveying
letters
reserved to
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 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.

⁶[(2) For the purposes of this section and section 5, the expression “Letters” includes post cards, any message printed or manuscript, a cover containing private or official or any type of correspondence etc.]

**Universal
Postal
Services,
etc**

⁷[4A.(1) The Post Office shall be the designated national public postal operator responsible for providing the Universal Postal Service all over Bangladesh and for international communications.

(2) The Post Office, for the public interest and development of the postal services, may-

- (a) modify, rearrange or adopt new technologies and provide new services for securing speedy services to the people as it deems fit;
- (b) appoint agents for providing its services or postal articles to any business entities or companies on agreed terms and conditions;
- (c) rent out part of post office premises, counters, facilities or any other installations or technology to any business entity or company on agreed terms and conditions;
- (d) take up any business or agency services permissible under this Act or buy any business facility for the extension or improvement of its own services;
- (e) enter into new business ventures like Post shops, e-Commerce, Address data base or other data base as it deems fit and can also exchange or interchange business transactions with other domestic or international organisations for the purpose of commercial benefits;
- (f) provide remittance transfer services, banking services, postal life insurance services either individually or may enter into contract with other organisations for providing the aforesaid services to the people.

(3) The Director General may, with the prior approval of the Government, by notification in the official Gazette, fix appropriate commission, fees or charges for appointing agents under clause (b) or for renting out post office premises, counters, facilities etc. under clause (c) of sub-section (2) and also fix rates, tariffs, fees etc. for the services provided by the agents.

Explanation : For the purpose of this section “Universal Postal Service” means the basic postal services which the Government has pledged to guarantee all segments of the population on a continuing basis, with a specific, standard of quality at an affordable price.]

License for Mailing Operators and Courier Services, etc

⁸[4B. (1) Notwithstanding anything contained in section 4, any person or company may be granted license under sub-section (2) for operating the business of Mailing Operators or Courier Service to provide the specialized and premium postal services to the people.

(2) Where the Licensing Authority is satisfied that the provisions of this Act and the rules made there under have been complied with, it shall grant a license to the applicant.

(3) If it is found that the applicant has not complied with the provisions of the Act and the rules made there under, Licensing Authority may refuse to grant license applied for and inform the applicant in writing within thirty days of its refusal.

(4) Notwithstanding anything contained in this section, any person or company who has already been operating the business of Mailing Operator or Courier Service shall apply to the Licensing Authority for license within three months from the date of constitution of the Licensing Authority under section 4C of this Act.

Explanation : For the purpose of this section-

(a) “Mailing Operator” means an operator other than the designated national public postal operator which provides certain specific mailing or postal service or delivery services but is not responsible for providing Universal Postal Services. Its services may include Parcels, Logistics, Delivery, Courier & Express services;