

BANGLADESH POST OFFICE

POST OFFICE MANUAL

Volume I

[LEGISLATIVE ENACTMENTS]

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N O T I C E

This Volume contains the Acts relating to the Bangladesh Post Office Department and the rules issued under those Acts by the Government. These Acts and Rules must be carefully read by the officers of the Department.

THE POST OFFICE MANUAL

VOL. I.

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[Act No. VI of 1898]

(As modified up to 31st August, 1968)

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POST OFFICE MANUAL

VOLUME I

LEGISLATIVE ENACTMENTS

CHAPTER I

THE POST OFFICE ACT, 1898

[ACT NO. VI OF 1898]

(As modified up to 31st August, 1968)

[22nd March, 1898]

An Act to consolidate and amend the Law relating to the Post Office. ^{1**}

WHEREAS it is expedient to consolidate and amend the law relating to the Post Office ^{1**}; It is hereby enacted as follows :—

CHAPTER I

PRELIMINARY

1. Short title, extent, application and commencement.—(1) This Act may be called the Post Office Act, 1898.

¹(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.]

¹ For Statement of Objects and Reasons, see Gazette of India 1897, Pt. V, p. 385; for Report of the Select Committee, see *ibid.*, 1898, Pt. V, p. 211; for Proceedings in Council, see *ibid.*, 1897, Pt. VI, p. 249; *ibid.*, 1898, Pt. VI, pp. 23, 99 and 285 to 289.

This Act has been declared to be in force in the Chittagong Hill-tracts by the Chittagong Hill-tracts Regulation, 1900 (I of 1900), subject to certain modifications; see Bengal Reg. II of 1942.

It shall apply to the partially excluded areas of the district of Mymensingh, with certain modifications, see the Indian Post Office Act (Bengal Partially Excluded Areas Amendment) Regulation, 1942 (Ben. Reg. VII of 1942).

As to rules made under the Post Office Act, which are now in force or are in force from time to time, see the Postal Guide, which is published by the Post Office periodically; see also Gazette of India, 1926, Pt. I, p. 1224.

² The words "in India" omitted by A. O., 1949, Sch.

³ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for sub-section (2) as amended by A. O., 1949, Sch., the Burma Laws Act, 1898 (13 of 1898), s. 18 and Sch. V, and the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), ss. 4 and 8 and 3rd Sch.

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

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

(a) the expression "Director General" means the ¹[Director General, Bangladesh Post Office] ;

(b) the expression "inland", used in relation to a postal article, means—

(i) posted in ²[Bangladesh] and addressed to any place in ²[Bangladesh] or to any place for which a post office is established by ³[the Govt. of the People's Republic of Bangladesh ****] beyond the limits of ²[Bangladesh] ; or

(ii) posted at any post office established by ²[the Government ****] beyond the limits of ²[Bangladesh] and addressed to any place for which any such post office is established or to any place in ²[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 ²[Government] by notification in the ⁵[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 ⁷[Government] or Her Majesty's Government or the Government of any British possession or 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 ;

1 Subs. by the Posts and Telegraphs (Amdt.) Act, 1962 (5 of 1962) s. 3 (with effect from the 1st July, 1962), for "Director General of (Posts and Telegraphs)". The words in crotchets were subs. by the Indian Post Office and Telegraph (Amdt.) Act, 1914 (14 of 1914), s. 3 (f) for "the Post Office of India."

2 Subs. by Ordinance 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India".

3 Subs. by A. O., 1937, for "the G. G. in C."

4 The words "or the Crown Representative" omitted by A. O., 1949, Sch.

5 Proviso ins. by the Indian Post Office (Amdt.) Act, 1903 (2 of 1903) s. 2.

6 Subs. by A. O., 1937, for "Gazette of India."

7 Subs. *ibid.*, for "G. of I."

- (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 "Post Master General" includes a Deputy Post Master General or other officer exercising the powers of a Post Master General : and
- (k) the expression "Post Office" means the department ¹{established for the purpose of carrying the provisions of this Act into effect and} presided over by the Director General.

3. Meanings of "in course of transmission by post" and "delivery".—
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.

¹ Ins. by the Indian Post Office and Telegraph (Amnd.) Act, 1914 (14 of 1914), s. 3.

CHAPTER II

PRIVILEGE AND PROTECTION OF THE GOVERNMENT

4. Exclusive privilege of conveying letters reserved to the Government.—

(1) Wherever within 1[Bangladesh] posts or postal communications are established by the 2[Government], the 3[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, despatching 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 4[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 a collection of letters excepted 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.

5. Certain persons expressly forbidden to convey letters.—Wherever within 1[Bangladesh] posts or postal communications are established by the 2[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 ;^{4*}

1 Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3 (2) and 4, for "British India."

2 Subs. by A. O., 1937, for "G. G. in C."

3 Subs. by the Post Office (Amdt.) Act, 1952 (49 of 1952), s. 2, for "either by sea or by land."

4 The word "and" omitted by the Post Office (Amdt.) Act, 1952 (49 of 1952) s. 3(1).

- (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 ;¹[and]
- [(c) owners, pilots and other members of the crew of aircraft flying from or to any airports in Bangladesh.]

6. **Exemption from liability for loss, misdelivery, delay or damage.**—²[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.

CHAPTER III

POSTAGE

7. **Power to fix rates of inland postage.**—(1) The Government may, by notification in the ⁴[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 :

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 ⁴[official Gazette], declare what packets may be sent by the inland post as book, pattern and sample packets within the meaning of this Act.

¹ Subs. by the Post-office (Amend.) Act, 1952 (49 of 1952) s. 3(2), for the full-stop.

² Added, *ibid.*, s. 3(3).

³ The original words "The Secretary of State for India in Council" have successively been amended by A. O., 1937, and A. O., 1961, Art. 2 and Sch. (with effect from the 23rd March, 1956), to read as above.

⁴ Subs. by A. O., 1937 for "Gazette of India."

8. Power to make rules as to payment of postage and fees in certain cases.—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 ;
- (c) provide for the redirection of postal articles and the transmission by post of articles so redirected, either free of charge or subject to such further charge as may be specified in the rules ; and
- (d) prescribe the fees to be charged for the "express delivery" of postal articles, in addition to, or instead of, any other postage chargeable thereon under this Act.

Explanation.—"Express delivery" means delivery by a special messenger or conveyance.

9. Power to make rules as to registered newspapers.—(1) The Government may make rules providing for the registration of newspapers for transmission by inland post as registered newspapers.

(2) For the purpose of such registration, every publication, consisting wholly or in great part of political or other news, or of articles relating thereto or to other current topics, with or without advertisements, shall be deemed a newspaper, subject to the following conditions, namely :—

- (a) that it is published in numbers at intervals of not more than thirty-one days ; and
- (b) that it has a *bona fide* list of subscribers.

(3) An extra or supplement to a newspaper, bearing the same date as the newspaper and transmitted therewith, shall be deemed to be part of the newspaper :

Provided that no such extra or supplement shall be so deemed unless it consists wholly or in great part of matter like that of the newspaper and has the title and date of publication of the newspaper printed at the top of each page.

Explanation.—Nothing in this section or in the rules thereunder shall be construed to render it compulsory to send newspapers by the inland post.

10. Power to declare rates of foreign postage.—(1) Where arrangements are in force with the United Kingdom, or with any British possession or foreign country for the transmission by post of postal articles between ¹(Bangladesh) and the United Kingdom or such possession or country, the

¹ Subs. by the Central Laws (Statute Reform) Ordinance 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India."

1[Government] may, in conformity with the provisions of such arrangements, declare what postage rates and other sums shall be charged in respect of such postal articles, and may make rules as to the scale of weight, terms and conditions subject to which the rates so declared shall be charged.

(2) Unless and until such declaration as aforesaid is made, the existing rates and regulations shall continue in force.

11. Liability for payment of postage.—(1) The addressee of a postal article on which postage or any other sum chargeable under this Act is due, shall be bound to pay the postage or sum so chargeable on his accepting delivery of the postal article, unless he forthwith returns it unopened :

Provided that, if any such postal article appears to the satisfaction of the Post Master General to have been maliciously sent for the purpose of annoying the addressee, he may remit the postage.

(2) If any postal article on which postage or any other sum chargeable under this Act is due, is refused or returned as aforesaid, or if the addressee is dead or cannot be found, then the sender shall be bound to pay the postage or sum due thereon under this Act.

12. Recovery of postage and other sums due in respect of postal articles.—If any person refuses to pay any postage or other sum due from him under this Act in respect of any postal article, the sum so due may, on application made by an officer of the Post Office authorised in this behalf by the written order of the Post Master General, be recovered for the use of the Post Office from the person so refusing, as if it were a fine imposed under this Act by any Magistrate having jurisdiction where that person may, for the time being, be resident ; and the Post Master General may further direct that any other postal article, not being on 2[Bangladesh] service, addressed to that person shall be withheld from him until the sum so due is paid or recovered as aforesaid.

13. Customs-duty paid by the Post Office to be recoverable as postage.—When a postal article, on which any duty of customs is payable, has been received by post from any place beyond the limits of 3[Bangladesh] and the duty has been paid by the postal authorities at any customs-port or elsewhere, the amount of the duty shall be recoverable as if it were postage due under this Act.

1 Subs. by A. O., 1937, for "G. G. in C."

2 Subs. by A. O., 1961, Art. 2 and Sch., for "Her Majesty's" (with effect from the 23rd March, 1956).

3 Subs. by the Central Laws (State Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been substituted by A. O., 1943, Arts. 3(2) and 4, for "British India".

14. Post Office marks *prima facie* evidence of certain facts denoted.— In every proceeding for the recovery of any postage or other sum alleged to be due under this Act in respect of a postal article—

- (a) the production of the postal article, having thereon the official mark of the Post Office denoting that the article has been refused, or that the addressee is dead or cannot be found, shall be *prima facie* evidence of the fact so denoted, and
- (b) the person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be the sender thereof.

15. Official mark to be evidence of amount of postage.—The official mark on a postal article denoting that any postage or other sum is due in respect thereof to the Post Office of ¹[Bangladesh] or to the Post Office of the United Kingdom or of any British possession or foreign country, shall be *prima facie* evidence that the sum denoted as aforesaid is so due.

CHAPTER IV

POSTAGE STAMPS

16. Provision of postage stamps, and power to make rules as to them.—(1) The ²[Government] shall cause postage stamps to be provided of such kinds and denoting such values as ³[it] may think necessary for the purposes of this Act.

(2) The ⁴[Government] may make rules as to the supply, sale and use of postage stamps.

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

- (a) fix the price at which postage stamps shall be sold ;
- (b) declare the classes of postal articles in respect of which postage stamps shall be used for the payment of postage or other sums chargeable under this Act ;
- (c) prescribe the conditions with regard to perforation, defacement and all other matters subject to which postage stamps may be accepted or refused in payment of postage or other sums ;

¹ See note 3 on page 7.

² Subs. by A. O., 1937, for "G. G. in C.".

³ Subs. *ibid.*, for "he".

- (d) regulate the custody, supply and sale of postage stamps ;
- (e) declare the persons by whom and the terms and conditions subject to which postage stamps may be sold ; and
- (f) prescribe the duties and remuneration of persons selling postage stamps.

17. Postage stamps to be deemed to be stamps for the purpose of revenue.—

(1) Postage stamps provided under section 16 shall be deemed to be stamps issued by Government for the purpose of revenue within the meaning of the Bangladesh Penal Code, and, subject to the other provisions of this Act, shall be used for the prepayment of postage or other sums chargeable under this Act in respect of postal articles, except where the ²(Government) directs that prepayment shall be made in some other way.

³(2) Where the ⁴(Government) has directed that prepayment of postage or other sums chargeable under this Act in respect of postal articles may be made by prepaying the value denoted by the impressions of stamping machines issued under ⁵(its) authority, the impression of any such machine shall likewise be deemed to be a stamp issued by Government for the purpose of revenue, within the meaning of the Bangladesh Penal Code.]

CHAPTER V

CONDITIONS OF TRANSMISSION OF POSTAL ARTICLES

18. Redelivery to sender ¹(or delivery to another addressee at the request of the sender) of postal article in course of transmission by post.—(1) The ²(Government) may, by rule, provide for the redelivery to the sender, ³(or delivery to another addressee at the request of the sender) without reference to the consent of the addressee and subject to such condition (if any) as may be deemed fit, of any postal article in course of transmission by post.

(2) Save as provided by any rules that may be made under sub-section (1), the sender shall not be entitled to recall a postal article in course of transmission by post ⁴(or to ask for its delivery to another addressee).

¹ The original s. 17 was re-numbered as s. 17 (1) by the Indian Post Office (Amdt.) Act, 1924 (16 of 1924), s. 2.

² Subs. by A. O., 1937, for "G. G. in C.",

³ Sub-section (2) ins. by the Indian Post Office (Amdt.) Act, 1924 (16 of 1924), s. 2.

⁴ Subs. by A. O., 1937, for "his."

⁵ Ins. by the Post Office (Amdt.) Act, 1957 (24 of 1957), s. 2.

⁶ Added by Act. 24 of 1957, s. 2.

19. Transmission by post of anything injurious prohibited.—(1) Except as otherwise provided by rule and subject to such conditions as may be prescribed thereby, no person shall send by post any explosive, dangerous, filthy, noxious or deleterious substance, any sharp instrument not properly protected, or any living creature which is either noxious or likely to injure postal articles in course of transmission by post or any officer of the Post Office.

(2) No person shall send by post any article or thing which is likely to injure postal articles in course of transmission by post or any officer of the Post Office.

20. Transmission by post of anything indecent, etc. prohibited.—No person shall send by post—

- (a) any indecent or obscene printing, painting, photograph, lithograph, engraving, book or card, or any other indecent or obscene article, or
- (b) any postal article having thereon, or on the cover thereof, any words, marks or designs of an indecent, obscene, seditious, scurrilous, threatening or grossly offensive character.

21. Power to make rules as to transmission by post of postal articles.—¹(1) The ²(Government) may make rules as to the transmission of articles by post.

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

- (a) specify articles which may not be transmitted by post ;
- (b) prescribe conditions on which articles may be transmitted by post ;
- (c) provide for the detention and disposal of articles in course of transmission by post in contravention of rules made under clause (a) or clause (b) ;
- (d) provide for the granting of receipts for, and the granting and obtaining of certificates of posting and delivery of postal articles and the sums to be paid, in addition to any other postage, for such receipts and certificates ; and
- (e) regulate covers, forms, dimensions, maximum weights, and enclosures, and the use of postal articles, other than letters, for making communications.]

¹ Subs. by the Indian Post Office (Amend.) Act, 1912 (3 of 1912), s. 2, for the original sub-sections (1) and (2).

² Subs. by A. O., 1937, for "G. G. in C."

(3) Postal articles shall be posted and delivered at such time and in such manner as the Director General may, by order, from time to time, appoint.

22. Power to postpone despatch or delivery of certain postal articles.—

(1) Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of book, pattern or sample packets and parcels, or any of them, such packets or parcels, or any of them, may, subject to such rules as the ¹[Government] may make in this behalf, be detained in the Post Office so long as may be necessary.

(2) Where separate parcel posts are established, parcels may be forwarded and conveyed by them, being detained, if necessary, in the Post Office for that purpose.

23. Power to deal with postal articles posted in contravention of Act.—(1)

Any postal article sent by post in contravention of any of the provisions of this Act may be detained and either returned to the sender or forwarded to destination, in each case charged with such additional postage (if any) as the ¹[Government] may, by rule, direct.

(2) Any officer-in-charge of a post office or authorised by the Post Master General in this behalf may open or unfasten any newspaper or any book, pattern or sample packet, in course of transmission by post, which he suspects to have been sent by post in contravention of ²[section 20, clause (a) or of] section 21 or any of the provisions of this Act relating to postage.

(3) Notwithstanding anything in sub-section (1)—

(a) any postal article sent by post in contravention of the provisions of section 19 may, under the authority of the Post Master General, if necessary, be opened and destroyed; and

³[(b) any postal article sent by post in contravention of the provisions of section 20 may be disposed of in such manner as the ¹[Government] may, by rule, direct.

24. Power to deal with postal articles containing goods contraband or liable to duty.—⁴[Except as otherwise provided in this Act, where a postal article suspected to contain any goods of which the import by post or the transmission by post is prohibited by or under any enactment for the time being in force,] or anything liable to duty, is received for delivery at a post office, the officer-in-charge of the post office shall send a notice in writing to the addressee inviting him to attend, either in person or by agent, within a specified time at the post office, and shall, in the presence of the addressee or his agent, or if the

¹ Subs. by A. O., 1877, for "G. G. in C."

² Ins. by the Indian Post Office (Amdt.) Act, 1912 (3 of 1912), s. 3.

³ Subs. by the Indian Post Office (Amdt.) Act, 1912 (3 of 1912), s. 3, for the original clause.

⁴ Subs. by Act 3 of 1912, s. 4, for, "Where a postal article suspected to contain any contraband goods."

addressee or his agent fails to attend as aforesaid then in his absence, open and examine the postal article :

Provided, first, that, if the Director General so directs in the case of any post office or class of post offices, the officer-in-charge of the post office shall call in two respectable persons as witnesses before he opens a postal article in the absence of the addressee or his agent :

Provided, secondly, that in all cases a postal article, after being opened under this section, shall be delivered to the addressee, unless it is required for the purpose of any further proceeding under this or any other law or enactment for the time being in force, and that the opening of the postal article and the circumstances connected therewith shall be immediately reported to the Post Master General.

1 * * * * * *

¹[24A. Power to deliver such articles to Customs authority.—The ²[Government] may, by general or special order, empower any officer of the Post Office, specified in such order, to deliver any postal article, received from beyond the limits of ⁴[Bangladesh] and suspected to contain anything liable to duty, to such Customs authority as may be specified in the said order, and such Customs authority shall deal with such article in accordance with the provisions of the Sea Customs Act, 1878, or of any other law for the time being in force.]

25. Power to intercept notified goods during transmission by post.—Where a notification has been published under section 19 of the Sea Customs Act, 1878, in respect of any goods of any specified description, ³[or where the import or export into or from ⁴[Bangladesh] of goods of any specified description has been prohibited or restricted by or under any other enactment for the time being in force], any officer of the Post Office empowered in this behalf by the ⁵[Government] may search, or cause search to be made, for any such goods in course of transmission by post, and shall deliver ⁶[all postal articles reasonably believed or found to contain such goods] to such officer as the ⁷[Government] may appoint in this behalf, and such goods may be disposed of in such manner as the ⁸[Government] may direct.

¹ The third proviso was rep. by the Indian Post Office (Amnd.) Act, 1912 (15 of 1912), s. 2.

² S. 24A *ins. ibid.*, s. 2.

³ Subs. by A. O., 1937, for "G. G. in C."

⁴ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955) for "the Provinces and the Capital of the Federation", which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India."

⁵ Ins. by the Dangerous Drugs Act, 1930 (2 of 1930) s. 40 and Sch. II.

⁶ Subs. by the Indian Post Office (Amendment) Act, 1912 (3 of 1912), s. 5, for "all such goods found."

1 [In carrying out any such search, such officer of the Post Office may open or unfasten, or cause to be opened or unfastened, any newspaper or any book, pattern or sample packet in course of transmission by post].

26. Power to intercept postal articles for public good.—(1) On the occurrence of any public emergency, or in the interest of the public safety or tranquillity the ¹[Government], or any officer specially authorised in this behalf ²[by the Government], may, by order in writing, direct that any postal article or class or description of postal articles in course of transmission by post shall be intercepted or detained, or ⁴[shall be disposed of in such manner as the authority issuing the order may direct.]

(2) If any doubt arises as to the existence of a public emergency or as to whether any act done under sub-section (1) was in the interest of the public safety or tranquillity, a certificate ³[of the Government] shall be conclusive proof on the point.

27. Power to deal with postal articles from abroad bearing fictitious or previously used stamps.—(1) Where a postal article is received by post from any place beyond the limits of ⁶[Bangladesh]—

- (a) bearing a fictitious postage stamp, that is to say, any facsimile or imitation or representation of a postage stamp, or
- (b) purporting to be prepaid with any postage stamp which has been previously used to prepay any other postal article,

the officer-in-charge of the post office at which the postal article is received, shall send a notice to the addressee inviting him to attend, either in person or by agent, within a specified time at the post office to receive delivery of the postal article.

(2) If the addressee or his agent attends at the post office within the time specified in the notice and consents to make known to the officer-in-charge of the post office the name and address of the sender of the postal article and to redeliver to the officer aforesaid the portion of the postal article which bears the address and the fictitious or previously used postage stamp, or, if the postal

1 Ins. by the Indian Post Office (Amendment) Act, 1912 (3 of 1912), s. 5.

2 Subs. by A. O., 1937 for "G. G. in C."

3 Subs. *ibid.*, for "by the G. G. in C."

4 Subs. by Act 3 of 1912, s. 6, for "shall be delivered to the Govt. or to an officer there-of mentioned in the order, to be disposed of in such manner as the G. G. in C. may direct."

5 Subs. by A. O., 1937, for "signed by a Secretary to the G. of I. or to the L. G."

6 Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3 (2) and 4, for "British India."

article is inseparable from the stamp, the entire postal article, the postal article shall be delivered to the addressee or his agent.

(3) If the addressee or his agent fails to attend at the post office within the time specified in the notice, or, having attended within that time, refuses to make known the name and address of the sender or to redeliver the postal article or portion thereof as required by sub-section (2), the postal article shall not be delivered to him, but shall be disposed of in such manner as the ¹[Government] may direct.

Explanation.—For the purposes of this section, the expression "postage stamp" includes any postage stamp for denoting any rate or duty of postage of any part of Her Majesty's dominions or of any ²[Acceding State] or foreign country ³ and the impression of any stamping machine provided or authorised for the like purpose by or under the authority of the Government of such part, State or country].

⁴[27A. Prohibition of transmission by post of certain newspapers.—No newspaper printed and published in ⁵[Bangladesh] without conforming to the rules laid down in the Press and Registration of Books Act, 1867, shall be transmitted by post.

⁶[27B. Power to detain newspapers and other articles being transmitted by post.—(1) Any officer of the Post Office authorised by the Post Master General in this behalf may detain any postal article in course of transmission by post which he suspects to contain—

- (a) (i) any newspaper or book as defined in the Press and Registration of Books Act, 1867 ; or
 - (ii) any document ;
- containing any ⁷[treasonable or] seditious matter, that is to say,

1 Subs. by A. O., 1937, for "G.G. in C."

2 Subs. by the Federal Laws (Revision and Declaration) Act, 1951 (36 of 1951), s. 4 and III Sch., for "Indian State" which had been subs. for "Native State" by A. O., 1937.

3 Ins. by the Indian Post Office (Amendment) Act, 1924 (16 of 1924), section 3.

4 Ss. 27A to 27D were ins. by the Press Law Repeal and Amendment Act, 1922 (14 of 1922), s. 6 and Sch. IV.

5 Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India."

6 As to the application of ss. 27B to 27D in respect of book, newspaper or other document containing matter defamatory of a Ruler of a State or Minister of such Ruler, etc., and tending to prejudice the relation between His Majesty's Government and the Government of such State, see s. 3 of the Foreign Relations Act, 1932 (12 of 1932) which further provides that for such application of these sections, the provisions of s. 3 of Act 12 of 1932 shall be construed as if for the words "Provincial Government", wherever they occur in these sections, the words "Central Government" were substituted.

7 Ins. by the Post Office (Amdt.) Act., 1951 (20 of 1951), s. 2.

any matter the publication of which is punishable under ¹[section 123A or section 124A, as the case may be, of the Bangladesh Penal Code] ; or

- (b) any newspaper as defined in the Press and Registration of Books Act, 1867, edited, printed or published otherwise than in conformity with the rules laid down in that Act ;

and shall deliver any postal article so detained to such officer as the ²[Government] may appoint in this behalf.

(2) Any officer detaining any postal article under the provisions of sub-section (1) shall forthwith send by post to the addressee of such article notice of the fact of such detention.

(3) The ³[Government] shall cause the contents of any postal article detained under sub-section (1) to be examined, and, if it appears to the ²[Government] that the article contained any newspaper, book or other document, of the nature described in clause (a) or clause (b) of sub-section (1), may pass such orders as to the disposal of the article and its contents as it may deem proper, and, if it does not so appear, shall release the article and its contents, unless the same be otherwise liable to seizure under any law for the time being in force :

Provided that any person interested in any article detained under the provisions of clause (a) of sub-section (1) may, within two months from the date of such detention, apply to the ²[Government] for release of the same, and the ²[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 High Court 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 ³[reasonable or] seditious matter.

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

27C. Procedure for disposal by High Court of applications for release of newspapers and articles so detained.—Every application made under the second proviso to sub-section (3) of section 27B shall be heard and determined in the manner provided by sections 99D to 99F of the Code of Criminal

1 Subs. by the Post Office (Amdt.) Act, 1951 (20 of 1951) for "section 124A of the Indian Penal Code."

2 Subs. by A. O., 1937 for "L. G."

3 Ins. by the Post Office (Amdt.) Act, 1951 (20 of 1951) s. 2.

Procedure, 1898, by a Special Bench of the High Court constituted in the manner provided by section 99C of that Code.

27D. Jurisdiction barred.—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.

CHAPTER VI

REGISTRATION, INSURANCE AND VALUE-PAYABLE POST

28. Registration of postal articles.—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 therefor; and the ¹[Government] may, by notification in the ²[official Gazette], direct that, in addition to any postage chargeable under this Act, such further fee as may be fixed by the notification shall be paid on account of the registration of postal articles.

29. Power to make rules as to registration.—(1) The ¹[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.

30. Insurance of postal articles.—The ¹[Government] may, by notification in the ²[Official Gazette], direct—

¹ Subs. by A. O., 1937, for "G. G. in C.,"

² Subs. *ibid.*, "Gazette of India."

- (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.

31. Power to require insurance of postal articles.—The ¹[Government] may, by notification in the ²[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 ³[the Government] ⁴ * * * * in respect of the postal article.

32. Power to make rules as to insurance.—(1) The ⁴[Government] may make rules as to the insurance of 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 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. Liability in respect of postal articles insured.—Subject to such conditions and restrictions as the ¹(Government) may, by rule, prescribe, ²(the 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:

¹ Subs. by A. O., 1937, for "G. G. in C."

² Subs. *ibid.*, for "Gazette of India"

³ Subs. *ibid.*, for "the Secretary of State for India in Council".

⁴ The words "or the Secretary of State" omitted by A. O., 1949, Sch.

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. **Transmission by post of value-payable postal articles.**—The ¹(Government) may, by notification in the ²(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 :

Provided that ³(⁴the Government ⁵* * * shall) ⁶(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.

35. **Power to make rules as to value-payable postal articles.**—(1) The ¹(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 ; ⁷ *
- (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 ;
- ⁸[(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 article ; and

¹ Subs. by A. O., 1937, for "G. G. in C."

² Subs. *ibid.*, for "Gazette of India."

³ Subs. *ibid.*, for "the Secretary of State for India in Council shall not."

⁴ The word "neither" omitted by A.O., 194 R, Sch.

⁵ The words "nor the Secretary of State" omitted, *ibid.*

⁶ Added, *ibid.*

⁷ The word "and" rep. by the Indian Post Office (Amendment) Act, 1912 (of 1912), s. 7(1).

⁸ Clauses (e) and (f) ins. *ibid.*

(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.

¹(4) No suit or other legal proceeding shall be instituted against ²(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. Power to give effect to arrangements with other countries.—(1) Where arrangements are in force with the United Kingdom, or with any British possession, ⁴(Acceding State) or foreign country, for the transmission by post of registered, insured or value-payable postal articles between ⁴(Bangladesh) and the United Kingdom or such possession, State or country, the ⁶(Government) may make rules to give effect to such arrangements.

(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.

¹ Sub-section (4) ins. by s. 7(E), by the Indian Post Office (Amendment) Act, 1912.

² Subs. by A. O. 1937, for "the Secretary of State for India in Council".

³ The words "the Secretary of State" omitted by A. O., 1949, Sch.

⁴ Subs. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 4 and III Sch., for "Indian State" which had been subs. for "Native State" by A. O., 1937.

⁵ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India."

⁶ Subs. by A. O., 1937, for "G. G. in C."

CHAPTER VII

UNDELIVERED POSTAL ARTICLES

37. Power to make rules as to disposal of undelivered postal articles.—(1) The ¹(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").

(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.

38. Disposal of undelivered postal articles at office of Post Master General.—(1) Every postal article received at the office of the Post Master General under sub-section (3) of section 37 shall be dealt with as follows :—

- (a) if practicable, it shall be redirected and forwarded by post to the addressee ; or,
- (b) if it cannot be redirected and forwarded as aforesaid, it shall be opened by some officer, appointed by the Post Master General in this behalf and bound to secrecy, in order to ascertain the name and address of the sender.

(2) If the name and address of the sender are so ascertained, it shall be returned by post to the sender, free of further charge or subject to such further charge as the ¹[Government] may, by rule, direct.

39. Final disposal of undelivered postal articles.—Undelivered postal articles which cannot be disposed of under the foregoing provisions, shall be detained in the office of the Post Master General for such further period (if any), and shall be dealt with in such manner, as the ¹[Government] may, by rule, direct :

¹Subs. by A. O., 1937, for "G. O. in C.".

Provided that—

- (a) letters and postcards shall be destroyed ;
- (b) money or saleable property, not being of a perishable nature, found in any undelivered postal article, shall be detained for a period of one year in the office of the Postmaster General, and, if on the expiration of that period no person has established his right thereto, shall, if money, be credited to the Post Office, and, if saleable property, be sold, the sale-proceeds being credited to the Post Office.

CHAPTER VIII

SHIP LETTERS

40. Duty of master of ship, departing from any port in the Provinces, etc., and not being a mail ship, to convey mail bags.—The master of a ship, not being a mail ship, about to depart from any port in ¹[Bangladesh] to any port within, or any port or place beyond ¹(Bangladesh), shall receive on board any mail bag tendered to him by any officer of the Post Office for conveyance, granting a receipt therefor in such form as the ¹[Government] may, by rule, prescribe, and shall, without delay, deliver the same at the port or place of destination.

41. Duty of master of ship arriving at any port in the Provinces, etc., in respect of postal articles and mail bags on board.—(1) The master of a ship arriving at any port in ¹[Bangladesh] shall, without delay, cause every postal article or mail bag on board which is directed to that port and is within the exclusive privilege conferred on the ¹[Government] by section 4, to be delivered either at the post office at that port or to some officer of the Post Office authorised in this behalf by the Postmaster General.

(2) If there is on board any postal article or mail bag which is directed to any other place within ¹[Bangladesh] and is within the exclusive privilege aforesaid, the master shall, without delay, report the fact to the officer-in-charge of the post office at the port of arrival and act according to the directions he may receive from such officer, and the receipt of such officer shall discharge him from all further responsibility in respect of the postal article or mail bag.

¹ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A.O., 1949 Arts. 3(2) and 4 for "British India."

² Subs. by A. O., 1937, for G. G. in C."

42. Allowance of gratuities for conveyance of postal articles by ships other than mail ships.—The ¹[Government] may, by notification in the ²[official Gazette], declare what gratuities shall be allowed to masters of ships, not being mail ships, in respect of postal articles received by them for conveyance on behalf of the Post Office ; and the master of a ship, not being a mail ship, about to leave any port in ³[Bangladesh] as aforesaid shall, if he receives on board a mail bag for conveyance, be entitled to demand and obtain immediately the amount of the gratuity payable under this section in respect of the mail bag and its contents:

CHAPTER IX

MONEY ORDERS

43. Power to maintain money order system and to make rules as to remittances thereby.—(1) The ¹[Government] may provide for the remitting of small sums of money through the Post Office by means of money orders, and may make rules as to such money orders.

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

- (a) the limit of amount for which money orders may be issued ;
- (b) the period during which money orders shall remain current ; and
- (c) the rates of commission or the fees to be charged on money orders or in respect thereof.

44. Power for remitter to recall money order or alter name of payee.—(1) Subject to such conditions as the ¹[Government] may, by rules made under section 43, prescribe in respect of the levy of additional rates of commission or fees or any other matters, a person remitting money through the Post Office by means of a money order may require that the amount of the order, if not paid to the payee, be repaid to him, or be paid to such person other than the original payee as he may direct.

(2) If neither the payee nor the remitter of a money order can be found, and if within the period of one year from the date of the issue of the order no

¹ Subs. by A. O., 1957, for "G. G. in C."

² Subs. *ibid.*, for "Gazette of India."

³ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation", which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India".

claim is made by such payee or remitter, the amount of such order shall not be claimable from the Government.

45. Power to provide for the issue of postal orders.—The ¹[Government] may authorise the issue, in such form as may be suitable, of money orders, to be called postal orders or by such other designation as may be deemed appropriate, for certain fixed amounts, and may make rules as to the rates of commission to be charged thereon and the manner in which, and conditions subject to which they may be issued, paid and cancelled :

Provided that no such order shall be issued for an amount in excess of Taka ten.

46. Power to give effect to arrangements with other countries.—(1) Where arrangements are in force with the United Kingdom or with any British possession, ²[Acceding State] or foreign country for the issue and payment through the Post Office of money orders between ³[Bangladesh] and the United Kingdom of such possession, State or country; the ¹[Government] may make rules to give effect to such arrangements.

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

- (a) the manner in which, and the conditions subject to which, such orders may be issued and paid in ³[Bangladesh] ; and
- (b) the rates of commission to be charged thereon.

47. Recovery of money order paid to the wrong person.—If any person, without reasonable excuse, the burden of proving which shall lie on him, neglects or refuses to refund—

- (a) any amount paid to him in respect of a money order by an officer of the Post Office in excess of what ought to have been paid to him in respect thereof, or
- (b) the amount of a money order paid by an officer of the Post Office to him instead of to some other person to whom it ought to have been paid,

such amount shall be recoverable by an officer of the Post Office authorised by the Postmaster General in this behalf from the person so neglecting or refusing as if it were an arrear of land revenue due from him.⁴

¹ Subs. by A. O., 1937, for "G. O. in C."

² Subs. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 4 and III Sch., for "Indian State" which had been subs. for "Native State" by A. O., 1937.

³ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1947, Arts. 3(2) and 4, for "British India."

⁴ See the Revenue Recovery Act, 1890 (1 of 1890).

48. Exemption from liability in respect of money orders.—No suit or other legal proceeding shall be instituted against ¹[the Government] or any officer of the Post Office in respect of—

- (a) anything done under any rules made by the ²[Government] under this Chapter ; or
- (b) the wrong payment of a money order caused by incorrect or incomplete information given by the remitter as to the name and address of the payee provided that as regards incomplete information, there was reasonable justification for accepting the information as a sufficient description for the purpose of identifying the payee ; or
- (c) the payment of any money order being refused or delayed by or on account of, any accidental neglect, omission or mistake, by, or on the part of, an officer of the Post Office, or for any other cause whatsoever, other than the fraud or wilful act or default of such officer ; or
- (d) any wrong payment of a money order after the expiration of one year from the date of the issue of the order ; ³[or
- (e) any wrong payment or delay in payment of a money order beyond the limits of ⁴[Bangladesh] by an officer of any post office not being one established by the ⁵[Government].

CHAPTER X

PENALTIES AND PROCEDURE

Offences by Officers of the Post Office

49. Penalty for misconduct of person employed to carry or deliver mail bags or postal articles.—Whoever being employed to carry or deliver any mail bag or any postal article in course of transmission by post,—

- (a) is in a state of intoxication while so employed, or

¹ The original words "the Secretary of State for India in Council" have successively been amended by A. O., 1937, and A. O., 1961, Art. 2 (with effect from the 23rd March, 1956), to read as above.

² Subs. by A. O., 1937, for "G. G. in C".

³ The word "or" and cl. (a) ins. by the Indian Post Office (Amendment) Act, 1912 (3 of 1912), s. 8.

⁴ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India".

- (b) is guilty of carelessness or other misconduct, whereby the safety of any such mail bag or postal article as aforesaid is endangered, or
- (c) loiters or makes delay in the conveyance or delivery of any such mail bag or postal article as aforesaid, or
- (d) does not use due care and diligence safely to convey or deliver any such mail bag or postal article as aforesaid,

shall be punishable with fine which may extend to Taka fifty.

50. Penalty for voluntary withdrawal from duty, without permission or notice, of person employed to carry or deliver mail bags or postal articles.—Whoever, being employed to carry or deliver any mail bag or any postal article in course of transmission by post, voluntarily withdraws from the duties of his office without permission or without having given one month's previous notice in writing, shall be punishable with imprisonment which may extend to one month, or with fine which may extend to Taka fifty, or with both.

51. Penalty for making false entry in register kept by person employed to carry or deliver postal articles.—Whoever, being employed to carry or deliver any postal article in course of transmission by post and required while so employed to keep any register, makes, or causes or suffers to be made, any false entry in the register with intent to induce the belief that he has visited a place, or delivered a postal article, which he has not visited or delivered, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Taka one hundred, or with both.

52. Penalty for theft, dishonest misappropriation, secretion, destruction, throwing away of postal articles.—Whoever, being an officer of the Post Office, commits theft in respect of, or dishonestly misappropriates, or, for any purpose whatsoever, secretes, destroys or throws away, any postal article in course of transmission by post or anything contained therein, shall be punishable with imprisonment for a term which may extend to seven years, and shall also be punishable with fine.

53. Penalty for opening, detaining or delaying postal articles.—Whoever, being an officer of the Post Office, contrary to his duty, opens, or causes or suffers to be opened, any postal article in course of transmission by post, or wilfully detains or delays or causes or suffers to be detained or delayed, any such postal article, shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both :

Provided that nothing in this section shall extend to the opening, detaining or delaying of any postal article under the authority of this Act or in obedience

to the order in writing of the ¹[Government] or the direction of a competent Court.

54. Penalty for fraud in connection with official marks and for receipt of excess postage.—Whoever, being an officer of the Post Office,—

- (a) fraudulently puts any wrong official mark on a postal article, or
- (b) fraudulently alters, removes or causes to disappear any official mark which is on a postal article, or
- (c) being entrusted with the delivery of any postal article, knowingly demands or receives any sum of money in respect of the postage thereof which is not chargeable under this Act,

shall be punishable with imprisonment for a term which may extend to two years, and shall also be punishable with fine.

55. Penalty for fraudulently preparing, altering, secreting or destroying Post Office documents.—Whoever, being an officer of the Post Office entrusted with the preparing or keeping of any document, fraudulently prepares the document incorrectly, or alters or secretes or destroys the document, shall be punishable with imprisonment for a term which may extend to two years, and shall also be punishable with fine.

56. Penalty for fraudulently sending unpaid postal articles.—Whoever, being an officer of the Post Office, sends by post, or puts into any mail bag, any postal article upon which postage has not been paid or charged in the manner prescribed by this Act, intending thereby to defraud the Government of the postage on such postal article, shall be punishable with imprisonment for a term which may extend to two years, and shall also be punishable with fine.

57. Punishment of offences committed in an Acceding State or tribal area or non-Acceding State.—(1) Whoever, being an officer of the Post Office employed in any place ¹(in an Acceding State or tribal area or non-Acceding State) in which posts are established by ²(the Government * * *), or being appointed to sell postage stamps in any such place, commits therein an offence punishable under this Act, shall be punishable either in the place where the offence was committed by any Court or officer duly empowered by ³(the Government * * *) to take cognizance of offences committed in that place or in any part of ⁴(Bangladesh) by any Court of competent jurisdiction as if the offence had been committed in that part.

¹ Subs. by A. O., 1937, for "G. G. in C."

² Subs. by A. O., 1949, Sch., for "in India beyond the limits of British India."

³ The words "or the Crown Representative;" omitted by A. O., 1949, Sch.

⁴ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, Arts. 3(2) and 4, for "British India."

(2) The provisions of section 188 of the Code of Criminal Procedure, 1898, shall not apply to any offence referred to in this section.

Other Offences

58. Penalty for contravention of section 4.—(1) Whoever—

- (a) conveys, otherwise than by post, a letter within the exclusive privilege conferred on the 1 (Government) by section 4, or
- (b) performs any service incidental to conveying, otherwise than by post, any letter within the exclusive privilege aforesaid, or
- (c) sends, or tenders or delivers in order to be sent, otherwise than by post, a letter within the exclusive privilege aforesaid, or
- (d) makes a collection of letters excepted from the exclusive privilege aforesaid for the purpose of sending them otherwise than by post,

shall be punishable with fine which may extend to Taka fifty for every such letter.

(2) Whoever, having already been convicted of an offence under this section, is again convicted thereunder, shall, on every such subsequent conviction, be punishable with fine which may extend to Taka five hundred.

59. Penalty for contravention of section 5.—(1) Whoever, in contravention of the provisions of section 5, carries, receives, tenders or delivers letters, or collects letters, shall be punishable with fine which may extend to Taka fifty for every such letter.

(2) Whoever, having already been convicted of an offence under this section, is again convicted thereunder, shall, on every such subsequent conviction, be punishable with fine which may extend to Taka five hundred.

60. Penalty for breach of rules under section 16.—Whoever, being appointed to sell postage stamps,—

- (a) takes from any purchaser for any postage stamp or quantity of postage stamps a price higher than that fixed by any rule made under section 16, sub-section (3), clause (a), shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Taka two hundred or with both; or
- (b) commits a breach of any other rule made under section 16, shall be punishable with fine which may extend to Taka two hundred.

61. Penalty for contravention of section 19 or 20.—(1) Whoever, in contravention of the provisions of section 19 or section 20, sends or tenders or

makes over in order to be sent by post any postal article or anything, shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(2) The detention in the Post Office of any postal article on the ground of its having been sent in contravention of the provisions of section 19 or section 20, shall not exempt the sender from any proceedings which might have been taken if the postal article had been delivered in due course of post.

62. Penalty for defiling or injuring post office letter-boxes.—Whoever places in or against any letter-box provided by the Post Office for the reception of postal articles any fire, match or light, any explosive, dangerous, filthy, noxious or deleterious substance, or any fluid, or commits a nuisance in or against any such letter-box, or does anything likely to injure any such letter-box or its appurtenances or contents, shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

63. Penalty for affixing without authority thing to, or painting, tarring or disfiguring, post office or post office letter-box.—Whoever, without due authority, affixes any placard, advertisement, notice, list, document, board or other thing in or on, or paints, tars or in any way disfigures any office or any letter-box provided by the Post Office for the reception of postal articles, shall be punishable with fine which may extend to Taka fifty.

64. Penalty for making false declaration.—Whoever, being required by this Act to make a declaration in respect of any postal article to be sent by post or the contents or value thereof, makes in his declaration any statement which he knows, or has reason to believe, to be false, or does not believe to be true, shall be punishable with fine which may extend to Taka two hundred, and, if the false declaration is made for the purpose of defrauding the Government, with fine which may extend to Taka five hundred.

65. Penalty for master of ship failing to comply with the provisions of section 40 or 41.—Whoever, being the master of a ship,—

- (a) fails to comply with the provisions of section 40, or,
- (b) without reasonable excuse, the burden of proving which shall lie on him, fails to deliver any postal article or mail bag or to comply with the directions of the officer-in-charge of the post office at a port of arrival, as required by section 41,

shall be punishable with fine which may extend to Taka one thousand.

66. Penalty for detention of letters on board vessel arriving in port.—(1) Whoever, being ¹(the master of a ship or the pilot of an aircraft) arriving at

¹ Subs. by the Post Office (Amnd.) Act, 1952 (49 of 1952) s. 4 (a), for "either the master of a ship."

any port in ¹[Bangladesh] or any one on board ²[such ship or aircraft], knowingly has in his baggage or in his possession or custody, after the postal articles on board or any of them have been sent to the post office at the port of arrival, any postal article within the exclusive privilege conferred on the ³[Government] by section 4, shall be punishable with fine which may extend to Taka fifty for every such postal article as aforesaid.

(2) Whoever, being ⁴[such master, pilot] or other person as aforesaid, detains any such postal article as aforesaid after demand made for it by an officer of the Post Office, shall be punishable with fine which may extend to Taka one hundred for every such postal article.

67. Penalty for detaining mails or opening mail bag.—Whoever, except under the authority of this Act ⁵[or of any other Act for the time being in force] or in obedience to the order in writing of the ⁶[Government] or the direction of a competent Court, detains the mails or any postal article in course of transmission by post, or on any pretence opens a mail bag in course of transmission by post, shall be punishable with fine which may extend to Taka two hundred :

Provided that nothing in this section shall prevent the detention of an officer of the Post Office carrying the mails or any postal article in course of transmission by post, on a charge of having committed an offence declared to be cognizable by the Code of Criminal Procedure, 1898, or any other law for the time being in force.

68. Penalty for retaining postal articles wrongly delivered or mail bags.—Whoever fraudulently retains, or wilfully secretes or makes away with, or keeps or detains, or, when required by an officer of the Post Office, neglects or refuses to deliver up, any postal article in course of transmission by post which ought to have been delivered to any other person, or a mail bag containing a postal article, shall be punishable with imprisonment for a term which may extend to two years, and shall also be punishable with fine.

69. Penalty for unlawfully diverting letters.—Whoever, not being an officer of the Post Office, wilfully and maliciously, with intent to injure any person, either opens or causes to be opened any letter which ought to have been delivered, or does any act whereby the due delivery of a letter to any person is prevented or impeded, shall be punishable with imprisonment for

¹ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960) s. 3 and 2nd Sch. (with effect from the 14th October, 1955) for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949 Arts. 3(2) and 4, for "British India."

² Ins. by Act 49 of 1952, s. 4(a).

³ Subs. by A. O., 1937, for "G. G. in C."

⁴ Subs. by Act 49 of 1952, s. 4(b), for "such master."

⁵ Ins. by the Indian Post Office (Amendment) Act, 1921 (15 of 1921), s. 4.

a term which may extend to six months, or with fine which may extend to Taka five hundred, or with both :

Provided that nothing in this section shall apply to a person who does any act to which the section applies, if he is a parent, or in the position of a parent or guardian, of the addressee, and the addressee is a minor or a ward.

General

70. Penalty for abetting or attempting to commit, offences under Act.—Whoever abets the commission of any offence punishable under this Act or attempts to commit any offence so punishable, shall be punishable with the punishment provided for that offence.

71. Property in cases of offences to be laid in the Post Office.—In every prosecution for an offence in respect of a mail bag or of any postal article sent by post, it shall be sufficient, for the purpose of the charge, to describe the mail bag or postal article as being the property of the Post Office, and it shall not be necessary to prove that the mail bag or postal article was of any value.

72. Authority for prosecutions under certain sections of Act.—No Court shall take cognizance of an offence punishable under any of the provisions of sections 51, 53, 54, clauses (a) and (b), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of this Act, unless upon complaint made by order of, or under authority from, the Director General or a Postmaster General.

CHAPTER XI

SUPPLEMENTAL

73. Zamindari and other district posts.—(1) The ¹[Government] may make rules for the management of any zamindari or other district post.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may declare what portions of this Act shall be applicable to zamindari and other district posts and to the persons employed in connection therewith.

74. General power to make rules and provisions as to rules under Act.—(1) In addition to the powers hereinbefore conferred, the ¹[Government] may make rules² to carry out any of the purposes and objects of this Act.

¹ Subs. by A. O., 1937, for "G. G. in C.".

² For the Bangladesh Post Office Rules, 1961, see Gaz. of Bangladesh., 1961, Pt. I, pp. 87-111.

(2) In making any rule under this Act, the ¹[Government] may direct that a breach of it shall be punishable with fine which may extend to Taka fifty.

(3) All rules made by the ¹[Government] under this Act shall be published in the ²[official Gazette] and, on such publication, shall have effect as if enacted by this Act.

75. Delegation of powers, other than rule-making powers, to Director General.—The ¹[Government] may, by notification in the ²[official Gazette] authorise, either absolutely or subject to conditions, the Director General to exercise any of the powers conferred upon the ¹[Government] by this Act, other than a power to make rules.

76. (Repeal.) Rep. by the Repealing and Amending Act, 1914 (X of 1914), s. 3 and Schedule II.

77. Saving.—Nothing in this Act shall derogate from or affect the provisions of the East India Company Act, 1780 (21, Geo. 3, c. 70), or any enactment amending or extending the same.

¹ Subs. by A. O., 1973, for "G. G. in C."

² Subs. by A. O., 1937, for "Gazette of India"

[THE FIRST SCHEDULE]

INLAND POSTAGE RATES

(See section 7)

LETTERS

For every tola or fraction thereof	40 Poisha
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POSTCARDS

Single	25 Poisha
Reply	50 Poisha

PATTERN AND SAMPLE PACKETS

For the first five tolas or fraction thereof	25 Poisha
For every additional two and a half tolas or fraction thereof in excess of five tolas	10 Poisha

BOOK PACKETS

For the first five tolas or fraction thereof	25 Poisha
For every additional two and a half tolas or fraction thereof in excess of five tolas	5 Poisha

REGISTERED NEWSPAPERS

(a) Single copies—

For a weight not exceeding ten tolas	5 Poisha
For a weight exceeding ten tolas but not exceeding twenty tolas	10 Poisha
For every additional twenty tolas or fraction thereof	5 Poisha

(b) Packets of registered newspapers—

For a weight not exceeding ten tolas	5 Poisha
For every additional five tolas or fraction thereof in excess of ten tolas	5 Poisha

PARCELS

For a weight not exceeding forty tolas	Tk. 1.00
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THE SECOND SCHEDULE.— [Enactments repealed.] *Rep. by the Repealing and Amending Act, 1914 (X of 1914), s. 3 and Sch. II.*

1 Subs. for the existing First Schedule, by the Finance Act, 1968 (Act XI of 1968), s. 2 and First Schedule, for the year beginning on the 1st July, 1968.

CHAPTER 2

POST OFFICE RULES, 1961

As adapted in Bangladesh Post Office

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CHAPTER II
POST OFFICE RULES, 1961

as adapted in Bangladesh

1. *Deleted.*
2. In these rules, unless there is anything repugnant in the subject or context, 'Act' means the Post Office Act, 1898 (VI of 1898).

PART I
RATES OF POSTAGE

I.—INLAND POSTAL ARTICLES

3. The following rates of postage shall be chargeable on postal articles where the postage is prepaid :—

Letters

For every tola or fraction thereof,	40 Poisha
-------------------------------------	-----------

Postcards

Single	25 Poisha
--------	-----------

Reply postcard	50 Poisha
----------------	-----------

Book, Pattern and Sample Packets

For the first five tolas or fraction thereof	25 Poisha
--	-----------

For every additional two and a half tolas, or fraction thereof,	10 Poisha
--	-----------

Registered newspapers (Single Copy)

For a weight not exceeding ten tolas	5 Poisha
--------------------------------------	----------

For a weight exceeding ten tolas but not exceeding twenty tolas,	10 Poisha
---	-----------

For every additional twenty tolas, or fraction thereof	5 Poisha
--	----------

Registered Newspaper packets.
(*More than one copy of the same issue.*)

For a weight not exceeding ten tolas	5 Poisha
For every additional five tolas, or fraction thereof, in excess of ten tolas.	5 Poisha

"Blind Literature" packets

For every tolas or fraction thereof	2 Poisha
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Parcels

For every 40 tolas or fraction thereof	Tk. 1-00
--	----------

4. (1) The following rates of postage shall be chargeable on inland air-mail articles when the postage is prepaid :—

<i>Letters</i>	Same as for surface mail.
<i>Postcards</i>	Same as for surface mail

5. *Deleted.*

6. *Deleted.*

II.—FOREIGN POSTAL ARTICLES

7. The following rates of postage shall be chargeable on postal articles when the postage is prepaid :—

Category	Rates	Remarks
I. Letters :		
	Tk. Ps.	
For a weight not exceeding 20 gr (1 oz)	2-25	
Above 20 gr (1 oz) up to 50 gr (2 oz)	4-05	
Above 50 gr (2 oz) up to 100 gr (4 oz)	5-40	
Above 100 gr (4 oz) up to 250 gr (8 oz)	10-80	

1	2	3
	Tk. Ps.	
Above 250 gr (8 oz) up to 500 gr (1 lb)	20-70	
Above 500 gr (1 lb) up to 1000 gr (2 lb)	36-00	
Above 1000 gr (2 lb) up to 2000 gr (4 lb)	58-35	
India, Nepal, Bhutan & Pakistan	Inland rates.	
II. Postcards :		
Single	1-60	
Reply	Service abolished for all countries except Pakistan, India, Nepal and Bhutan.
India, Nepal, Bhutan & Pakistan	Inland rates.	
	Tk. Ps.	
III. Newspapers and Periodicals :		
For a weight not exceeding 1 oz	0-60	
Above 20 gr (1 oz) up to 50 gr (2 oz)	0-90	
Above 50 gr (2 oz) up to 100 gr (4 oz)	1-25	
Above 100 gr (4 oz) up to 250 gr (8 oz)	2-25	
Above 250 gr (8 oz) up to 500 gr (1 lb)	4-05	
Above 500 gr (1 lb) up to 1000 gr (2 lb)	6-75	
Above 1000 gr (2 lb) up to 2000 gr (4 lb)	9-45	
For every additional two pounds or fraction thereof	4-75	
IV. Other Printed Papers :		
For a weight not exceeding 20 gr (1 oz)	1-15	
Above 20 gr (1 oz) up to 50 gr (2 oz)	1-80	
Above 50 gr (2 oz) up to 100 gr (4 oz)	2-50	
Above 100 gr (4 oz) up to 250 gr (8 oz)	4-50	

1	2	3
	Tk. Ps.	
Above 250 gr (8 oz) up to 500 gr (1 lb)	8-10	
Above 500 gr (1 lb) up to 1000 gr (2 lb)	13-50	
Above 1000 gr (2 lb) up to 2000 gr (4 lb)	18-85	
For every additional 1000 gr (two pounds) or fraction thereof	9-45	

V. Small Packets :

(i) For India including Nepal and Bhutan :	Inland
For every 5 tolas or part thereof	rates.
(ii) For other countries served by the Foreign Post:	
For a weight not exceeding 100 gr (4 oz)	2-50
Above 100 gr (4 oz) up to 250 gr (8 oz)	4-50
Above 250 gr (8 oz) up to 500 gr (1 lb)	8-10
Above 500 gr (1 lb) up to 1000 gr (2 lb)	13-50

VI. Aerogramme :

(i) (a) India including Nepal and Bhutan	0-50
(b) Pakistan	0-70
(c) All other countries of Asia	2-50
(ii) Oceania	2-50
(iii) Africa and Europe	2-75
(iv) America	3-00

India, Nepal, Bhutan & Pakistan,	Inland rates
Letters, Postcards, and Printed Papers (including Registered Newspapers and Periodicals, Books, Pamphlets, Music Sheets and Maps) only.	

Parcels:

The Director General shall, from time to time, declare in the *Post Office Guide* or *Postal Notices* the countries and places to which parcels may be transmitted by the Foreign Post, and the rates of postage chargeable in each case.

Redirection and other charges due on parcels which are returned as undeliverable from the countries and places of destination in accordance with the arrangements in force between Bangladesh and such countries and places shall be recovered from senders in Bangladesh.

8. The Government shall, from time to time, declare the countries and places to which postal articles may be sent by air mail and the rates of postage chargeable in each case, and the Director General shall notify such rates in the *Post Office Guide* and in *Postal Notices*.

9. (1) With the exception of registered articles and redirected articles, unpaid or underpaid letters and single postcards shall be liable to a charge, payable by the addressee or, in the case of undeliverable article, by the sender. The charge shall be fixed at double the amount of the deficient postage, multiplied by the ratio between the charge adopted for letters at the first weight step and the corresponding charge adopted by the country of origin, to this charge shall be added a handling charge of Taka one only.

(2) For clearance through the Customs, the following fees, recoverable from the addressees, shall be levied on foreign postal articles imported by post into Bangladesh :—

- | | |
|---|-----------|
| (i) On articles of letter mail actually subjected to customs duty. | Tk. 2.50 |
| (ii) On parcels, irrespective of the fact whether customs duty or sales tax is levied on the same or not. | Tk. 10.00 |

Provided that such fee shall not be recoverable in the case of postal articles which contain books or magazines exclusively.

(3) A fee of Tk. 2.50 shall be levied on each Small Packet delivered to the addressee :

PART II

MAIN CONDITIONS OF TRANSMISSION BY POST OF POSTAL ARTICLES

I.—INLAND POSTAL ARTICLES

Letters

10. (1) Letters may be transmitted by post with or without prepayment of postage.

(2) Any unpaid letter which is posted open or insecurely closed shall be securely closed by the post office before being forwarded to its destination.

11. When non-inflammable or "Safety" cinematograph films are sent by the letter post, they shall be contained in a substantial metal case and the metal case shall be packed in a strong wooden or cardboard container and a label bearing the words, "This contains non-inflammable films only" printed in red type or written in bold hand in red ink shall be affixed to the outside of each packet.

12. (1) The Director General may, in special circumstances, prescribe a limit of weight for letters for and from any particular post office or offices.

(2) The Director General may also prescribe that every letter, having contents of a specified nature and posted at or addressed to such places as the Director General may notify, shall be accompanied by a declaration in such form as may be prescribed by the Director General.

Postcards

13. Single and reply cards of private manufacture may be transmitted by post as postcards :

Provided that—

(a) (omitted)

(b) their dimensions are not greater than $5\frac{1}{8}$ by $4\frac{1}{8}$ inches or less than 4 by $2\frac{3}{8}$ inches, and

(c) as regards substance, they are neither thinner nor more flexible than the inland postcards issued by the post office.

14. All reply postcards of private manufacture shall display the title "Postcards" on the address-side, but this title is not obligatory for single cards

of private manufacture. Reply-halves of reply-paid cards shall bear the words "Postcards" and "Reply". Whatever is printed on the address-side of the inland or international official postcards issued by the post office is also permissible on the address-side of cards of private manufacture.

15. (1) A postcard shall not be folded, cut, or otherwise altered, except that the impressed postage stamp (if any) may be perforated with initials ; n.e. may a postcard be enclosed in cover of any kind.

(2) The right hand half of the address-side of a postcard is in all cases reserved for the address of the recipient, for the postage stamp or impression of stamping machine necessary for prepayment, which should, so far as possible, be affixed in the upper right-hand corner, and for the postal directions "Registered" and "Acknowledgment due", but the left-hand half of the address-side, as well as the back, may be used by the sender for the purpose of a written communication, or may be otherwise disposed of, subject to the restrictions mentioned in sub-rule (3).

NOTE 1.—Although the vertical line drawn on the address-side of the inland postcards issued by the post office does not divide that side into two equal parts, the division so made shall be taken to represent the "right-hand half of the address-side" and the "left-hand half of the address-side" for the purpose of this rule.

NOTE 2.—A small space marked off by fine lines or minute dots to indicate the place where the postage stamp should be affixed is allowed on the upper right-hand corner of the address-side of postcards of private manufacture.

(3) Nothing shall be attached to a postcard except—

- (a) stamps in payment of postage or other postal fees or stamp duty;
- (b) a gummed label completely adherent to the card, and bearing the name and address of the person to whom the card is sent ;
- (c) a similar label not exceeding 2 inches in length and $\frac{3}{4}$ inch in width bearing the name and address of the sender of the card ; and
- (d) engravings, illustrations, drawing and photographs on very thin paper and completely adherent to the card.

Stamp in payment of stamp duty may be affixed only to the back of the postcard. The articles specified in clauses (c) and (d) may be affixed either to the back or the left-hand half of the address-side.

(4) The reply-halves of reply-paid cards cannot be registered by the original senders of such cards.

16. Should any of the conditions imposed by rules 13, 14 and 15 be infringed, the postcard shall be treated as a letter.

Express Delivery of Unregistered Postal Articles

17. (1) Unregistered articles of letter mail may be transmitted by post for express delivery to any place not more than five miles distant from a telegraph office. The fee for express delivery shall be 25 Poisha per article which shall be in addition to the normal postage for the same article.

(2) Express delivery articles shall be conspicuously marked on the address-side with the words "Express Delivery" and the fee for express delivery shall be prepaid by the sender by means of postage stamps or impressions of franking machine affixed to, or impressed on the article.

(3) Express delivery shall not be made of any postal article, whether it does or does not satisfy the provisions of sub-rule (2) to any place more than five miles distant from a telegraph office.

(4) Notwithstanding anything contained in rule 10, express delivery shall not be made of any postal article if both the postage and the express delivery fee thereon have not been fully prepaid.

(5) Express delivery service shall not be available in respect of articles sent under "Business Reply" system.

(6) Only one attempt to effect Express Delivery shall be made in respect of each item, failing which it shall be treated as an ordinary item.

Business Reply Envelopes and Cards

18. (1) "Business Reply Cards" and "Business Reply Envelopes" shall, subject to the provisions of this rule, be transmitted by post without prepayment of postage, and postage thereon shall be collected in cash from the addressee on delivery.

(2) Persons desiring the privilege of sending out Business Reply Cards and Envelopes for return to them shall make application to the postmaster at the office to which the cards or envelopes are to be returned, who shall transmit the application to the Postmaster General and await the receipt of a permit.

(3) The fee for the permit shall be Tk. 50 which shall be recovered in advance from the applicant. The permit shall remain in force for one year only from the date of issue, but may be renewed for further period of one year on payment of a fee of Tk. 50 in respect of each renewal. The permit shall be cancelled if there be a default in the payment of the postage due on such cards and envelopes.

(4) Business Reply Cards shall conform in size, form and quality with the conditions prescribed for postcards of private manufacture.

(5) **Business Reply Cards and Envelopes** shall bear on the address-side, either printed thereon or on a label affixed thereto (a) the printed name and address of the permit holder to whom the card or envelope is to be delivered, (b) the permit number, (c) the name of the post office issuing the permit, (d) two thick vertical lines in black or any other colour near the right-hand edge, (e) the word "Business Reply Envelopes", "Business Reply Card", or "Business Reply Label" as the case may be, (f) the inscription "No postage stamp necessary if posted in Bangladesh", and (g) the words "Postage will be paid by addressee."

Sufficient space shall be left for post-marking at the top of the card or envelope. A permit-holder may incorporate in any advertisement issued by him in a newspaper or other publications a special design containing the printed entries hereinbefore specified with a view to its being used as a Business Reply Label and affixed to a card or envelope.

(6) **Business Reply Cards** may be sent out as reply portions of double postcards or may be enclosed with other matter, but **Business Reply Envelopes** shall be enclosed with other matter.

(7) When **Business Reply Cards and Envelopes** are returned to the office of origin, they shall be delivered to the person for whom they are intended on payment of the postage chargeable thereon.

Book Packets

19. A book packet may contain—

(1) Newspapers, publications of all kinds, printed music, books, paper, parchment and cardboard, either blank or printed, not bearing any writing except as follows :—

- (a) in the case of books, and complimentary cards (such as, Christmas, New Year, Birthday, Id and Bijoya cards), the name of the person to whom sent or prescribed, the name and address of the sender or owner, date, and not more than five words or initials of a complimentary nature or signifying presentation ;
- (b) in the case of invoices, bills of lading and receipts (for goods or money) or printed forms, the necessary manuscript entries ;
- (c) in the case of printed notices, printed circulars (i.e., printed notices and printed letters), and printed invitations, the date and hour of the occasion to which they relate, the name and address of the addressee, the name of the sender and, in the case of notices of a meeting, the object of the meeting ;

- (d) in the case of printed market reports, quotations for goods and price lists, necessary entries relating to particulars of prices ;
- (e) in the case of printed notices for payment of premia posted by Insurance Companies, dates, name and address of the insurant, number of policy, amount and reference number and letters ; and
- (f) proof corrections in proof-sheets and music sheets, and corrections of printing errors in other printed matter ;
- (2) picture, plans, maps and drawings whether done by hand or any mechanical process, photographs and engravings, not bearing any writing except a signature, a date and description or dedication not exceeding five words ;
- (3) business, commercial or legal documents drawn wholly or partly by hand e.g., deeds, accounts, powers of attorney, proposals for insurance, insurance policies ;
- (4) *Manuscripts for press* and *manuscript music* not bearing any written endorsement other than a direction consisting of not more than ten words regarding the disposal or return of the *manuscript*, and the name and address of the sender ;
- (5) licences, statistical returns sent by or to official by their designation only, and Revenue and Judicial processes sent by Courts to Chairman of Union Boards, Chairman of Panchayets and Chairman of Chaunkidari Unions and *vice versa* ;

Note—Court summons, notices and similar documents issued by a Criminal or Civil Court, whether sent from the court of issue or returned to it direct, or through the medium of another court, Government office, or railway administration, as well as Police diaries cannot be sent at Book-pocket rates.

- (6) Written letters of old date which have previously passed through the post and served their original purpose ;
- (7) documents wholly or partly printed in imitation of type-writing, or reproduced from a *manuscript* or typewriting original by any mechanical process of polygraphy such as chronography, mimeography ; provided that (i) they are handed in at the post office counter or window, (ii) the special attention of the counter or window clerk is drawn to the fact they are documents of the kind mentioned in this sub-clause, and (iii) at least 20 precisely identical copies are posted at the same time.

- (8) Pupil's exercises, in original or with corrections, but without any note which does not relate directly to the execution of the work.

Explanation.—By "Printing" is meant any species of typewriting easy to recognise, lithography, and stamping or any mechanical process, except the copying press and the typewriter, ordinarily used to produce a number of identical copies of written matter and easy to recognise. "Writing" includes typewriting and any mechanical or other process ordinarily used to produce a single document.

20. With any of the articles mentioned in rule 19 may be sent anything that is necessary for their safe transmission through the post, such as roller, etc. and any legitimate binding, mounting, or covering loose or attached, and anything that ordinarily appertains to such articles, as pens and pencils in the case of a pocket book, photographs in the case of a photograph book, and card plates in the case of visiting cards.

Prohibitions

21. (1) No communication of the nature of a letter or having the character of a personal communication shall be enclosed in or written upon a book packet except to the extent specified in rule 19.

(2) No card bearing the heading "Postcard" shall be transmitted open as a book packet.

(3) A book packet shall not contain "paper-money", which for the purposes of this rule includes unobliterated postage or other stamps, currency notes, handies, cheques, bank-notes, bankpost bills, bills of exchange, and all orders or authorities for the payment of money; provided that a book packet may contain one stamped and addressed envelope, postcard or wrapper bearing the name and address of the sender of the packet, or some other person named thereon.

22. (1) The dimensions of a book packet, which may be of any shape, shall not exceed two feet in length by one foot in width and one foot in depth. When, however, the packet is in the form of a roll, the length shall not exceed thirty inches :

Provided that, if the length exceeds twenty-four inches (two feet), the diameter shall not exceed four inches.

(2) Printed papers sent open in the form of cards, whether folded or not, shall be subject to the same minimum limits of dimensions as postcards of

private manufacture, the maximum being the same as that prescribed for book packets in sub-rule (1).

23. (1) The Director General may, in special circumstances, prescribe a limit of weight for book packets for and from any particular post office or offices.

(2) The Director General may also prescribe that every book packet having contents of a specified nature and posted at or addressed to such places as the Director General may notify shall be accompanied by a declaration in such form as may be prescribed by the Director General.

24. A book packet shall be posted without a cover, or in an unfastened envelope, or in a cover which can be easily removed for the purpose of examination without breaking any seal or tearing any paper or separating any adhering surfaces. A packet posted without a cover may not be fastened or otherwise treated so as to prevent easy examination.

25. If a book packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage paid on it shall, however, be taken into account in assessing the charge.

Pattern and Sample Packets

26. (1) A pattern or sample packet may contain *bona fide* trade patterns or samples of merchandise not having any saleable value, together with, or without, any matter which may be sent as a book packet. There shall be no writing upon or in a pattern or sample packet, except the name and address of the sender, the name and address of the person for whom it is intended, a trade mark numbers, prices and indications as to the weight, size, or quantity to be disposed of.

(2) Objects of natural history, dried or preserved animals and plants, geological specimens and other similar objects shall also be admitted to transmission by post at the rates of postage for pattern and sample packets; provided that they are not sent for a commercial purpose, and that they are packed in the manner prescribed for pattern and sample packets generally.

27. (1) The dimensions of a pattern or sample packet shall not exceed two feet in length by one foot in width and one foot in depth; and the weight shall not exceed two hundred tolas:

Provided that the Director General may, in special circumstances, fix a lower limit of weight for pattern and sample packets, for and from any particular post office or offices.

(2) The Director General may also prescribe that every pattern and sample packet having contents of a specified nature and posted at or addressed to such places, as the Director General may notify shall be accompanied by a declaration, in such form as may be prescribed by the Director General.

28. (1) A pattern or sample packet shall be posted without a cover, or with a cover open at both ends, or in an unfastened envelope or other cover which can be easily removed so as to admit of a ready examination of the contents.

(2) Samples of seeds, drugs and other articles which cannot be sent in unfastened or removable envelopes may be sent enclosed in boxes or bags, provided that they are fastened in such a way that they can be easily opened; they may also be sent in air-tight cases, when necessary, provided that the nature of the contents is certified on the cover under the full signature and address of the sender.

(3) Articles of glass or other fragile material shall be securely packed (in boxes of metal, wood, or strong corrugated card-board) in such a way as to prevent all risk of injury to the mails or to the officers of the Post Office.

(4) Liquids, oils and substances which easily liquefy shall be enclosed in receptacles hermetically sealed. Each receptacle shall be placed in a special box of metal or of strong wood or of strong corrugated card-board, containing saw-dust, cotton, or spongy material in sufficient quantity to absorb the liquid in case the receptacle be broken. The lid of the box shall be fastened down in such a manner that it will not easily be detached.

(5) Fatty substances which are not easily liquefied, such as ointments, soft soap, resins, etc., shall be enclosed in an inner cover (box, bag of linen or parchment, etc.), which shall itself be placed in a second box of wood, metal or strong and thick leather.

(6) Dry powders, whether dyes or not, shall be placed in card-board boxes, which themselves shall be enclosed in a bag of linen, or parchment.

(7) Live bees shall be enclosed in boxes so constructed as to prevent all danger and to allow the contents to be ascertained.

29. (1) If a pattern or sample packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size or weight, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage paid on it shall, however, be taken into account in assessing the charge.

(2) If a packet containing samples of any of the articles mentioned in clauses (3) to (7) of rule 28 is not packed in the manner prescribed therein, it shall not be forwarded.

"Blind Literature" Packets

30. Papers of any kind, periodicals, and books impressed in "Braille" or other special type for the use of the blind, shall be transmitted by post as "blind literature" packets provided that they are posted in accordance with the following conditions—

- (a) The packet shall consist only of articles specially impressed as described above for the use of the blind, and shall not contain any communication either in writing or printed in ordinary type, except the title and table of contents of the book or periodical, and any key to, or instructions for, the use of the special type, or any enclosure except a label for the return of the packet.
- (b) The packet shall bear on the outside the inscription "Literature for the Blind", and the written or printed name and address of the sender.
- (c) The packet shall be posted either without a cover, or in a cover open at both ends which can easily be removed for the purpose of examination.
- (d) The dimensions of the packet shall not exceed two feet in length by one foot in width and one foot in depth ; and the weight shall not exceed 700 tolas or any lower limit that may be prescribed by the Director General for and from a particular post office or offices.

31. Should any of the conditions imposed by rule 30 be infringed, the packet (unless it is admissible as an ordinary packet) shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage paid on the packet shall, however, be taken into account in assessing the charge.

Registered Newspapers

32. (1) Newspapers as defined in section 9 of the Act shall be transmitted by post as registered newspapers provided that they comply with the following conditions :—

- (a) The newspaper shall have been registered in the office of the Postmaster General, or officer exercising the powers of the Postmaster General, of the Postal Circle in which it is published, and the period for which its registration or the last renewal thereof, as the case may be, remains in force, shall not have expired.
- (b) The full postage shall be prepaid unless the newspaper is exempted from prepayment of postage by a valid licence.

- (c) The newspapers shall bear in print in any convenient place either on the first or last page the word "Registered" followed by the registration number which has been assigned to it by the Postmaster General or other Officer referred to in clause (a).
- (d) The newspaper shall be posted at the place of publication and shall be handed over at such post office or mail office and on such days of the week or such dates of the month as may have been specified in this behalf by the proprietor, manager or publisher of the newspaper at the time of applying for registration or at any time subsequent thereto by giving fifteen days' clear notice to the Postmaster of the place.
- (e) Every copy or bundle of copies of the newspaper shall be posted without a wrapper, or with a wrapper open at both ends which can be easily removed for an inspection of the newspaper, or in an unfastened envelope.
- (ee) Copies of the newspapers intended for individual subscribers and numbering five or more for any town shall be enclosed in a town bundle each containing not more than five hundred copies. Each copy shall be labelled and addressed in the usual manner and then enclosed in the covering town bundle addressed to the Postmaster of the post office of destination. Postage due on the bundle shall be determined on the basis of the number of copies being multiplied by the postage for single copy and postage stamps or franking mark shall be affixed on the wrapper of the town bundle. Copies may be franked individually at the option of the sender; but this shall not be allowed in case of payment through postage stamps. On arrival at the post office of destination, these town bundles shall be opened by the Postmaster for their delivery to individual subscribers in the usual manner.
- (f) There shall be no word printed on the newspaper after its publication or upon the cover (if any) thereof, nor shall any writing or mark be made upon it or upon the cover (if any) thereof, except the name and address of the person to whom it is sent, and, in the case of packets containing more than one copy of the newspaper, the number of copies of the newspaper enclosed, and, if desired, the subscriber's number and the name and address of the newspaper, or of the sender, and, in the case of press packets addressed to railway bookstalls or recognised agents on the line, the direction "To be delivered direct from the mail van."
- (g) There shall be no paper or thing enclosed in or with any such newspaper other than an extra or supplement as specified in section 9 of the Act [except as provided in clause (ee) of this sub-rule].

(b) The registration number shall not be printed on the wrapper.

(2) An application for the first registration of a newspaper for the purposes of clause (a) of sub-rule (1) shall, save in the case of a newspaper printed or published under the orders of the Government of Bangladesh or for official purposes, be made in the form prescribed for the purpose by the Director General, and be accompanied by a list showing the names and addresses of at least fifty *bona fide* subscribers, and

(i) by a certificate from the District, or Sub-Divisional Magistrate within whose local jurisdiction the newspaper is printed or published or the printer or the publisher resides, that—

(a) the declaration or declarations required by section 5 of the *Press and Registration of Books Act, 1867 (XXV of 1867)*, has or have been made, or

(b) no such declaration is required under the said Act as the publication is not a newspaper according to the definition given in that Act, or

(ii) in the case of a newspaper published in an Acceding State, by a recommendation in writing from the Chief Minister concerned in support of the application.

(3) A first registration shall remain in force till the 31st December of the calendar year following that in which it was effected. Every subsequent renewal of a registration shall remain in force for one calendar year.

(4) Nothing in this rule shall be deemed to prevent newspapers from being transmitted by post, either singly or otherwise, at the rates and under the conditions prescribed for book packets, and if a newspaper sought to be transmitted by post as a registered newspaper fails to comply with any of the conditions specified in sub-rule (1), it shall be transmitted by post at the said rates and the said conditions.

(5) The Postmaster General or officer exercising the powers of the Postmaster General of the Postal Circle in which the newspaper is published may cancel or refuse the registration of a newspaper, (i) when he is satisfied that the conditions specified in sub-section (2) of section 9 of the Act do not continue to be fulfilled; or (ii) as soon as the certificate or the recommendation mentioned in item (i) or item (ii) of sub-rule (2), respectively, is formally cancelled or withdrawn by the authorities concerned.

33. Packets of registered newspapers containing more than one copy of the same issue may be transmitted by post at the special rate of postage prescribed for such packets, provided that the following conditions in addition to those prescribed in rule 32 are complied with :—

- (a) Each packet shall contain only copies of the same registered newspaper and of the same date.
- (b) The packets shall be posted in the same post office and on the same days as in the case of single copies of the same registered newspaper.
- (c) The packets shall be addressed to the Local Agents at the place of destination whose names and addresses shall be communicated to the office of posting by the proprietor, manager or publisher of the registered newspaper.
- (d) The packets shall not be delivered at the addressee's residence but shall be handed over at the window of the office of destination to the Local Agent or any person authorised in this behalf by the Local Agent.
- (e) The sender shall indicate the following on the packet :—
"To be delivered at window."

Parcels

34. (1) A parcel may contain a single written communication of the nature of a letter or having the character of a personal communication addressed to the addressee of the parcel.

(2) Save as provided in sub-rule (1) no written communication shall be enclosed in a parcel.

(3) If a parcel is suspected to contain any written communication other than the one permitted by sub-rule (1) it shall be forwarded to its destination marked "For open delivery." If on being opened in the office of delivery in the presence of the addressee or his authorised agent it is found to contain any written communication other than the one permitted by sub-rule (1), each such written communication shall be charged on delivery with double the letter postage. Any postage paid on the parcel shall not be taken into account in assessing this charge. If the addressee fails to attend as required or refuses to pay the charge in full, the parcel shall be returned to the sender from whom the charge shall not be recovered.

35. The Postmaster General may, at any time, in respect of any particular office or offices, suspend the acceptance or despatch of parcels or restrict the number or description of parcels to be accepted or despatched.

36. (1) The weight of an unregistered parcel shall not exceed $5\frac{1}{2}$ seers (440 tolas) ; and the weight of a registered parcel shall not exceed—

- (a) 30 seers (2,400 tolas), if it contains official documents for the Chief of the General Staff or the Commander-in-Chief of Bangladesh ; and

(b) $12\frac{1}{2}$ seers (1,000 tolas), in any other case.

(2) The length of a parcel shall not exceed $3\frac{1}{2}$ feet and the length and girth combined shall not exceed 6 feet.

(3) No parcel shall be such that, by reason of its shape, manner of packing or any other feature, it cannot be carried by post without serious inconvenience or risk.

37. The Director General may, in special circumstances, prescribe a lower limit of weight than $12\frac{1}{2}$ seers (1,000 tolas) for all classes of parcels for and from any particular post office or offices.

38. (1) A parcel shall be packed and enclosed in a reasonably strong case, wrapper, or cover, fastened in a manner calculated to preserve the contents from loss or damage in the post, to prevent any tampering therewith and to protect other postal articles from being damaged in any way thereby.

(2) Liquids and substances which liquefy easily shall be despatched in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (which shall be a box of metal or of strong wood) some space shall be left to be filled with saw dust, pran, or some other absorbing material in sufficient quantity to absorb all the liquid contents in the event of breakage.

(3) Live bees shall be enclosed in suitable cases and so packed as to prevent all risks of injury to other postal articles in course of transmission by post or to officers of the Post Office.

39. Human and other viscera may be transmitted by post to Chemical Examiners for analysis subject to the following conditions :—

- (a) The suspected viscera or other material to be sent for examination shall be enclosed in a glass bottle or jar, fitted with a stopper or sound cork.
- (b) Great care shall be taken that the stopper or cork of the bottle fits tightly. This precaution is specially necessary when alcohol is used as a preservative, in such cases a ring of bee's wax or candle-wax shall be placed round the lip of the bottle so as to cover the shoulder of the stopper. The stopper shall be carefully fastened down with bladder or leather and sealed.
- (c) The glass bottle or jar shall then be placed in a strong wooden or tin box, which shall be large enough to allow of a layer of raw cotton, at least three-fourths of an inch thick being placed between the bottle or jar and the box.
- (d) The box itself shall be encased in cloth, which shall be securely closed and sealed. The seals shall be at intervals not exceeding three inches

along each seam. All the seals shall be of the same kind of wax and shall bear distinct impressions of the same device. The device shall not be that of a current coin or merely a series of straight, curved or crossed lines.

40. Brains of rabid animals may be transmitted by post to authorised laboratories when sent by persons holding veterinary or medical qualifications and on the conditions prescribed in rule 38.

41. Cultures or other articles known or believed to contain the living germs of plague may be transmitted by the Inland post subject to the following conditions :—

- (a) Such cultures or other articles aforesaid shall not be accepted for transmission unless they are sent by a Commissioned Medical Officer, a Military Assistant Surgeon or a Medical Practitioner in possession of a qualification not lower than that of L. M. S. of the University of the Rajshahi, Chittagong or Dacca, or by a person specially permitted by the Government to send cultures or other articles; nor unless they are consigned to a Government Laboratory, or to a person specially permitted by the Government, to receive such cultures or other articles.
- (b) The cultures or other articles aforesaid shall be securely packed in a hermetically closed tin of adequate strength which shall be placed in a strong outer box of wood or tin with a layer of at least three-quarters of an inch of raw cotton-wool between the inner and outer case.
- (c) The outer case shall be enclosed in a stout cloth, which shall be securely fastened and sealed and labelled with such distinguishing inscription as will suffice to make immediately manifest the nature of the contents.
- (d) The sender shall present the parcel at the post office accompanied by a declaration as to the nature of its contents, and a certificate signed by himself to the effect that he has advised the addressee of its despatch and that such addressee, if the parcel should not be addressed to a Government Laboratory, has been specially permitted by the Government, to receive such cultures or other articles. The certificate, moreover, shall show on its face that the sender is a person authorised within the meaning of clause (a) to send such cultures or other articles.

42. Bottles of anthrax spore vaccine may be transmitted by post by laboratories permitted by the Government to despatch or receive such articles and on the conditions prescribed in clauses (b), (c) and (d) to rule 41.

43. Strong smelling articles (e.g., assafoetida) shall be enclosed in a hermetically sealed case of tin or other metal.

44. Films, celluloid and articles made wholly or partly of celluloid shall be packed in a strong wooden box, and a white label bearing in heavy black characters the indication "Celluloid, keep away from fire and light" shall be affixed to the address-side of the parcel.

45. Osmic acid (Osmium tetroxide) may be transmitted by the Inland post subject to the following conditions :—

- (a) The acid shall be securely packed in a hermetically sealed stout glass capsule which shall be embedded in the centre of a tin case filled with fine sand in such a manner as to leave a layer of sand of not less than one and three-quarter inches between any part of the glass capsule and the inside of the tin case.
- (b) The outside of the tin case shall be labelled in red letters one-quarter of an inch high "OSMIC ACID DANGEROUS TO HANDLE".
- (c) The tin case shall be soldered down and placed in an outer box of wood of reasonable strength with a layer of at least one inch of raw cotton wool between the inner tin case and the outer wooden box.
- (d) The outside of the wooden box shall also be labelled in letters "OSMIC ACID".
- (e) The quantity of the acid enclosed in a capsule shall not exceed two grammes and not more than one capsule shall be included in a parcel.

46. The postage on a parcel shall be fully prepaid. Postage stamps shall be affixed to, or impressions of franking machines taken on, the cover of a parcel or an official label which can be obtained free at the post office. In cases where postage stamps are used, the sender or his messenger shall affix the stamps himself.

47. (1) Every parcel intended for transmission by post shall be presented at the window of the post office. Any parcel found in a letter box shall be treated and charged as a registered parcel.

(2) If a parcel containing any of the articles mentioned in sub-rules (2) and (3) of rule 38 and in rules 39, 41, 43 and 44 is not packed in the manner prescribed therein, it shall not be forwarded.

48. Every parcel posted at or addressed to such places as the Director General may, from time to time, notify in the Post Office Guide and/or Postal Notice in this behalf, shall be accompanied by a declaration in such form as

may be prescribed by the Director General, containing a statement signed by the sender, as to the nature of its contents and their value.

Prohibited articles

49. (1) *Deleted.*

(2) Circulars relating to lotteries shall not be transmitted by post.

(3) "Ammunition" as defined in section 4 of the Arms Act, 1878 (XI of 1878) shall not be transmitted by Inland post.

(4) Postal articles of the Letter Mail landed in Bangladesh under arrangements in force with a foreign country for the transmission by post of postal articles between Bangladesh and such country shall not be transmitted by post within Bangladesh if they contain coin, bullion, precious stones, jewellery, articles of gold or silver or other articles liable to customs duty, unless and until the customs duty, if any payable thereunder, has been paid.

(5) All classes of articles of the letter mail of which the whole or a part of the address-side has been marked off into several divisions intended to receive successive addresses shall not be transmitted by post.

(6) Any article, which has thereon or cover thereof any matter which constitutes an attack on the territorial integrity or sovereignty of Bangladesh.

(7) Anything which is sent in contravention of any enactment or Government orders for the time being in force.

50. If a postal article in course of transmission by post is actually found to contain any of the articles, the transmission of which by post is prohibited by rule 49, it shall be returned to the sender.

51. (1) No article shall be transmitted by post which has thereon, or on the cover thereof, any matter which is prejudicial to the maintenance of law and order or which is in furtherance of the aims of a political party or organisation, or any matter which tends directly to cause loss or injury, to any community or class of persons whatsoever.

(2) No article shall be transmitted by post which has thereon, or on the cover thereof, any pictorial representation of a person who is a proclaimed offender or who has been convicted of an offence punishable under Chapter VI of the Bangladesh Penal Code or who has been directed to be detained under the provisions of the Public Safety Act.

(3) If any article in course of transmission by post is found to contravene the provisions of sub-rules (1) and (2), it shall be sent to the Returned Letter

Office and shall be there dealt with in the manner provided in section 39 and rules 214 to 218, as if it were an undelivered postal article which cannot be disposed of under section 37 or section 38 of the Act.

52. (1) No article shall be transmitted by post which has anything written, printed or otherwise impressed upon or attached to its address-side, which, either on account of its being likely to be mistaken for stamps used for the payment of postage or by inconvenient proximity to any such stamp or by tending to prevent the easy and quick reading of the address or in other way, is in itself or in the manner in which it is written, printed, impressed or attached, likely, in the opinion of the Director General, to embarrass the officers of the Post Office in dealing with such article.

(2) If any article in the course of transmission by post is found to contravene the provisions of sub-rule (1), it shall be returned to the sender.

Re-direction of postal articles

53. (1) Save as otherwise provided in rule 56, a postal article re-directed to any place served by the Inland post by an officer of the Post Office or by an agent of the addressee after its delivery shall be transmitted by post free of charge in respect of such further transmission :

Provided that—

- (a) in the case of an unregistered article re-directed by an agent of the addressee, the article has not been opened and has been either returned to the postman or re-posted at the place of delivery ; and
- (b) in the case of a registered article re-directed by an agent of the addressee, the article has not been opened and has been returned to the postman at the place of delivery with the receipt unsigned.

(2) Where a postal article is re-directed to any place under the first paragraph of this rule, the postmaster at such place may, if authorised by a general or special order in this behalf issued by the Postmaster General, require the addressee of the re-directed article to give, at the time of delivery, a receipt for such article.

(3) An unregistered postal article that is insufficiently addressed, shall, if it bears the address of the sender, be returned by the office of posting or delivery or an intermediate office, as the case may be, to the sender. If an article so returned is re-posted by the sender after completing the address of the addressee, it shall be treated as an unregistered postal article posted for the first time and charged with postage accordingly.

54.—Deleted.

55. (1) A postal article re-posted after having been opened, or re-posted at any place other than the place at which it was delivered, shall be treated as a postal article posted for the first time, and charged with postage accordingly. A registered article of which delivery has been taken can be re-posted only under the conditions prescribed for the posting of registered articles for the first time, except that, subject to the provisions of rule 51, no fresh charge shall be made on account of postage if the article has not been opened.

(2) If an officer to whom a postal article has been delivered in pursuance of an order made under section 26 of the Act returns the article to the post office with a view to its transmission either to the original sender or to original addressee, the article shall, provided it is suitably packed and addressed, be transmitted to its destination by post free of further charge on account of postage.

56. A parcel re-directed to any place served by the Inland post shall serve where the original address and substituted address are within the delivery area of the same post office, or are within the same post town, be chargeable in respect of each re-direction with further postage amounting to half the prepaid rate.

B.—FOREIGN POSTAL ARTICLES

57. The Director General shall, from time to time, notify in the *Post Office Guide* and/or *Postal Notices* the conditions in force for the transmission of postal articles by the Foreign Post.

Express delivery of unregistered postal articles

58. (1) Unregistered articles of letter mail may be transmitted by the Foreign Post for Express Delivery to foreign countries where Express Delivery Service is available. The fee for this service shall be Tk. 2.25 per article which shall be in addition to the normal postage for the same article.

(2) On all such articles a printed label, dark red in colour, bearing the indication "Express" in bold letters shall be conspicuously affixed on the address-side or an inscription to that effect made in its place.

(3) The delivery in Bangladesh of such articles received from foreign countries shall be governed by the same rules as are applicable to inland express delivery articles.

59. (1) If the addressee of a foreign parcel fails to take delivery of it within seven days following the date of its first presentation or the date of

delivery to him or to his accredited agent of an intimation of its arrival, a warehousing charge at the rate of Tk. 1·00 per day or part of a day, subject to a maximum of Tk. 80·00 commencing from the eighth day, shall be collected from the addressee at the time of delivery :

Provided that in the case of a parcel bearing an alternative address, if the parcel cannot be delivered at the original address, the warehousing charge due from the first addressee shall also be collected from the second addressee at the time of delivery :

Provided also that the charge shall in no case exceed Tk. 80·00.

(3) If the addressee of a foreign parcel addressed "Post Restante" fails to take delivery of it within ten days following the date of its arrival in the office of delivery, a warehousing at the rate shown in sub-rule (1) shall be collected from the addressee at the time of delivery :

Provided that the charge shall in no case exceed Tk. 80·00.

60. Every parcel or insured box handed to the post office for transmission by the foreign post shall be presented at the post office with a declaration, in such form as may be, from time to time, prescribed by the Director General, containing a statement signed by the sender as to the nature of its contents and value. No such parcel or insured box shall be accepted if it is so small or so covered with writing or sealing wax, or otherwise made up in such a manner, as to render it impracticable to affix to some part of it the form of declaration prescribed by the Director General in addition to the official labels to be applied to the address-side of the parcel or insured box.

Explanation.—This rule shall not apply to a parcel or insured box which has an address-label tied to it, provided that the label is not so small or so covered with writing as to render it impracticable to affix to one side of the label the form of declaration prescribed by the Director General in addition to the official labels to be applied to the address-side.

61. The export by post of anything subject to export regulation shall not be permitted unless such export is covered by an export licence issued by an authority appointed in this behalf by the Government :

Provided that this rule shall not apply to the transmission by post of goods which are, from time to time, notified by the Government to be exempt from export control.

62. No postal parcel shall be accepted for transmission to a foreign country unless it is presented along with a declaration in the form prescribed by the Bangladesh Bank for the purpose of control on foreign exchange :

Provided that this rule shall not apply in the case of postal articles which are, from time to time, notified by the Government to be exempt from such control.

63. (1) Gold, jewellery, or precious stones, or Bangladesh currency notes, or bank notes or coins or foreign exchange or security shall, not be transmitted by the foreign post except with the permission of the Bangladesh Bank. This shall be subject to such further conditions as the Director General may, from time to time, notify in the *Post Office Guide* and/ or Postal Notices.

(2) If a postal article in course of transmission within Bangladesh is found to contain any gold, jewellery, or precious stones, or Bangladesh currency notes or bank notes or coins or foreign exchange or security, the export of which is not authorised by the Bangladesh Bank, it shall be returned to the sender.

64. Unpaid or insufficiently prepaid correspondence, other than letters and single postcards, and reply postcards of which the two halves are not fully prepaid, shall not be forwarded but shall be returned to the sender. If any such article is not prepaid with postage applicable to an inland article of the same category, the sender shall be required to pay double the deficiency in the internal postage.

Correspondence sent by ships other than mail ships

65. Unregistered foreign correspondence marked by the sender for despatch by a ship, not being a mail ship, shall be forwarded by such ship provided that the postage is fully prepaid. If any such correspondence is not prepaid with postage applicable to an inland article of the same category, the sender shall be required to pay double the deficiency in the internal postage.

Treatment of postal articles from abroad bearing fictitious or previously used stamps

66. Where a postal article has been received by post from any place beyond the limits of Bangladesh bearing a fictitious or previously used postage stamp and the addressee of such postal article has failed to attend, by himself or his agent, at the post office of delivery within the time specified in the notice sent to him in that behalf, or having so attended, has refused to make known the name and address of the sender or to re-deliver the postal article or such portion thereof as may be required under section 27 of the Act, and in consequence of such failure or refusal, the postal article has not been delivered to the addressee or his agent, the postal article shall be disposed of in the following manner :—

The officer-in-charge of the post office at which the postal article has been received for delivery shall record a statement, in such form as

the Director General shall prescribe, setting forth action taken by him under provisions of section 27 of the Act, and the fact of such failure or refusal as aforesaid on the part of the addressee or his agent; and shall forward the statement, together with the postal article, through the usual channel, to the Director General.

The Director General shall then, in due course, transmit the statement together with the postal article, to the Postal Administration of the place beyond the limits of Bangladesh from which the article was received.

III.—AIR MAIL ARTICLES

67. Letters, postcards and packets may be accepted at any post office for transmission by air, subject to such exceptions as the Director General shall, from time to time, notify in the *Post Office Guide* or *Postal Notices*.

PART III

REGISTRATION OF POSTAL ARTICLES

I.—INLAND POSTAL ARTICLES

68. Letters, postcards, book and pattern packets, parcels and newspapers prepaid with postage at newspaper rates of postage may be registered at any post office for transmission by post to any other post office.

69. In addition to the postage, a fee of Tk. 1-00 shall be charged for the registration of any postal article.

70. The prepayment of the postage and registration fees is obligatory in the case of all registered articles.

71. (1) An article intended for registration shall be presented at the window of the post office. No such article shall be accepted for registration if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

Explanation.—This sub-rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

(2) No parcel shall be accepted for registration unless it bears the name and address of the sender written on the cover.

72. A receipt shall be given to the person who presents an article for registration at the post office window during the hours prescribed for posting registered articles.

73. No registered article shall be delivered to the addressee unless and until he or his agent has signed a receipt for it in such form as the Director General shall prescribe.

74. (1) If the sender of a registered article pays at the time of posting the article a fee of 25 Poisha in addition to the postage and registration fee, there shall be sent to him on the delivery of the article a form of acknowledgement which shall be signed by the addressee or his authorised agent. If the addressee or the agent refuses to sign, the acknowledgement of delivery shall bear a statement to this effect.

(2) No article for which an acknowledgement is required under sub-rule (1) shall be accepted for registration unless it is accompanied by a prescribed form of acknowledgement duly filled in and the sender superscribes the article as "Acknowledgement Due" as well as indicates thereon his name and full address.

75. The sender of a registered article may obtain an attested copy of the original receipt signed by the addressee on payment of a special fee of 25 Poisha, provided that he makes his application for it within six months of the date on which the addressee signed the original receipt.

76. (1) Registration shall be obligatory in the case of—

- (a) Any parcel exceeding 440 tolas in weight and all air parcels.
- (b) Any insured article.
- (c) Any parcel addressed to a place for which a customs declaration is required.
- (d) Any article containing postage or other stamps or labels or an uncrossed cheque, an uncrossed bank draft, handi, bank note, bank-post bill, bill of exchange, or the like,—if the contents are either superscribed upon the cover or are known or manifest to the officers of the post office owing to the transparency, insecurity, or insufficiency of the cover, or to any other cause.
- (e) Any article bearing word "Registered" or any other word, phrase or marks to the like effect written or impressed on the cover.

(f) Any registered article which is re-posted after having been delivered.

(g) Any value-payable article.

Exception.—Nothing in this rule shall be held to render registration of a packet compulsory only by reason that it contains a stamped envelope, post-card or wrapper as provided by sub-rule (3) of rule 21.

(2) Twice the fee of registration shall be levied on the delivery of any postal article required under this rule to be registered on which the fee for registration has not been prepaid.

II.—FOREIGN POSTAL ARTICLES

77. Letters, postcards and packets may be registered at any post office for transmission to countries and places served by the foreign post, subject to such exceptions as the Director General shall, from time to time, notify in the *Post Office Guide* or Postal Notices.

78. In addition to the postage, a fee of Tk. 1-00 shall be charged for the registration of any letter, postcard or packet to be sent by the foreign post.

79. The registration of all parcels to be sent by the foreign post is obligatory. No separate fee shall be charged for such registration, except in the case of parcels to India for which the fee charged shall be at the rate prescribed in rule 78.

80. Rules 70, 71, 72 and 73, relating to the registration of inland postal articles, shall be equally applicable to registered articles sent or received by the foreign post.

81. (1) The sender of a registered article posted in Bangladesh and addressed to any country shall be entitled to obtain an acknowledgement of its delivery by paying a fee, in addition to the postage and registration fee of 50 Poisha in the case of a registered article addressed to India, Nepal, Bhutan and Pakistan and of Tk. 2-25 in the case of a registered article addressed to any other country. If the sender desires that the acknowledgement of delivery may be returned to him by air mail, he shall, in addition, pay air mail surcharge equal to the amounts of air mail postage for an ordinary air mail letter of the first unit of weight from Bangladesh to the country of destination.

(2) When the sender of a registered article posted in Bangladesh and addressed to any country has not paid the fee for an acknowledgement of its delivery and desires to have an enquiry made by the post office regarding the disposal of the article, he shall be entitled to this service on payment of the enquiry fee of 50 Poisha in case of an article addressed to India, Nepal, Bhutan and Pakistan and Tk. 3-00 in case of other countries; provided that this

application is made within one year counting from the day following the date of posting of the article. The enquiry fee shall, however, be refunded to him if the enquiry is due to the fault of the postal service.

(3) If the sender or addressee of a registered article posted in any country other than Bangladesh and addressed to a place in another country desires that the Bangladesh Postal Administration should forward his enquiry regarding the disposal of the article to the Administration of origin, he shall be entitled to this service on payment of a fee of 50 Poisha. This fee shall be refunded under the circumstances stated in sub-rule (2).

NOTE.—A single enquiry fee shall be levied when the enquiry relates to several registered articles posted at the same time by the same sender to the same addressee and despatched by the same route, surface or air. This will not, however, apply in the case of registered articles posted in Bangladesh and addressed to India, Nepal, Bhutan and Pakistan.

(4) If the sender desires that the enquiry be sent by telegraph, he shall be entitled to the service on payment, in addition to the enquiry fee and charges mentioned in sub-rules (2) and (3), of the prescribed charges from Bangladesh to the country of destination for the class of telegram by which the telegraphic message is required to be sent, these charges being doubled if the reply is also desired by telegraph.

(5) If at the time of posting of a parcel, the sender desires that he may be informed of the non-delivery of his parcel, the advice of non-delivery will be sent to him by surface or air mail in accordance with his instructions. If it is sent by air he shall pay the charge in respect of air conveyance. If, after receipt of the advice of non-delivery the sender gives any instructions for the further disposal of the parcel, he will be required to pay a fee of Tk. 2.00 for each parcel for the despatch of his instructions to the country of destination.

These instructions will be sent by air mail or by telegraph if the sender pays, in addition to the fee of Tk. 2.00 the prescribed air surcharge for the country of destination or the prescribed charge for the class of telegram by which the telegraphic message is required to be transmitted, as the case may be.

(6) A repacking charge of Tk. 5.00 shall be levied on each foreign parcel received in damaged condition which is re-packed in order to protect its contents.

PART IV

INSURANCE OF POSTAL ARTICLES

I.—INLAND POSTAL ARTICLES

82. Registered letters, value-payable registered letters, registered parcels and value-payable registered parcels may be insured up to the value of Tk. 1,000 at such branch post offices, and up to the value of Tk. 5,000 at such other post offices, as may be authorised by the Postmaster General to accept articles for insurance and for such post offices as may be authorised by the Postmaster General to deliver insured articles :

Provided that in no case shall such value exceed the real value of the content of the article insured :

Provided also that articles containing gold coins or bullion or currency notes or any two or all of them shall be insured for the actual value of the contents.

83. Insurance shall cover all risks in course of transmission by post.

84. In addition to the postage and the fee for registration, the following further fees shall be charged for insurance :—

Where the value insured does not exceed Tk. 300	—	—	Tk. 1-00
For every additional Tk. 100 or fraction thereof over Tk. 300 and upto Tk. 5000	—	—	50 Poisha

85. The prepayment of all charges on insured articles, namely, postage, registration fees and insurance fees, shall be compulsory. Postage stamps affixed to an insured article must be placed apart from one another so that they may not serve to conceal injuries to the cover to the letter or parcel.

86. (1) Every letter tendered for insurance shall be enclosed in a strong cover which must be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. No label of any kind shall be affixed by the sender to such a cover. Envelopes with black or coloured borders or transparent panels shall not be used. Seals shall be placed over each flap or seam of the cover ; and if the cover is tied round with string or tape, a seal shall be placed on the ends where they are tied.

(2) Every parcel tendered for insurance shall be packed carefully and substantially, with due regard to the nature of the contents and the length of the journey, and shall be sealed with wax or lead, bearing a private mark,

in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals shall be placed over each joint or loose flap of the covering of a parcel; and, if string be used in packing a seal shall be placed on the ends of the string where they are tied. If a parcel contains gold or silver bullion or coins, it shall be packed in a strong case of wood or metal with an outer covering of cloth or stout paper.

(3) All the seals affixed to an insured postal article shall be of the same kind of wax and shall bear distinct impressions of the same private device. The device shall not be that of current coin or merely a series of straight, curved, or crossed lines.

87. No postal article shall be accepted at any post office or insurance, if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

Explanation.—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

88. An article intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured, clearly written in words and figures, without erasure or correction on the cover. The name and address of the sender shall also be written on the cover in the lower left-hand corner, or on a separate slip of paper, to be presented with the article, should there be no room for his name and address on the cover.

89. A receipt shall be given to the person who presents an article for insurance at the post office window during the hours prescribed for posting insured articles.

90. The sender of an insured article shall be entitled to obtain free of charge an acknowledgement of its delivery signed by the addressee or his authorised agent.

91. There shall be payable to the sender of an insured postal article compensation not exceeding the amount for which the article has been insured, for the loss of the postal article or any of its contents or for any damage caused to it in course of transmission by post :

Provided that the compensation shall, in no case, exceed the value of the article or any of its contents lost or the amount of the damage caused, and provided that in the case of loss, the sender shall furnish full particulars of the contents of the postal article and their value :

Provided also, that no compensation shall be payable—

- (a) where there has been misdelivery arising out of incorrectness or incompleteness of the address written by the sender ;
- (b) where there has been fraud on the part of the sender or addressee ;
- (c) where the insured article has been delivered to the addressee and he has signed and returned the receipt therefor ;
- (d) where the sender has not given intimation of the loss within three months from the date of posting ;
- (e) where the loss or damage was due to improper or insecure packing ;
- (f) where there is no visible damage to the cover or seals ;
- (g) where the insured article contains gold coins or bullion or currency notes or any two or all of them and has not been insured for the actual value of the contents ;
- (h) in the case of the loss of halves of currency notes ;
- (i) in the case of damage arising from the nature of the article insured ; or
- (j) where the insured article contained anything the transmission of which by post is prohibited.

92 Compensation shall be payable one month after the date on which intimation of loss is given by the sender to the Post Office, except in cases in which the Postmaster General may consider that the circumstances demand the withholding of payment pending enquiry.

93. Coin, bullion, platinum, precious stones, jewellery, currency notes, articles of gold or silver and other articles of an intrinsic value exceeding Tk. 500 may be sent by post only in insured letters or insured parcels. If a letter or parcel presented at the post office window is found to contain any such object of value, it shall not be accepted for transmission by post, unless the sender insures it ; and if an uninsured article manifestly containing any such object of value is found in course of transmission by post it shall be either intercepted and returned to the sender or forwarded to destination and delivered to the addressee subject to the payment of a fee of Tk. 1-60. The payment of this fee shall not impose any liability on the Government. If the addressee refuses to accept delivery of the article, or if he cannot be found, the fee of Tk. 1-60 shall be recovered from the sender.

Explanation.—In this rule the expression "articles of gold or silver" includes articles made wholly or partly of gold or silver, but not coins and electro or

other plated goods. The expression "coin" does not include cut counterfeit coin remitted on behalf of the Currency Department and Mints. The expression "currency notes" does not include defaced notes, i.e., notes from which the signature has been cut off after cancellation, remitted on behalf of the Currency Department. The expression "jewellery" includes watches, the cases of which are entirely or mainly composed of gold, silver or platinum.

II.—FOREIGN POSTAL ARTICLES

94. The Director General shall, from time to time, notify in the *Post Office Guide* and/or Postal Notices the countries and places for transmission to which registered letters, value-payable registered letters containing jewellery or valuables, parcels and value-payable parcels may be insured, and the limit up to which such letters or parcels may be insured in each case :

Provided that in no case shall such value exceed the real value of the contents of the letter or parcel insured.

95. In addition to the postage and the registration fee, if any, the following further fees shall be charged for insurance :—

(a) (i) For insurance of letters to any part of the world served by the foreign post with the exception of India, Nepal & Bhutan :

For every £ 10 or Tk. 300	—	Tk. 1-50
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(ii) Deleted.

(b) Deleted.

96. The prepayment of all charges on insured foreign registered letters and parcels shall be compulsory. Postage stamps affixed to letters or parcels intended for insurance sh^l be placed apart from one another, so that they may not serve to conceal injuries to the cover of the letter or parcel. No label of any kind shall be affixed by the sender to the cover of a letter intended for insurance.

97. (1) Every foreign letter tendered for insurance sh^l be enclosed in a strong envelope, which shall be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. The envelopes shall be made up in one piece, and allow the seals to adhere completely. Envelopes with black or coloured borders or transparent panels shall not be used. Seals shall be placed over each flap or seam of the cover ; and if the cover is tied round with string or tape, a seal shall be placed on the ends where they are tied.

(2) Every foreign parcel tendered for insurance shall be packed carefully and substantially, with due regard to the weight and nature of the contents

as well as the mode of transport and the length of the journey and shall be sealed with wax or lead bearing a private mark, in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals shall be placed over each joint or loose flap of the covering of a parcel; and, if string be used in packing, a seal shall be placed on the ends of the string where they are tied. If a parcel contains coin, bank notes, currency notes, bearer bonds, platinum, gold or silver (manufactured or not), precious stones, jewels or other precious objects, it shall be packed in a strong case of wood or metal with an outer covering of cloth or stout paper.

(3) All the seal affixed to an insured foreign letter or parcel shall be of the same kind of wax or lead and shall bear distinct impressions of the same private device. The device shall not be that of a current coin or merely a series of straight, curved or crossed lines.

98. No foreign letter or parcel shall be accepted at any post office for insurance if it is so small or so covered with writing or sealing wax on the address-side, or otherwise made up in such a manner as to render it impracticable to affix to it the official labels prescribed by the Director General.

Explanation.—This rule shall not apply to a letter or parcel which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

99. A foreign letter or parcel containing jewellery or valuables intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured clearly written, in words and figures without erasure or correction, on the cover and accompanied by such form or forms duly filled up as may be prescribed by the Director General, from time to time, in the *Post Office Guide* or *Postal Notices*. The name and address of the addressee of a foreign letter or parcel intended for insurance shall be written in ink on the actual cover of the article. Letters addressed to initials or directed in pencil or bearing at the time of posting erasures or corrections in the address shall not be forwarded.

100. A receipt shall be given to the person who presents a foreign letter or parcel for insurance at the window of the post office during the hours prescribed for posting insured foreign articles.

101. (1) When a foreign letter or a foreign parcel, not being a parcel addressed to prisoner of war or to an Information Bureau established for prisoners in a belligerent country or in a neutral country which has received belligerents in its territory or to a belligerent interned in a neutral country, has been posted in and insured by a Bangladesh Post Office within or without the limits of Bangladesh and when such letter or parcel has been lost or the contents

thereof have been abstracted or damaged in the course of transmission by post, compensation not exceeding the amount for which such letter or parcel has been insured shall be payable, in accordance with and subject to the provisions of sub-rules (2), (4) and (5) on account of such loss, abstraction or damage, to the sender except in the case of a parcel in respect of which the Administration of the country of destination decides to pay compensation to the addressee under the same conditions as those prescribed in respect of the Bangladesh Post Office in sub-rule (3).

(2) Whether or not the addressee has made reservations on taking delivery of a letter, the contents of which have been abstracted or damaged, or has, after taking delivery thereof, immediately made a complaint of abstraction or damage to the Administration of the office of delivery and proved to the satisfaction of that Administration that the abstraction or damage did not take place after the delivery, the compensation payable under sub-rule (1) shall be payable to the sender and no claim for the payment of compensation to the addressee shall be entertained.

(3) When an inward parcel insured by a foreign Administration is lost or the contents thereof are abstracted or damaged, compensation shall be payable by the Bangladesh Post Office to the addressee up to an amount not exceeding that for which it has been insured if he claims such compensation after having made reservation in taking delivery of the parcel or if he furnishes proof that the sender of the parcel has waived his rights to such compensation in the addressee's favour.

(4) The compensation payable under sub-rules (1) to (3) shall in no case exceed the value of the article lost or the amount of loss occasioned by the abstraction of, or damage to, the contents of the article, and loss of profits of other indirect loss shall not be taken into consideration in the assessment of such compensation.

(5) No compensation shall be payable under sub-rules (1) to (3)—

- (a) where the loss or damage has been caused by the fault or negligence of the sender or arises from the nature of the article ;
- (b) where the insurance has been fraudulently made for a sum above the real value of the contents, or there has been any other fraud on the part of the sender or the addressee ;
- (c) where the insured article has been delivered to the addressee, or where the article is returned to the sender and the addressee or sender, as the case may be, has signed and returned the receipt therefor without protest or in the case of an insured letter without immediately making a complaint of abstraction of, or damage to the contents of the letter to the Administration of the Office which

delivered the article and proving to the satisfaction of that Administration that the abstraction or damage took place before the delivery of the letter ;

- (d) where the sender has not given intimation of the loss, abstraction or damage within one year following the day of posting ;
 - (e) where the loss, abstraction or damage was due to improper or insecure packing ;
 - (f) where there is no *visible* damage to the cover or seals ;
 - (g) in cases beyond control (e.g., tempest, shipwreck, earthquake, war, etc.) ;
 - (h) where the insured article cannot be traced in consequence of the destruction of the documents relating to it from causes beyond control unless proof of liability of the Post Office to pay compensation in respect of the article has been furnished otherwise ;
 - (i) where the insured article contained anything the transmission of which by the letter or the parcel post, as the case may be, is prohibited ; or
 - (j) where the insured article is seized under the internal regulations of the country of destination.
- (6) In the following cases, namely :—
- (a) when an insured letter or box or parcel is lost or destroyed or its contents are wholly abstracted ;
 - (b) when, by reason of damage attributable to the postal service, the addressee refuses to take delivery of an insured parcel ;

the sender of such letter or parcel, shall be further entitled to a refund of the charges and fees which have been paid, and when an error on the part of the Post Office gives rise to enquiry as to the disposal of such letter or parcel, to a refund of any fee paid on account of such enquiry ; but the sender of such letter or parcel shall, in no case, be entitled to a refund of the fee paid for insurance.

(7) The Government does not accept any liability to the sender or the addressee, other than that mentioned in sub-rules (1) to (6), in respect of loss of an insured inward or outward foreign letter or parcel or the abstraction of, or damage to, the contents thereof.

102. If, after payment of the compensation, an insured letter or parcel, or a part thereof which was previously considered as lost is recovered, the sender and addressee shall be informed of the recovery. The sender shall also

be asked to take delivery of the recovered article within three months against refund of the amount of compensation paid. If the sender does not take delivery within the prescribed period, the addressee shall then be asked to take delivery under the same conditions. If the addressee also does not take delivery the article shall be treated as undeliverable and disposed of accordingly.

103. (1) Where a foreign parcel contains coin, bullion, bank notes, currency notes or any kind of securities payable to bearer, platinum, precious stones, jewellery or articles of gold or silver, it shall not be accepted for transmission by post unless the sender wishes to insure it. If a foreign parcel containing any such object of value is addressed to a country or place to which insurance is not available, the parcel shall be insured for its inland transit within the limits of Bangladesh, and in such cases the fee charged for insurance shall be calculated as follows :—

When the value is expressed in Taka—

Where the value insured does not exceed Tk. 300	...	Tk. 1-00
For every additional Tk. 100 or fraction thereof over Tk. 300 and up to Tk. 5000,	30 Paisas

(2) If an uninsured foreign parcel declared to contain or manifestly containing any of the objects of value specified in sub-rule (1) is received from a foreign country, the parcel shall be forwarded to destination as an insured parcel and delivered to the addressee subject to the payment of an insurance fee calculated in the manner prescribed in sub-rule (1) on the declared value of the contents or on the value assessed by the Customs authorities, whichever is higher, provided that if the value of the contents exceeds the maximum limit for which inland parcels may be insured, the parcel shall be insured only for such maximum. If refused by addressee, it shall be returned to the country of origin.

*Explanation—*In this rule the expression "Articles of gold or silver" includes articles made wholly or partly of gold or silver, but not electro or other plated goods. The expression "jewellery" includes watches the cases of which are entirely or mainly composed of gold, silver or platinum.

104. Where an insured foreign parcel, which has been re-directed or returned as undeliverable is received in Bangladesh subject to a fresh insurance fee by reason of its having been so re-directed or returned, such fee shall be recoverable on delivery as if it were postage due under the Act.

PART V

VALUE-PAYABLE POST

I.—INLAND POSTAL ARTICLES

105. Registered parcels, registered book-packets, and newspapers prepaid with postage at newspaper rates of postage and with registration fee, and registered letters prepaid with postage, registration fee and a supplementary fee of 15 Poisha per letter, may be transmitted by the inland post as value-payable postal articles, provided that the amount specified for remittance to the sender in the case of any such postal article shall not exceed Tk. 1,000 :

Provided that such parcels, letters and packets do not contain coupons, tickets, certificates or introduction designed for the sale of goods on what is known as the "Snowball system."

106. No such postal article as aforesaid shall be accepted at any post office for transmission by post as a value-payable postal article unless the sender declares that it is sent in execution of a *bona fide* order received by him. At any post office notified from time to time in this behalf by the Director General the sender shall, in addition, be required to declare that the article is one the transmission of which by post as a value-payable postal article is permitted. No postal article as aforesaid shall be accepted at these offices without such further declaration.

Explanation.—An article may be sent by the value-payable post even though it possesses no intrinsic value. Thus, legal documents, bonds, policies of the insurance, promissory notes, railway goods and parcel receipts, bills of lading or ordinary bills for collection may be sent as value-payable postal articles. In the case of a railway receipt or bill of lading sent as a value-payable postal article it will be sufficient for the purposes of this rule if the article to which the railway receipt or bill of lading relates, has been sent in execution of a *bona fide* order to send the other documents specified, the document must be sent in execution of a *bona fide* order to send the document itself.

107. (1) Every postal article intended to be transmitted by post as a value-payable postal article shall be presented at the post office with a printed form prescribed by the Director General and obtainable at the post office, in which the sender shall specify the sum to be remitted to himself, fill in the required entries in ink, and sign the declaration required by rule 106. The sender of a postal article intended to be transmitted by post as value-payable shall write clearly on the face of the article itself—

- (a) in the upper left-hand corner—the letters "V.P." allowed by an entry, *in figures and words*, of the amount for remittance to himself, and
- (b) in the lower left-hand corner—his own name and full address.

(2) Value-payable postal articles shall not be accepted unless the town of payment shown in the value-payable money order form is the one where the postal article has been booked.

108. No article shall be accepted at any post office for transmission by post as a value-payable postal article if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director General.

Explanation.—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director General.

109. The amount to be recovered from the addressee shall be the sum specified by the sender for remittance to himself *plus* a fee calculated at the rate of 15 Poisha for every sum of Tk. 10 or fraction thereof and for every additional Tk. 10.00 or fraction thereof 15 Poisha of the amount specified for remittance to the sender. When the amount due is recovered from the addressee the sum for payment to the sender shall be remitted to him by means of a money order.

110. (1) If the addressee of a value-payable postal article omits to take delivery of it within the seven days following the date of its first presentation or the date of delivery to him or to his accredited agent of an intimation of its arrival, or, in the case of an article sent out or delivery through a village postman, the date of return to the post office of the village postman after its first presentation or delivery of intimation of its arrival to the addressee or to his accredited agent, the articles shall be returned to the sender on the 8th day :

Provided that if in the meantime the addressee has applied in writing to post office for the detention of the article for a further period not exceeding seven days beginning with the said 8th day and has paid with the application a fee of twenty-five Poisha for each day of such further period, the article shall not be returned to the sender until the expiration of the further period covered by the application. Any fee so paid, shall, in no circumstances, be refunded.

(2) When a value-payable postal article is returned to the sender under sub-rule (1) the sender shall be required to pay any charges that may be due

on it and to acknowledge receipt of the article by signing the form presented by the postman. In no circumstances shall any fee or fees prepaid by the sender be refunded.

111. If a complaint is made by the addressee immediately after the receipt of a value-payable postal article, that it was sent dishonestly, or fraudulently, the Postmaster General may, if satisfied that there are *prima facie* grounds for believing that the value-payable postal article was sent with the intention of defrauding the addressee, withhold the payment to the sender of the money recovered from the addressee. If, after making such enquiries as may be necessary, he is fully satisfied that the value-payable postal article was sent with this intention, he may order the return of the article to the sender and refund to the addressee the sum of money recovered from him on delivery of the value-payable postal article.

112. Whenever the sender or addressee of a value-payable postal article makes a complaint regarding the delivery of, or payment for the value-payable postal article, he shall be entitled to have an enquiry made by the post office on paying a fee of twenty-five Poisha. The fee shall be paid by means of a postage stamp or stamps affixed to the letter of complaint. This fee shall be refunded in cases where the complaint is found to be well grounded.

Explanation.—Complaint in respect of V.P. article booked by Departments of the Government are exempt from the payment of this enquiry fee.

113. The Government shall not incur any liability in respect of the sum specified for remittance to the sender in respect of a value-payable postal article unless and until that sum has been received from the addressee and unless a claim for that sum has been preferred within one year from the date of posting of the article.

II.—FOREIGN POSTAL ARTICLES

114. The Director General shall, from time to time, notify in the Post Office Guide or Postal Notices, the countries and places with which value-payable postal articles may be exchanged and the condition which shall govern the exchange of such postal articles.

115. No such postal article, as aforesaid, shall be accepted at any post office for transmission by post as a value-payable postal article unless the sender declares that it is sent in execution of *bona fide* order received by him. At any post office, notified from time to time in this behalf by the Director General the sender shall, in addition, be required to declare that the article is one the transmission of which by post as a value-payable postal article is permitted. No postal article, as aforesaid, shall be accepted at these offices without such further declaration.

Explanation.—An article may be sent by the value-payable post even though it possesses no intrinsic value. Thus, legal documents, bonds, policies of insurance, promissory notes, railway goods and parcel receipts, bills of lading or ordinary bills for collection may be sent as value-payable postal articles. In the case of a railway receipt or bill of lading sent as a value-payable postal article, it will be sufficient for the purposes of this rule if the article to which the railway receipt or bill of lading relates, has been sent in execution of a *bona fide* order. In the case of the other documents specified, the document must be sent in execution of a *bona fide* order to send the document itself.

116. (1) Every postal article intended to be transmitted by post as a value-payable postal article shall be presented at the post office with a printed form, prescribed by the Director General and obtainable at the post office, in which the sender shall specify the sum to be remitted to himself, fill in the required entries in ink, and sign the declaration required by rule 115.

(2) In the case of a value-payable postal article intended for transmission to any country to which value-payable service is available other than India, a posting fee of 13 Poisha shall be prepaid by the sender.

(3) In the event of non-delivery of a value-payable parcel originating in Bangladesh for delivery in a country to which value-payable service is available, the fee prepaid by the sender on the amount specified for remittance under that sub-rule shall, on application, be repaid to him subject to the following deductions :—

- (a) 10 per cent. of the fee paid with a minimum of 25 Poisha, and
- (b) a fixed charge of 13 Poisha.

117. A delivery fee of 25 Poisha shall be collected from the addressee of every value-payable article received from any country except India.

118. (1) If the addressee of a foreign value-payable parcels fails to take delivery of it within ten days following the date of its first presentation or the date of delivery to him or to his accredited agent of an intimation of its arrival, a warehousing charge at the rate of Tk. 1.00 per day commencing from the eleventh day shall be collected from the addressee at the time of delivery :

Provided that in the case of a parcel bearing an alternative address, if the parcel cannot be delivered at the original address, the warehousing charge due from the first addressee shall also be collected from the second addressee at the time of delivery :

Provided further that the charge shall in no case exceed Tk. 50.00.

(2) If the addressee of a foreign value-payable parcel addressed "Poste Restante" fails to take delivery of it within 10 days following the date of its

arrival in the office of delivery, a warehousing charge at the rate shown in sub-rule (1) shall be collected from the addressee at the time of delivery :

Provided that the charge shall in no case exceed Tk. 80-00.

119. If a complaint is made by the addressee immediately after the receipt of a value-payable postal article that it was sent dishonestly or fraudulently, the Postmaster General may, if satisfied that there are *prima facie* grounds for believing that the value-payable postal article was sent with the intention of defrauding the addressee, withhold the payment to the sender of the money recovered from the addressee. If, after making such enquiries as may be necessary, he is fully satisfied that the value-payable postal article was sent with this intention, he may order the return of the article to the sender and refund to the addressee the sum of money recovered from him on delivery of the value-payable postal article.

120. Rules 108, 112 and 113, relating to inland value-payable articles shall be equally applicable to foreign value-payable articles.

PART VI

MONEY ORDERS

L— INLAND MONEY ORDERS

Ordinary inland money orders

121. The amount for which a single money order may be issued shall not exceed Tk. 1,000.

122. A commission on the issue of inland money orders shall be charged at the rate of 30 Poisha for every sum of Tk. 10 or fraction thereof and for every additional Tk. 10 or fraction thereof 15 Poisha.

123. The Director General may, at any time, (a) suspend the issue of money orders upon or by any particular post office, or group of post offices, or (b) direct that money orders shall not be so issued except on payment of special rates of commission higher than those prescribed by rule 122.

124. The remitter of a money order shall fill in, in ink, on a money order form prescribed by the Director General, such particulars as the Director General may require. Such particulars may be written in English or Bengali.

125. The money order form duly filled in, together with the amount of the money order and commission, may be presented at the post office during the hours prescribed for money order business.

126. A receipt shall be given to the remitter for the amount paid by him on account of the money order and commission.

127. The remitter of a money order shall be entitled to obtain, free of charge, an acknowledgment of the payment of the amount of the order signed by the payee or his authorised agent.

128. The payment of a money order shall ordinarily be made at the address of the payee on his signing the money order and acknowledgment.

129. The money order and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

130. If the remitter or payee of a money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director General may direct.

131. A money order shall be redirected to the payee on his written request free of charge.

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132. The remitter of a money order which has not been paid may require that the address of the payee shall be altered or that the name of the post office, at which the order was originally made payable shall be changed. The required change shall be made without additional charge on the remitter's applying in writing to the post office at which the order was issued.

133. *(Omitted.)

134. The remitter of a money order which has not been paid may stop payment and require that the money be repaid to himself. This shall be done without additional charge on the remitter's applying in writing to the post office at which the money order was issued, and producing the receipt and giving full particulars of the payee's address as entered in the money order. Payment can be stopped by telegram if the remitter pays for it. In no case, however, the post office shall be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request. The money order commission shall not be refunded in any case.

135. If the payee of a money order cannot be found, or if the payee refuses to take payment, the amount of the order shall be returned at once to the remitter free of charge. The commission shall in no case be refunded.

136. If payment of a money order to the payee cannot be effected and the amount cannot be repaid to the remitter owing to the latter not being found,

* Omitted vide Notification No. S.R.O. 541(K)/68, dated 6th April, 1968.

the order shall be void and its value credited to the Government. But, if the payee or remitter subsequently applies for payment the amount of the order shall be paid to him on the authority of the Audit Officer, provided that application is made before the expiration of one year from the date of issue of the original order.

Air-mail money orders

137. Inland money orders shall be accepted for transmission by air-mail at such Bangladesh post offices within or outside Bangladesh as except ordinary inland money orders. The limits of value and other conditions laid down in the foregoing rules relating to ordinary money orders shall apply in the case of air-mail money orders.

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Telegraphic inland money orders

138. The amount for which a single telegraphic money order may be issued shall not exceed Tk. 1000 and shall not include any sum less than a Taka.

139. A fee for the issue of a telegraphic money order shall be charged at the rate of commission on an ordinary inland money order for the same amount added to a telegraph charge calculated at the rates for inland telegrams for the actual number of words used in the telegram advising the remittance, according as the telegram is to be sent as an "Express" or as an "Ordinary" message. In addition to those charges, a supplementary fee of 25 Poisha shall be charged on each telegraphic money order issued. The remitter of a telegraphic money order may have a private communication added to the telegram advising the remittance on paying for the additional words in excess of eight at the rate in force for the time being for inland telegrams of the class to which the advice belongs.

140. The Director General may, at any time, (a) suspend the issue of telegraphic money orders upon any post office, or group of post offices, or (b) direct that telegraphic money orders shall not be so issued except on payment of special fees higher than those prescribed in rule 139.

141. The remitter of a telegraphic money order shall fill in, in ink, on a money order form prescribed by the Director General, such particulars as the Director General may require.

142. The money order form duly filled in, together with the amount to be remitted and the fees for the telegraphic money order and private communication (if any), may be presented at the post office during the hours prescribed for telegraphic money order business.

143. A receipt shall be given to the remitter, showing the total amount paid by him, the payee's name and the hour at which the telegraphic money order was presented.

144. The remitter of a telegraphic money order shall be entitled to obtain free of charge, by post, an acknowledgment of the payment of the amount of the order signed by the payee or his authorised agent.

145. The payment of a telegraphic money order shall ordinarily be made as soon as practicable after the receipt of the telegraphic advice by the office of payment, at the residence of the payee on his signing a receipt for the amount paid and the acknowledgment :

Provided that telegraphic money orders amounting to more than Tk. 1000 in one day shall not be paid to any person who is not either permanently resident within the jurisdiction of the office of payment or personally known to the postmaster-in-charge of such office until confirmation of the telegraphic advice has been received by post, unless in the meantime the payee can get a respectable local resident to stand surety for him by executing an indemnity bond for the amount of such orders in the form prescribed by the Director General.

146. The receipt and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

147. If the remitter or payee of a telegraphic money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director General may direct.

148. A telegraphic money order shall be re-directed to the payee by post free of charge, on his written request.

149. The remitter of a telegraphic money order which has not been paid may require that the address of the payee shall be altered or that the name of the office at which the order was originally made payable shall be changed. The required alteration shall be made in the ordinary course of post, without additional charge, on the remitter's applying in writing to the post office at which the money order was issued.

150. (Omitted.)

151. The remitter of a telegraphic money order which has not been paid, may stop payment and require that the money be repaid to himself. This shall be done on the remitter's applying in writing to the post office at which the money order was issued, producing the receipt and giving full particulars.

of the payee's address as entered in the money order. Payment may be stopped by telegram, the remitter paying the necessary charges at the ordinary rates for it. In no case, however, shall the post office be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request.

152. If the payee of a telegraphic money order refuses to take payment or cannot be found, the telegraphic advice shall be returned by post free of any further charge and the amount of the money order shall be repaid to the remitter. The fees shall not be refunded.

153. If payment of a telegraphic money order to the payee cannot be effected and the amount cannot be repaid to the remitter owing to the latter not being found, the order shall be void and its value credited to the Government. But, if the payee or remitter subsequently applies for payment, the amount of the void order shall be paid to him on the authority of the Audit Officer, provided that application is made before expiration of one year from the date of issue of the original order.

II.—FOREIGN MONEY ORDERS

Ordinary foreign money orders

154. (1) Foreign money orders shall be of, namely :—

- (a) Deleted.
- (b) money orders expressed in sterling.

(2) The Director General shall, from time to time, notify in the *Post Office Guide* or *Postal Notices* the countries and places with which money orders may be exchanged.

155. (1) Deleted.

(2) The amount for which a single foreign sterling money order may be issued shall not exceed £ 50 or such smaller sum as may in any case be specially notified by the Director General in the *Post Office Guide* or *Postal Notices*. No such money order shall include any fraction of a penny.

(3) The amount of a foreign sterling money order shall be paid to the post office in Taka currency at such rates of exchange as the Director General shall, from time to time, direct.

156. (1) Deleted.

(2) In the case of foreign sterling money orders, the rates of commission shall be the following, namely :—

For a single remittance Ts. 10-00

157. *Deleted.*

158. The provisions of rules 132, 133 and 134, relating to inland money orders, shall also apply to foreign money orders.

159. Rules 123, 124, 125, 126 and 130, relating to inland money orders, shall be applicable to the issue of foreign money orders.

160. Foreign sterling money orders received for payment in Bangladesh shall be paid as if they were inland money orders, the amount in sterling of the original money order being converted into Taka currency by the Bangladesh post office of exchange (at Dacca, as the case may be) at such rate of exchange as the Director General may, from time to time, direct.

161. The payment of a foreign money order shall ordinarily be made at the address of the payee. It shall be made on his signing the order in the case of a foreign sterling money order.

162. Under no circumstances can a foreign money order, be paid after it has been treated as void or returned to the country of issue.

163. Rules 129, 130, 131 and 135, relating to inland money orders, shall be applicable to the payment of foreign money orders.

Air-mail money orders

164. *Deleted.*

Telegraphic foreign money orders

165. *Sterling orders.*—(1) Telegraphic foreign money orders shall be, namely :—

(a) *Deleted.*

(b) Telegraphic money orders expressed in sterling.

(2) The Director General shall, from time to time, notify in the *Post Office Guide or Postal Notices* the countries and places with which telegraphic money orders may be exchanged and the conditions which shall govern the exchange of such money orders.

166. *Deleted.*

167. *Maximum amounts.*—(1) *Deleted.*

(2) The amount for which a telegraphic foreign sterling money order may be issued shall not exceed £ 50 and shall not include any fraction of a penny.

168. *Fees.*—The fee for a telegraphic foreign money order issued in Bangladesh shall be made up of :—

- (1) the commission applicable to an ordinary money order,
- (2) a telegraphic charge calculated on the number of words used in the telegram advising the remittance at the rate in force for the time being for an ordinary or letter telegram, as the case may be,
- (3) a supplementary charge of twenty-five Poisha.

169. *Applicability of rules regarding issue of orders.*—Rules 140, 141, 142, 143 and 147 shall apply to telegraphic foreign money orders in the same manner in which they apply to telegraphic inland money orders.

170. *Private communication.*—The remitter of a telegraphic foreign money order may have a private communication to the payee added to the telegram advising the remittance on paying for the additional words at the rate in force for the time being for an ordinary or letter telegram, as the case may be, for the country or place concerned.

* * * * *

171. *Prepayment of reply.*—The remitter of a telegraphic money order of any foreign country or place to which the service is available may prepay the telegraph charge for a reply.

172. *Deleted.*

173. *Alteration of instructions.*—(1) The remitter in Bangladesh of a telegraphic foreign money order may, on receipt of information from the office of issue in Bangladesh that the order has not been paid, require that the name or address of the payee or both shall be altered or that the amount shall be repaid to him.

(2), (3) *Deleted.*

174. *Payment in Bangladesh.*—The payment in Bangladesh of a telegraphic foreign money order shall ordinarily be made at the address of the payee on his signing a receipt for the amount paid and, as soon as practicable after the receipt of the telegraphic advice.

175. *Redirection.*—A telegraphic foreign money order received for payment in Bangladesh shall be redirected to the payee by post free of charge to his revised address in Bangladesh on his written request, or when there is sufficient trustworthy information upon which to redirect the order.

176. *Non-delivery.*—(1) If the payee of a telegraphic foreign money order received for payment in Bangladesh cannot be found, or if the payee refuses to take payment, a telegraphic reference shall be made to the office of issue in order to obtain instructions from the remitter regarding the disposal of the money order.

(2) If a telegraphic money order is ultimately undeliverable or if the remitter desires repayment, the money order shall be re-issued by post to the remitter without further charge.

177. *Applicability of rules regarding payment.*—(1) Rules 146 and 147 shall apply to the payment in Bangladesh telegraphic foreign money orders in the same manner in which they apply to the payment of telegraphic inland money orders.

(2) Rule 160 shall also apply to the payment of telegraphic foreign sterling money orders.

178. *Deleted.*

NOTE I

1. **Extension of Wage Earners' Scheme benefit to foreign money orders:** Consequent upon the Government decision to extend Wage Earners' Scheme benefit to remittances received through foreign money orders from Bangladesh is employed abroad, the following revised procedure of dealing with inward foreign money orders will come into effect from the 1st of November, 1977.

2. **Surface and Air mail money orders:** (i) Immediately on receipt of money order lists from foreign countries on each working day, Dacca Foreign Post will scrutinise those lists to exclude those remittances which are apparently from non-Bangladeshis or which are meant for payments to foreign nationals or foreign firms. For carrying out this scrutiny only the names of the remitters or payees should normally be the guiding factor to determine whether the remitter/payee is Bangladeshi or not.

(ii) After excluding the remittances ineligible for the Wage Earners' Scheme benefit, Foreign Post, Dacca will communicate in duplicate to the Sonali Bank, the net amount for which that bank has to be authorised to sell foreign exchange received through foreign money orders on that day which is entitled to Wage Earners' Scheme benefit. These authorisations will be in the forms annexed herewith and will bear continuous serial number for each calendar year. The specimen signatures of the officers signing those authorisation shall be communicated to the Sonali Bank at Dacca. The Sonali Bank will also designate one officer who will receive the authorisations from Foreign Post, Dacca so that a personal liaison is maintained between the bank and post office. Sonali Bank on receipt of advice from Post Office shall take immediate steps to dispose of the foreign exchange remittance at the best available rate (s) of the day. Rate/s at which funds are disposed of shall instantly be communicated by Sonali Bank in a letter (proforma enclosed) to Foreign Post, Dacca, after deducting the bank's handling commission at the rate 10th of 1 percent of the estimated sale proceeds of the foreign exchange. This letter of the Sonali Bank will be kept securely on record in a separate file which will serve as the authority on which a particular rate of conversion was applied on any

given date. Copies of this letter should also be prepared, attested and kept attached to each money order list / T.M.O. advice received on that particular date.

(iii) Dacca Foreign post will calculate the Taka value of each remittance on the basis of the rate communicated by the Sonali Bank and prepare money order(s) for the total amount for each foreign remittance.

(iv) For facility of work and to minimise the need for calculation, suitable conversion tables will be supplied. These tables will ensure at a glance the amount payable in Bangladeshi Taka on different amount of remittances at different value to the Sterling Pound, U.S. Dollars. In the absence of these tables or where the entries therein do not correspond exactly to the rate per pound/dollar intimated by the Sonali Bank in any particular case, the amount of foreign money orders to be issued to the payees will be worked out manually on the basis of the rate as indicated by the Sonali Bank.

(v) Dacca Foreign Post will indicate in the money orders prepared by them only the total amount, in Bangladeshi Taka, payable to the payee and will not indicate in the money orders either the amount of original remittance in sterling or dollar or the rate allowed thereon by the Sonali Bank under this scheme.

(vi) To facilitate the payment of money orders under the new scheme the maximum limit of a single money order issued by Foreign Post, Dacca, will be raised from Tk.1,500/- to Tk. 2,000/- only. In case the amount of a remittance exceeds the maximum limit of Tk. 2,000/-, more than one money order will be issued upto the maximum limit of Tk. 10,000/- in case of any single remittance, keeping the amount of each money order within Tk. 2,000/-.

(vii) In the inward money order list the following entries will be recorded by Dacca Foreign Post :—

- (a) Against each entry of the amount of remittances as recorded by the foreign administration the amount for which the money order is actually issued should be indicated. These entries must be very legible and free from erasures.
- (b) The grand totals of the amount for which all the money orders detailed in a particular list are actually issued should also be struck and indicated.

3. Telegraphic Money Orders : (i) On receipt of a telegraphic money order advice from a foreign country the CTO, Dacca will forward the message, as received, to Dacca Foreign Post.

(ii) Dacca Foreign Post, after initial scrutiny as prescribed above will include the value of all such TMO advices in the day's authorisation letter going to the Sonali Bank.

(iii) On receipt of the rate from the Sonali Bank a service telegraphic money order will be prepared in the usual form and manner by the office of exchange for the amount actually payable to the payee and sent to the CTO for transmission to the office of payment.

(iv) Ordinary and Telegraphic money orders which are excluded from the Wage Earners' Scheme benefit at the time of scrutiny shall be paid at the normal rates as prevailing heretofore. Great care has to be taken to ensure that correct conversion rate is applied to these remittances.

4. It should be clearly understood that under the new scheme the time factor is very important and money orders received from foreign countries should be issued by Dacca Foreign Post on the same day of its receipt.

5. **Maintenance and settlement of Accounts :** (i) Sonali Bank, London shall maintain two accounts one in Pound Sterling and the other in U.S. Dollar to record receipt of foreign exchange from British Post Office and also to credit foreign exchange proceeds of drafts from other postal administrations deposited by Bangladesh Post Office to the bank's Dacca branch. The said accounts shall also be used to honour drafts issued by Dacca branch of the bank in connection with disposal of remittances.

(ii) Bangladesh Post Office shall open a Taka account with the local office of the Sonali Bank for inward foreign money order remittances. The remittances received from foreign administrations on account of foreign money orders will be sent to the Sonali Bank with a forwarding letter from Director, International Postal Services wherein full particulars of each remittance should be noted. A copy of the letter will be endorsed to Accountant General, Posts, Telegraphs and Telephones, as well as to Bangladesh Bank. A sum of Taka 10/- (Tk. ten) only will be deducted as uniform commission in respect of each foreign original remittance irrespective of its value.

(iii) The total sale proceeds after deduction of Bank's Commission will be deposited in Post Office Account with the Sonali Bank. After every two months the entire sale proceeds will be remitted to Foreign Post, Dacca by means of pay order payable to Senior Postmaster, Dacca G.P.O. The amount will represent the total value of the foreign money orders plus the commission earned by Bangladesh Post Office during the period.

(iv) Foreign Post, Dacca will send these remittances to Senior Postmaster, Dacca G.P.O. with full particulars and a copy of the letter will be endorsed to A.G., PT&T., for keeping watch that the amount is properly credited and accounted for in the appropriate head of account.

6. **Return of money order :** In the event of the return of any remittance to foreign administration the original foreign currency amount of the remittance will be adjusted in the exchange account and the premium amount will be adjusted by means of deduction of the original amount from the consolidated amount of remittance advised to Sonali Bank for disposal under Wage Earners' Scheme on the day the refund is made by Foreign Post, Dacca.

7. The appropriate amendments to Manual Rules necessitated by the introduction of this scheme will be issued in due course.

8. The scheme comes into force with effect from 1-11-1977 i.e., all money orders received on 1-11-1977 will be entitled to the benefit under this scheme.

9. All concerned should be alerted to ensure correct execution of these orders.

10. A postal Notice on the above subject, is enclosed for prominently displaying the same on the Notice Board of all Post Offices in Bangladesh.

[No. C. 24-7/76 (IR)]

Advice No. _____

Date _____

The Deputy General Manager,
Sonali Bank,
Local Office,
D A C C A.

Dear Sir,

An amount of £.....together with an amount of U.S. \$
has been received by Post Office today from the undermentioned country/countries as Money
Order/Giro remittance as indicated below :-

Sl. No.	Country of Origin.	No. of Money Order/Giro.	Amount £	Amount in U. S. \$
Total				

You are requested to take immediate steps to dispose of the remittances under the 'Wage Earners' Scheme at the best available rates of the day and intimate as the rates after deduction of your commission. The net sale proceeds may please be credited to this office account No. _____ with you.

Yours faithfully,

Superintendent (F. M. O.),

To

The Superintendent
Foreign Money Order,
Foreign Post, DACCA.

Dear Sir,

We are pleased to advise you that amount(s) shown above have been disposed of and the rate/s after deduction of both commission come(s) to Tk.....per £ and Tk.....per U.S. \$. An amount of Tk.....has been credited to your account on this day.

Yours faithfully,

(Authorised Officer),

NOTE II

1. Consequent upon Government decision to provide better facilities to Bangladeshis working in the United Kingdom, Giro Remittance service between Bangladesh and the United Kingdom has been introduced with effect from 16th January, 1978, concurrently with the existing Ordinary and Telegraphic Money Order services between the two countries. The benefit of Wages Earners' Scheme has been extended to the existing Ordinary and Telegraphic Money Orders being remitted by Bangladeshis working in the United Kingdom with effect from 1st November, 1977, and Giro Remittances made by them with effect from 16th January, 1978, until further orders.

2. Under the Giro Remittance system, a Bangladeshi working in the United Kingdom entitled to remit £ 2,000.00 (Two thousand Pound Sterling) only in a calendar year to the members of his/her family in Bangladesh. In addition, he/she is also entitled to remit under this system £ 1,000.00 (One thousand Pound Sterling) only during the same calendar year as gift to his/her relatives and friends (hereinafter called beneficiaries) in Bangladesh.

3. Under the Giro Remittance service, a remitter can remit upto £ 2,000.00 (Two thousand Pound Sterling) only in a single remittance. A sum of Tk. 10.00 (Taka ten) only shall be deducted as uniform commission in respect of each foreign original remittance irrespective of its value.

4. The detailed procedure for payment of foreign money orders to be received under Giro Remittance Service is as follows :—

- (a) **Payment of Money Orders upto £ 50.00 (Fifty Pound Sterling) only :** In case of a remittance upto £ 50.00 the same will be paid in cash, in the usual manner as is being done at present, through a postal money order.
- (b) **Payment of Money Orders exceeding £ 50.00 (Fifty Pound Sterling) by Crossed Cheque :** In case of a remittance exceeding £ 50.00 (Fifty Pound Sterling) the same will be paid by cheque. In both cases, a single money order form will be prepared by the Superintendent (FMO), Foreign Post, Dacca.

A consolidated list will be prepared in duplicate for each Head Office separately for money orders to be paid through cheque. A copy of the list alongwith the money order forms will be sent to the concerning Head Post Office, the other copy will be retained in the Foreign Post. The Postmaster of the concerning Head Post Office on receipt of the list and the money order forms will scrutinise the figures of the money order forms with that of the figures shown in the list. After scrutiny, he will issue Crossed Cheque in favour of the payee and send the same to the concerned Sub and Branch Post Office duly entered in the S.O./B.O. Slip after noting in the prescribed Register, details of which are given below. The full particulars of the Cheque so sent i.e. name and address of the payee as well as the remitter, date of issue of the Cheque with its number and the mode of conveyance of the Cheque should be duly entered in the Register, specimen of which is attached. The entries in the Register should be made in chronological order. Columns in the Register should invariably be left for noting down the date of delivery of the Cheque to the payee and the date on which the information regarding payment of the money order is sent to Foreign Post Office, Dacca. The concerned Head Post Office must invariably note the number, date and amount of the Cheque on the top of the concerned money order form while forwarding the same to its Sub-Office.

(c) **Duty of the Sub-Postmaster/Branch Postmaster :** The Sub-Postmaster/Branch Postmaster, in his turn, on receipt of the Cheque will deliver it to the payee in the manner as is being done in case of the payment of money orders. While signing the money order form the payee will, as a token of having received the payment, put his/her signature or thumb impression, as the case may be, in the acknowledgement portion of the money order form and will invariably write the words "Received payment in Crossed Cheque" (প্রদত্ত অর্থের বিপরীতে স্বাক্ষর করা হয়েছে।)

(d) **Payment :** The payee has the option to encash the Crossed Cheque either from the Post Office or from any Commercial Bank. In case the payment against the Cheque is to be received from the Post Office, the payee will have to open a Savings Bank Account with the Post Office and will receive payment through withdrawal from his Account so opened subject to the usual restrictions regarding withdrawal of money. Immediately after receipt, the Incharge of the office will credit the value of the Cheque in the Savings Bank Account of the payee, if he/she has such an Account in the post office. Other usual formalities as required under the rules will continue to be followed by the Sub-Postmaster and Branch Postmaster, as the case may be. In case of non-payment, the Cheque should be returned to the Head Post Office concerned with due remarks.

(e) **Return of Acknowledgement :** The paying post office after delivery of the Cheque to the payee will send the acknowledgement to the Head Post Office and the Head Post Office concerned on receipt of the same will note the date of delivery of the Cheque in the relevant Register, as mentioned in sub-para (b) above, and thereafter return the acknowledgement to the Superintendent (FMO), Foreign Post Office, Dacca, enclosed in a registered cover daily.

5. All concerned should take action accordingly.

6. A Postal Notice, on the subject, is enclosed for prominently displaying the same on the Notice Board of all post offices in Bangladesh.

179. Fee for issue of order under rule 178.—The fee for the issue of a foreign money order telegraphed under rule 178 shall be made up of—

- (1) the rate of commission on a foreign money order for the same amount,
- (2) a telegraph charge calculated at the ordinary or express rate, as the case may be, for inland telegrams for the number of words used in the telegram advising the remittance,
- (3) a supplementary charge of 25 Poisha.

180. Applicability of rules to orders under rule 178.—Rules 140, 141, 142, 143, 147, 149, 150 and 151 shall apply in the case of foreign money orders telegraphed under rule 178 except that the remitter shall not be entitled to have a private communication added to the telegram advising the remittance.

III. BANGLADESH POSTAL ORDERS

181. The amount for which a single Bangladesh postal order may be issued shall be 50 Poisha or any multiple of 50 Poisha up to Tk. 10. A commission of 5 Poisha shall be charged on the issue of a Bangladesh postal order of any denomination not higher than Tk. 5 and of 10 Poisha on the issue of an order of any denomination higher than Tk. 5.

182. Broken amounts may be made up by affixing unused postage stamps not exceeding two in number on the face of the Bangladesh postal orders, provided that the total value of stamps affixed shall not exceed 49 Poisha and that the total amount payable on the order shall not exceed Tk. 10.

183. The Director General may prescribe the offices authorised to hold a stock of Bangladesh postal orders and the manner in which they shall be sold and paid to the public.

184. (1) If a Bangladesh postal order is not presented for payment within six months from the last day of the month of issue, a second commission of 5 Poisha or 10 Poisha as the case may be, shall be charged, which shall be paid in postage stamps affixed to the back of the order.

(2) Bangladesh postal orders presented for payment more than twelve months after the last day of the month of issue shall not be paid.

(3) The Director General may, if he considers it necessary or expedient exempt, by order in writing, any Bangladesh Postal order from all or any of the provisions of this rule.

185. (1) The purchaser of a Bangladesh postal order shall be entitled to obtain repayment of its value, *but not the commission*, on presenting the order and the counterfoil at the post office from which the order was purchased within six months from the last day of the month of issue. He shall also be entitled to repayment of its value after six months, but not after twelve months, from the last day of the month of issue provided a second commission of 5 Poisha or as the case may be, 10 Poisha is paid.

(2) Should the order have been crossed for payment through a bank, the purchaser shall first cancel the crossing by writing across the face of the order the words "Please pay cash" and adding his initials.

(3) No payment shall be claimable in respect of any stamp used for the purpose of making up a broken amount unless it is a proper stamp within the meaning of rule 197.

186. After a Bangladesh postal order has once been paid to whomsoever it is paid, the Post Office shall not be liable for any further claim.

PART VII

OFFICIAL POSTAL ARTICLES

I—INLAND OFFICIAL POSTAL ARTICLES

187. Official postal articles shall be transmitted by post under the following conditions :—

- (a) The rates of postage and conditions of transmission by post hereinbefore prescribed for the different classes of a non-official postal articles and the rules under which such articles may be registered, insured, or sent value-payable shall be applicable also to official postal articles of the same classes.

Exception 1.—The condition that postage shall be prepaid in full on post-card does not apply to "Service Unpaid" postcards in the cases mentioned in rules 188 and 192(2).

Exception 2.—The condition that unpaid letters must be securely closed by the senders shall not apply to letters sent unpaid under the provisions of rules 188 and 192.

Exception 3.—The condition that a parcel shall not contain more than one written communication of the nature of a letter, or having the character

of a personal communication, shall not apply to official parcels which contain office files provided that no one file shall contain more than one communication of such nature or having such character which was not contained therein when the file was received in the office from which it is being despatched.

- (b) Official postal articles, whether the postage is prepaid or not, shall bear the superscription "On Bangladesh State Service" and this shall be supported by the signature and official designation—to be entered in the lower left-hand corner of the article—of the officer who sends the article, or of the Head Clerk or Superintendent of his office or other responsible officer to whom the duty of despatching is confined.

Explanation 1.—Service postcards bear the inscription "On Service" printed immediately above the impressed stamp. In their case, therefore, no further superscription shall be required.

Explanation 2.—Postmasters may recognise abbreviated designations, provided they are generally known; but no official can claim the recognition of an abbreviation, the rule being that the designation shall be entered in full.

Explanation 3.—Postmasters may recognise *facsimile* impressions of signatures made by means of stamps, but not such impressions when lithographed or otherwise produced. Public officers who use such stamps shall make arrangements for the proper custody and use; and where there is any reason to suspect the misuse of any such stamp or the absence of proper precautions against its misuse, postmasters may decline to recognise the stamp impression and require strict adherence to the rule. Printed names shall not be recognised in lieu of signatures except in the case of official Gazettes in open covers posted in large numbers by the office of publication.

- (c) Service stamps affixed to, or impressed or embossed on, or impressions of stamping machines taken on, an article which does not bear the prescribed superscriptions supported by the signature and official designation of the sender shall not be recognised by the Post Office in payment of postage.
- (d) The delivery and re-direction of articles superscribed "On Bangladesh State Service" shall be governed by the official designation (when given) of the addressee.

188. (1) The postage chargeable on the delivery of official postal articles when the postage is not prepaid or is insufficiently prepaid, shall be as follows :—

On an unpaid postcard, letter or packet	The prepaid rate.
On an insufficiently paid postcard, letter or packet	The deficiency.

(2) In cases where it is not thought advisable to entrust postage stamps to a subordinate official who has to correspond with, or to send returns to, a superior, he may be allowed by his superior to post to him official articles other than parcels, without prepaying the postage, and the same course may be adopted in other cases where it is found convenient or proper to make the postage charge fall on the receiving office.

NOTE.—The prepayment of postage on parcels is compulsory.

189. The particulars of persons and institutions entitled to send official postal articles on Bangladesh State Service together with the conditions under which they can do so, shall be notified by the Director General, Bangladesh Post Office from time to time in the *Post Office Guide and Postal Notices*.

190. Correspondence sent by an officer of a local authority, or by any officer of the Government acting in a capacity connected with a local authority, such as the President or Secretary of a Local Fund Committee, shall not be deemed official correspondence within the meaning of these rules and may not be superscribed as "On Bangladesh State Service". But nothing in this rule shall be held to prevent the transmission "On Bangladesh State Service" or correspondence sent by an officer of the Government acting as such, although the correspondence may relate to the affairs of a local authority.

Illustration.—The Commissioner of a Division, writing in that capacity to the Secretary of a Local Fund Committee concerning its affairs, may superscribe the letter "On Bangladesh State Service."

191. The postage and other charges (if any) on an official postal article can be properly prepaid only by a proper service stamp or stamps or by a proper impression or impressions of stamping machines. Where, however, an ordinary postage stamp instead of a service stamp is used on an official postal article, the article shall be recognised as an official postal article by the Post Office; but the irregularity shall be brought by the officer-in-charge of the post office at which the article was so posted, to the notice of the officer concerned and, if, of frequent occurrence, to that of the Postmaster General.

NOTE.—Service stamps and postcards shall not be sold at post offices but shall be obtainable by Government officials and persons specially authorised to purchase and use service stamps at Government Treasuries. Service stamps may also be obtained by the public from every Treasury provided that the value of the stamps purchased by any person at one time shall not be less than Tk. 6-50 face-value and that an extra charge of $\frac{1}{2}$ per cent. only calculated on the face-value, shall be made to cover incidental expenses. These stamps shall not be used for the repayment of postage on private correspondence.

192. (1) Letters, postcards and packets posted by officers of the Government in their official capacity, addressed to private individuals or associations, shall, even when they relate to the private interests and concerns of the

individuals or associations addressed, be sent as official post articles, prepaid in the usual way.

Exception.—Nothing in this sub-rule shall affect (a) the practice of the

<i>Service Unpaid.</i>
A. B. Dacca
<i>Commissioner</i> COMILLA

Law Courts in regard to the despatch of "certified copies" to persons who do not appear to take them personally, and of documents filed in judicial cases the return of which has been applied for, or (b) the despatch of packets containing books or publications purchased from Government. Such documents, books, or publications may be posted by the judicial or other Government officers concerned in

covers superscribed "Service Unpaid", and covers so superscribed shall be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid. All articles so posted shall be endorsed under the full signature and official designation of the sender, according to the specimen form given on the margin.

(2) Letters, postcards and packets sent by private persons to officers of the Government containing communications

<i>Service Unpaid.</i>
To
The District Superintendent of Police, Tangail
<i>Signature of sender.</i>

which the sender is required by law or rule to make, if superscribed "Service Unpaid" shall, if not refused and returned unopened by the addressee, be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid, and not at double rates as in the case of ordinary articles: Provided that any article so sent is addressed to the full official designation of

the officer for whom it is intended, and that it has been endorsed under the full signature of the sender according to the specimen form given on the margin.

Note.—The prepayment of postage on parcels is compulsory.

193. The amount of postage marked as due on postal articles delivered under the superscription of "Service Unpaid" or "On Bangladesh State Service" or "On Service Unpaid" shall be initialled by the postmaster, or other officer authorised in this behalf by the Postmaster General, of the office of delivery, and whenever any alteration is necessary in the amount as entered in figures, the amount due shall be written in words and attested by the signature in full, of the postmaster or other officer aforesaid. Officers of the Government shall be bound to receive, and to pay any postage which may be due on articles addressed to them under the superscription "On Bangladesh State Service" or "On Service" and bearing the signature in full of the sender. Service stamps shall not be accepted in payment of postage due on such articles.

II.—FOREIGN OFFICIAL CORRESPONDENCE

194. Official correspondence transmitted by the foreign post shall be subject to the same rates and be governed by the same rules as private correspondence. Service stamps may be used on official correspondence addressed to the United Kingdom or Commonwealth countries, but in other cases ordinary postage stamps shall be used. If service stamps are used for the prepayment of postage, they shall be supported by the superscription and signature prescribed by clause (c) of rule 187 relating to inland official postal articles.

NOTE.—Postage on every Foreign official parcel addressed to any country shall be fully prepaid by means of ORDINARY POSTAGE STAMPS.

195. The amount of postage marked as due on postal articles received by the foreign post for delivery to officers of the Government shall be initialled by the postmaster, or other officer authorised in this behalf by the Postmaster General, of the office of delivery. Service stamps shall not be accepted in payment of postage due on such articles.

PART VIII

GENERAL RULES

I.—MANNER OF PREPAYMENT OF POSTAGE AND OTHER CHARGES ON POSTAL ARTICLES

196. Where the postage or other fees or sums chargeable on a postal article is prepaid or are prepaid, the prepayment shall be made either by means of a proper stamp or stamps provided for the purpose by the orders of the Government under section 16 of the Act or by means of a proper impression or impressions of stamping machines or in cash, subject to such terms and conditions as the Director General may from time to time prescribe.

197. The postage and other charges shall not be deemed to be prepaid by means of a proper stamp—

- (a) if the stamp is a stamp which has not been provided for use as a postage stamp under section 16 of the Act ; or
- (b) if the stamp has been obliterated, defaced, torn, cut or otherwise rendered imperfect ; or
- (c) if the stamp has, upon it any word, letter, figure, or design printed or impressed upon it, otherwise than by the authority of the Government before posting ; or

- (d) if the stamp has been cut or otherwise separated from an embossed envelope or from a postcard or wrapper ; or
- (e) if the stamp has been withdrawn from circulation ; or
- (f) if the postage stamp is not affixed at the top right-hand corner of the address side of the postal article or is affixed at the back of such article :

Provided that nothing in this rule shall prevent the perforation of postage stamps with initials, or other identifying marks, traced in minute holes.

NOTE.—The special registration envelopes provided by the Post Office, bearing embossed stamps denoting the registration fee and the initial rate of letter postage, cannot be used for the transmission of unregistered postal articles.

II.—PRICE OF STAMPS

198. Adhesive postage stamps shall be sold in each case for the denoted value of the stamp or stamps.

199. Postcards, ordinary embossed envelopes, air mail envelopes, and aerograms shall be sold for the denoted value of the stamp or stamps which they bear.

200. Embossed Registration Envelopes shall be sold at a price equal to the value of stamp or stamps denoted on the envelopes plus a stationary charge of 20 Poisha for each envelope.

201. Any contravention of rules 198, 199 and 200 shall be punishable with fine which may extend to Tk. 50.

III.—CERTIFICATES OF POSTING

202. (1) A certificate of posting may be obtained in respect of any postal article for which a receipt is not given by the Post Office subject to the following conditions, namely :—

- (a) The certificate of posting written in ink shall be presented to an officer on duty at the post office along with the article to be posted, during the hours fixed for the grant of such certificates.
- (b) The certificate shall contain an exact copy of the addresses on the articles to which it relates and shall have a postage stamp or stamps affixed thereto in payment of a fee to be charged at the rate of 25 Poisha for every three articles or for any less number.
- (c) The actual number of articles in respect of which the certificate is required shall be written in words at the foot of the certificate.

(2) The officer on duty shall compare the number of the articles presented and the addresses on them with the entries in the certificate, and, if the

letter be correct, shall obliterate the postage stamps and impress the date-stamp upon the certificate. The certificate shall then be returned to the person who presented it.

IV.—LATE LETTERS, POSTCARDS OR PACKETS

203. Letters, postcards or packets only intended for despatch by any mail may be presented at the window of the post office, Railway Mail Service office, or section within such hours as the Postmaster General may prescribe and if so presented shall be accepted for despatch by inland or foreign post, provided that the postage and the fee required by or under rule 204 have been prepaid.

204. (1) The late fee shall ordinarily be 15 Poisha for each unregistered letter, postcard or packet, 25 Poisha for each such registered article, 25 Poisha for each insured article and 25 Poisha for each money order.

(2) The Director General may direct that a higher fee than that prescribed by sub-rule (1), but not exceeding 25 Poisha, shall be charged on late letters, postcards or packets posted in certain post offices, R. M. S. offices or sections or on board the steamers or in other special circumstances. All such fees and the circumstances in which they are chargeable shall be notified in the *Gazette of Bangladesh*.

V.—RE-DELIVERY TO SENDER OR DELIVERY TO ANOTHER ADDRESSEE AT THE REQUEST OF THE SENDER OF POSTAL ARTICLES IN COURSE OF TRANSMISSION BY POST.

205. (1) Postal articles, while in the course of transmission by post, may be recalled by the sender or delivered to another addressee at the request of the sender, without reference to or the consent of the first addressee, subject to the following conditions, namely:—

- (a) No such postal articles as aforesaid shall be re-delivered to sender or delivered to another addressee at the request of the sender except under the orders of:—
 - (i) the First Class Postmaster or the Superintendent of Post Offices, within whose jurisdiction the article is posted; or
 - (ii) the Head of a Postal Circle; or
 - (iii) the Director General.
- (b) An application for the re-delivery or delivery to another addressee of a postal article shall be made in writing to any of the authori-

ties aforesaid, either direct or through any officer-in-charge of a post office.

- (c) An application shall be received only from the sender of the postal article, or from some person authorised in this behalf by the sender in writing.
- (d) A fee of Taka one shall be paid in respect of each postal article for which an application is made under (b) and the fee shall in no case be refundable :
Provided that no fee shall be charged in the case of official articles.
- (e) Upon receiving such application and the fee as aforesaid, the officer-in-charge of the post office shall, unless he is a First Class Postmaster, send the same to the First Class Postmaster or the Superintendent of Post Offices to whom he is subordinate and shall in the meanwhile detain the postal article in case it is in his custody or, where he is a First Class Postmaster, proceed to act under (g).
- (f) If the postal article is not in the custody of the said officer he shall require the officer-in-charge of the post office of address in the case of an inland postal article, or of post office of exchange in the case of a foreign postal article, to abstain from delivering it to the addressee or from sending it to its address, and to detain the article in his custody, and such requisition may be sent by air or telegraph, at the expense of the applicant.
- (g) When the application reaches authority named in (a) that authority may, upon being satisfied that the applicant is the sender, order the re-delivery to the sender or delivery to another addressee of the postal article.
- (h) In the case of foreign postal articles which have already left the country, the post office of exchange concerned shall arrange to have the form FMS 19(a) filled in by the sender and to transmit the same to the office of destination and the form FMS 19(a) may be forwarded by air, or the request contained therein transmitted to the office of destination by telegraph, on payment of the necessary charges by the sender.

(2) These rules shall apply to all postal articles, official as well as non-official.

VI.—DETENTION IN THE POST OFFICE OF BOOK AND PATTERN PACKETS AND PARCELS

206. Book packets (other than newspapers) and pattern packets shall not be detained at the post office at which they were posted, for a period exceeding one day.

207. (1) Book packets (other than newspapers) and pattern packets received from abroad shall not be detained in the Bangladesh office of exchange for a period exceeding one day exclusive of the day on which the mail is received in the said office of exchange :

Provided that nothing in this rule shall prevent any further detention at the port of arrival that may be necessary for the purpose of customs examination or enquiries.

(2) Book packets, containing printed papers obviously without value, such as circulars, price lists and advertisements, when received from abroad, shall not be detained in the Bangladesh office of exchange for a period exceeding two days exclusive of the day on which the mail is received in the said office of exchange.

208. The delivery of book packets (other than newspapers), and pattern packets shall not be delayed beyond the delivery next following that by which they would ordinarily be delivered.

209. Parcels shall not be detained at the post office at which they are posted for a period exceeding one day.

210. Parcels received from abroad shall not be detained at the Bangladesh office of exchange for a period exceeding two days exclusive of the day on which the parcel mail is received in the said office of exchange :

Provided that nothing in this rule shall prevent any further detention at the Bangladesh office of exchange that may be necessary for the purposes of customs examination or enquiries.

211. Subject to the limitations expressed in rules 209 and 210, parcels shall be delivered at such times and by such deliveries as the Director General may direct.

VII.—DETENTION AND DISPOSAL OF UNDELIVERED POSTAL ARTICLES

At the post office of address

212. (1) An undelivered postal article, the addressee of which is not known or has left the station of address without intimating his fresh address to the post office, shall ordinarily be kept in deposit in the head, sub, or branch post office to which it is addressed for a period of seven days after all enquiries to find the addressee have proved unsuccessful.

(2) An undelivered postal article, on which the words "*Poste Restante*", "*To await arrival*", or similar instructions have been written, shall remain in the post office to which it is addressed—

(a) for a period of two months from the date on which it reaches the post office at Chittagong;

(b) for a period of one month in all other cases.

(3) Notwithstanding anything contained in sub-rule (1) or sub-rule (2), an undelivered value-payable postal article, whether or not the words 'Poste Restante', 'To await arrival' or similar instructions have been written thereon, shall, subject to the proviso to sub-rule (1) of rule 110 remain in the post office to which it is addressed for a period of seven days only.

(4) An undelivered postal article shall ordinarily not remain in a post office to which it has been redirected, after it has been ascertained that the addressee cannot be found.

(5) An undelivered telegram, which is in course of transmission by post, shall remain in the post office to which it is addressed, for a period of three days from the date on which it reached that office.

213. An undelivered postal article of which the addressee—

- (a) has refused or after due notice omitted to take delivery, or
- (b) is known to have gone away from Bangladesh without leaving instructions at the post office as to the direction of his correspondence, or
- (c) is dead, and there is no person to whom the article could properly be delivered,

shall not be detained in the post office to which it is addressed.

In the office of the Postmaster General

214. Subject to the provision of section 39, proviso (b), of the Act, letters which cannot be disposed of under section 38 of the Act, shall be detained for a period of—

- (i) one month, when they are unregistered, and
- (ii) three months, when they are registered.

On the expiration of the prescribed period, the letters shall be destroyed by being burnt.

215. Postcards which cannot be disposed of under section 38 of the Act shall be detained for a period of one month, on the expiration of which they shall be destroyed by being burnt ;

Provided that postcards, other than those sent "Service Unpaid" under the provisions of rule 189 on which the postage has not been prepaid shall be destroyed forthwith by being burnt.

216. Subject to the provisions of section 39, proviso (b) of the Act, packets and newspapers which cannot be disposed of under section 38 of the Act, shall be dealt with as follows :—

- (a) Packets containing printed papers, obviously without value, such as trade circulars and price lists, shall be disposed of forthwith by being sold as waste paper or destroyed.
- (b) Other packets and newspapers shall be detained for a period of (i) one month if they are unregistered, and (ii) three months, if they are registered, on the expiration of which the packets and newspapers may be disposed of by being sold or destroyed. Magazines, periodicals and newspapers may, at the option of the Postmaster General be used for any public purpose.

217. Subject to the provisions of section 39, proviso (b), of the Act, parcels which cannot be disposed of under section 38, shall be detained for a period of three months on the expiration of which they may be destroyed.

218. Nothing in these rules shall prevent the immediate destruction of any postal article in exercise of the powers conferred by sub-section (3) of section 23 of the Act.

VIII.—GRATUITIES TO BE PAID TO MASTERS OF SHIPS

219. Gratuities shall be payable to the masters of ships, not being mail ships, in respect of postal articles and mail bags or other containers received by them for conveyance on behalf of the Post Office, at the following rates, namely :—

	Tk. Poisha		
Letters and Postcards	1	19	Per pound
Packets	0	12	Do.
Parcels	0	06	Do.
Mail bags and other containers	0	06	Do.

220. The gratuities shall be payable at the time when the mail bags are made over to the masters of the ships by which they are to be conveyed, and on the granting of a receipt for the bags in the form below :—

Received from the Postmaster.....the following mail bags.—

From	To	No	Remarks
Total (in figures and words).			

Date ^{A.M.} _____ 19 _____ Master _____
_{P.M.} _____ S.S. _____

N.B.—When one form is not sufficient for all the entries, the forms which are used must be numbered in consecutive order, and the word "Last" must be written at the top of the last form.

IX.—AUTHORISING POSTAL OFFICIALS TO SEARCH FOR AND TO INTERCEPT CERTAIN PROHIBITED ARTICLES

221. Postal articles found in course of transmission by post to bear words, marks or designs of a seditious character shall be made over to the Criminal Intelligence Department for disposal. All other postal articles which are sent by post in contravention of section 20 of the Act, shall be destroyed or otherwise dealt with in such manner as the Postmaster General may direct.

222. The officers mentioned below are empowered to search, or cause search to be made, for birds' skins and feathers in course of transmission by post to any place out of Bangladesh the taking of which by sea or by land or by air out of Bangladesh is prohibited. The said officers shall deliver all postal articles reasonably believed or found to contain such skins and feathers to the nearest Collector of Customs.

[(1), (2), (3)] Deleted.

(4) The Superintendent, Foreign Post, Dacca and the Assistant Superintendents, Foreign Post, Dacca.

[(5), (6), (7)] Deleted.

(8) The Head Sorters of Railway Mail Service Offices and Sections at Dacca and Chittagong.

(9) Deleted.

NOTE.—Manufactured articles containing the skins and feathers of birds (such as fans and boxes) also come within the above prohibition.

223. The bringing into Bangladesh through the medium of the Post Office, and the taking out of Bangladesh through this medium to any place outside Bangladesh, of any narcotic drugs other than—

- (i) those which are dangerous drugs within the meaning of the Dangerous Drugs Act, 1930 (II of 1930), or
- (ii) the medicinal preparations which have been declared by a notification for the time being in force under clause (g) of section 2 of that Act not to be manufactured drugs,

having been prohibited under section 19 of the Sea Customs Act, 1878 (VIII of 1878), the officers mentioned below are empowered to search or cause search to be made for these narcotic drugs in the course of transmission by post. The said officers shall deliver all postal articles reasonably believed or found to contain any of these substances to the nearest Customs Collector for disposal in accordance with the provisions of the Sea Customs Act, 1878 (VIII of 1878), applicable to prohibitions and restrictions imposed under section 19 of the said Act.

- (1) The Controller of Post Offices, Dacca, the Deputy controller of Post Offices, the Postmaster, Dacca Sadar.
- (2) The Postmasters, Deputy Postmasters and Assistant Postmasters at the General Post Offices, Dacca and Chittagong.
- (3) The Senior Superintendent, Foreign Post, Dacca, and the Assistant Superintendents, Foreign Post, Dacca.

[(4), (5), (6), & (7)] *Deleted.*

224. The officers noted below are empowered to search, or cause search to be made, for any copy of seditious publication, the bringing of which by sea or by land or by air into Bangladesh is prohibited, in course of transmission by post to any place in Bangladesh. The said officers shall deliver all postal articles reasonably believed or found to contain such copies of publication to the Director General, Intelligence Bureau, (or any officer acting in his behalf);

The Superintendent, Foreign Post, Dacca and Assistant Superintendents, Foreign Post, Dacca; and all officers-in-charge of head or sub-post offices including Deputy and Assistant Postmasters, and all Superintendents, Inspectors and Head Sorters of the Railway Mail Service.

225. The officers mentioned below are empowered to search, or cause search to be made, amongst all articles in course of transmission by post to any place in Bangladesh for living plants and all portions thereof (including seeds and fruits) and American cotton the import of which by sea or land into Bangladesh is prohibited, regulated or restricted by the Notification in the Department of Revenue and Agriculture No. 580-240, dated the 22nd June, 1922 and by the Notification in the Department of Education, Health and Lands No. 1581-Agriculture, dated the 1st October, 1931. The said officers shall

deliver all postal articles reasonably believed or found to contain such goods to the nearest Customs Collector :

- (1) The Controller of Post Offices, Dacca, the Deputy Controller of Post Offices, Dacca and the Postmaster, Dacca Sadar.
- (2) The Postmasters, Deputy Postmasters, and Assistant Postmasters at the General Post Offices, Dacca and Chittagong.
- (3) The Senior Superintendent, Foreign Post, Dacca, the Superintendents, Foreign Post, Dacca and the Assistant Superintendents, Foreign Post, Dacca.

226. Deleted.

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THE GOVERNMENT SAVINGS BANKS ACT, 1873

(Act No. V Of 1873)

(As modified up to 31st August, 1958.)

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3. Interpretation clause.

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DEPOSITS BELONGING TO LUNATICS

12. Payment of deposits belonging to lunatics.

DEPOSITS MADE BY MARRIED WOMEN

13. Payment of married women's deposits.

RULES

14. Rules regulating certificates under section 8, and payments under section 10, 12 or 13.

CHAPTER III

THE GOVERNMENT SAVINGS BANKS ACT, 1873

Act No. V of 1873¹

(As adapted in Bangladesh)

(28th January, 1873)

An Act to amend the law relating to Government Savings Banks.

Preamble.—WHEREAS it is expedient to amend the law relating to the payment of deposits in Government Savings Banks ; It is hereby enacted as follows :—

PRELIMINARY

1. Short title.—This Act may be called the Government Savings Banks Act, 1873.

Local extent.—²It extends to the whole of Bangladesh.]

* * * * *

2. [Repeal of Act XXVI of 1855] Rep. by the Repealing Act, 1873 (XII of 1873).

3. Interpretation Clause.—In this Act—

“depositor” means a person by whom, or on whose behalf, money has been heretofore, or shall be hereafter, deposited in a Government Savings Bank ; and “deposit” means money so deposited ;

¹ For the Statement of Objects and Reasons to the Bill which was based upon the Trustee Savings Banks Act, 1863 (26 and 27 Vict. c. 87), s. 30, see Gazette of India, 1872, Pt. V, p. 575 ; for Proceedings in Council, see *ibid.*, 1872, Supplement, pp. 727, 743 ; *ibid.*, 1873, Supplement, pp. 150 and 221.

This Act has been applied to the Chittagong Hill-tracts with certain modifications, see Bengal Regulation III of 1944.

² Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for “all the Provinces and the Capital of the Federation” which had been subs. by A. O., 1949, Arts. 3(2) and 4, for “the whole of British India.”

³ Commencement clause rep. by the Repealing Act, 1874 (16 of 1874).

- ¹“Secretary” means in the case of a Post Office Savings Bank, the Postmaster General appointed for the area in which the Savings Bank is situated ²[or if that area is in India, ³the Postmaster General for such area in Bangladesh as the Government may by general or special order specify in this behalf] ;
- ⁴“minor” means a person who is not deemed to have attained his majority under the Majority Act, 1875 (IX of 1875).

Deposits belonging to the Estates of deceased Persons

§4. Nomination and payment on death of depositor.—(1) A Depositor may, in such manner and form as may be prescribed by rules of the Government Savings Bank, make nomination conferring upon any person or persons the right to receive on the death of the depositor the whole or any part of the deposit standing to his credit.

(2) The person or persons nominated under sub-section (1) shall, notwithstanding anything contained in any other law for the time being in force or in any disposition, whether testamentary or otherwise, by a depositor of the deposit or any part thereof, be entitled, to the exclusion of all other persons, to receive the deposit or part to which the nomination relates.

(3) Where any person nominated under sub-section (1) dies before the death of the depositor or before he has received any sum thereunder, the nomination shall cease to have any effect.

(4) A depositor may, by a notice to the postmaster received in such form as may be prescribed for the purpose, at any time vary or cancel any nomination made by him under sub-section (1).

(5) In any case where—

- (a) a depositor dies without making any nomination under sub-section (1) in respect of the whole of the deposit standing to his credit, or after any such nomination, if made, has ceased to have effect under sub-section (3);

¹ Subs. by the Government Savings Banks (Amdt.) Act, 1923 (16 of 1923), s. 2, for the original definition.

² Ins. by A. O. 4 of 1949, Sch.

³ The word “by” rep. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3, and II Sch.

⁴ Subs. by the Amending Act, 1916 (13 of 1916), s. 2 and Sch., for the original definition.

⁵ This section was subs. first by the Government Savings Banks (Amdt.) Act, 1923 (16 of 1923), s. 3 and then by the Government Savings Banks (Amdt.) Act, 1943 (2 of 1943), s. 2 and again by Government Savings Banks (Amendment) Act, 1965 (XXIV of 1965) s. 2 to read as above.

- (b) the deposit, or the part of the deposit in respect of which nomination has been made, does not exceed Taka twenty-five thousand, and
- (c) the probate of the will of the depositor, or the letters of administration of his estate, or a succession certificate under the Succession Act, 1925 (XXXIX of 1925), is not, within three months of the death of the depositor, produced to the Secretary of the Government Savings Bank concerned,

payment of the deposit, or the part as aforesaid, may be made to the person appearing to be entitled to receive it or to administer the estate of the deceased by the Secretary or by any officer employed in the management of the Government Savings Bank who is empowered in this behalf by a general or special order of the Government to the extent to which he is so empowered and subject to any general or special order of the Secretary in this behalf.]

5. Payment to be a discharge.—Such payment shall be a full discharge from all further liability in respect of the money so paid.

Saving of right of executor.—But nothing herein contained precludes any executor or administrator, or other representative of the deceased, from recovering from the person receiving the same the amount remaining in his hands after deducting the amount of all debts or other demands lawfully paid or discharged by him in due course of administration.

Saving of right of creditor.—And any creditor or claimant against the estate of the deceased may recover his debt or claim out of the money paid under this Act or ^{1a} Act No. XXVI of 1855², to any person, and remaining in his hands unadministered, in the same manner and to the same extent as if the latter had obtained letter of administration of the estate of the deceased.

6. Security for due administration.—The Secretary of any such Bank [or any officer empowered under [sub-section (5) of section 4] may take such security as he thinks necessary from any person to whom he pays any money under [sub-section (5) of section 4] for the due administration of the money so paid, and he may assign the said security to any person interested in such administration.

7. Power to administer oath.—For the purpose of ascertaining the right of the person claiming to be entitled as aforesaid, the Secretary of any such

1 The words "the said" rep. by the Amending Act, 1891 (12 of 1891), s. 2 and Sch. I.

2 Rep. by s. 2 of this Act.

3 Ins. by the Government Savings Banks (Amdt.) Act, 1923 (16 of 1923), s. 4.

4 Subs. by the Savings Banks (Amendment) Act, 1965 (XXIV of 1965), s. 3.

Bank 4[or any officer empowered under 2[sub-section (5) of section 4] may take evidence on oath or affirmation according to the law³ for the time being relating to oaths and affirmations.

Penalty for false statements.—Any person who, upon such oath or affirmation, makes any statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed guilty of an offence under section 193 of the Bangladesh Penal Code (XLV of 1860).

8. Deposit when excluded in computing court-fees.—Where the amount of the deposit belonging to the estate of a deceased depositor does not exceed 4[Taka Three thousand] such amount shall be excluded in computing the fee chargeable, under the Court-fees Act, 1870 (VII of 1870), on the probate, or letters of administration, or certificate (if any), granted in respect of his property⁵ :

Provided that the person claiming such probate or letters of certificate shall exhibit to the Court authorised to grant the same a certificate of the amount of the deposit in any Government Savings Bank belonging to the estate of the deceased. Such certificate shall be signed by the Secretary of such Bank, and the Court shall receive it as evidence of the said amount.

9. Act not to apply to deposits belonging to estates of European soldiers or deserters.—Nothing hereinbefore contained applies to money belonging to the estate of any European officer, non-commissioned officer or soldier dying in 6[the service of the State] in 7[Bangladesh], or of any European who, at the time of his death, was a deserter from the said service.

Deposits belonging to Minors

10. Payment of deposits to minor or guardian.—Any deposit made by, or on behalf of, any minor may be paid to him personally if he made the deposit, or to his guardian for his use if the deposit was made by any person other than the minor, together with the interest accrued thereon.

The receipt of any minor or guardian for money paid to him under this section shall be a sufficient discharge therefor.

1 Ins. by the Government Savings Banks (Amdt.) Act, 1923 (16 of 1923), s. 4.

2 Subs. by the Savings Banks (Amendment) Act, 1965 (XXIV of 1965), s. 1.

3 See the Oaths Act, 1873 (10 of 1873).

4 Subs. by the Government Savings Banks (Amendment) Act, 1917 (17 of 1917), s. 2, for "one thousand rupees".

5 Cf. the Savings Bank Act, 1828 (9 Geo. 4, c. 92) s. 40, now rep. by the Savings Banks Act, 1863 (26 and 27 Vict, c. 87).

6 Subs. by A. G. O., 1961, Art. 2 and Sch., for "Her Majesty's service" (with effect from the 23rd March, 1956).

7 Subs. by A. O., 1949, Sch., for "India".

11. Legalisation of like payments heretofore made.—All payments of deposits heretofore made to minors or their guardians by any Secretary of a Government Savings Bank shall be deemed to have been made in accordance with law.

Deposits belonging to Lunatics

12. Payment of deposits belonging to lunatics.—If any depositor becomes insane or otherwise incapable of managing his affairs,

and if such insanity or incapacity is proved to the satisfaction of the Secretary of the Bank in which his deposit may be,

such Secretary may, from time to time, make payments out of the deposit to any proper person,

and the receipt of such person, for money paid under this section, shall be a sufficient discharge therefor.

Where a committee or manager of the depositor's estate has been duly appointed, nothing in this section authorises payments to any person other than such committee or manager.

Deposits made by Married Women

13. Payment of married women's deposits.—Any deposit made by or on behalf of a married woman, or by or on behalf of a woman who afterwards marries, may be paid to her, whether or not the Indian Succession Act, 1865 (X of 1865)¹ section 4 applies to her marriage; and her receipt for money paid to her under this section shall be a sufficient discharge therefor.

Rules

14. Rules regulating certificates under section 8, and payments under section 10, 12 or 13.—All certificates under section 8, and all payments under section 10, section 12 or section 13, shall be respectively granted and made by the Secretary of the Bank, subject to such rules consistent with this Act as the [Government] may, from time to time, prescribe².

¹ See now the Succession Act, 1925 (39 of 1925).

² Subs. by the A. O., 1937, for "G. O. in C."

³ For such rules, see Gazette of India, 1895, Pt. I, p. 406, and *ibid*, 1897, Supplement, p. 158.

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THE POST OFFICE CASH CERTIFICATES ACT, 1917

ACT No. XVIII of 1917

(As adapted in Bangladesh)

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1. Short title.
2. Prohibition of transfer of Post Office 5-year Cash Certificates without the consent of an authorised officer.

Sections.

3. Payment on death of holder of Post Office 5-year Cash Certificate.

CHAPTER IV
THE POST OFFICE CASH CERTIFICATES
ACT, 1917

Act No. XVIII of 1917

(As adapted in Bangladesh)

(19th September, 1917)

An Act to restrict the transfer of Post Office 5-year Cash Certificates and to provide for the payment of Certificates standing in the name of deceased persons.

WHEREAS it is expedient to restrict the transfer of Post Office 5-year Cash Certificates and to provide for the payment of Certificates standing in the name of deceased persons ; It is hereby enacted as follows :—

1. Short title.—This Act may be called the Post Office Cash Certificates Act, 1917.

2. Prohibition of transfer of Post Office 5-year Cash Certificates without the consent of an authorised officer.—(1) Notwithstanding any provision in any enactment or any rule of law for the time being in force to the contrary, no transfer (whether made before or after the commencement of this Act) of a Post Office 5-year Cash Certificate shall be valid without the previous consent in writing of ¹[an officer of the Post Office authorised by general or special order of the ²(Government) in that behalf].

(2) In this section "transfer" means a transfer *inter vivos* and does not include a transfer by operation of law.

3. Payment on death of holder of Post Office 5-year Cash Certificate.—(1) If a person dies and is at the time of his death, the holder of a Post Office 5-year Cash Certificate, payment of the sum for the time being due on such Certificate may be made in the manner provided in the Government Savings

¹ For Statement of Objects and Reasons, see Gazette of India, 1917, Pt. V, p. 75 ; and for Proceedings in Council see *ibid.*, 1917, Pt. VI, p. 705 and 929. This Act has been applied to the Chitragong Hill-tracts by Bengal Regulation III of 1944.

² Subs. by the Post Office Cash Certificates (Amendment) Act, 1920 (32 of 1920), s. 2, for "the Postmaster General for the area in which the post office of issue is situate."

³ Subs. by A. O., 1937, for "G. G. in C."

Banks Act, 1873 (V of 1873), for the payment of deposits belonging to the estates of deceased persons, and the provisions of sections 4 to 9 of the said Act shall apply accordingly as if the holder of such Certificate were a depositor in a Government Savings Bank and the sum for the time being due on such Certificate were a deposit in such a Bank¹ and as if for the words "three thousand" in section 8 of the said Act the words "five thousand" were substituted] :

Provided that the powers conferred by the said provisions on the Secretary of a Government Savings Bank shall be exercisable by the Postmaster General for the area within which the post office of issue of such Certificate is situated² or if that area is in India, by the Postmaster General for such area in Bangladesh as the Government may by general or special order specify in this behalf] :

Provided further that, where in any one case payment is to be made of Certificates issued from more post offices than one, the said powers shall be exercisable by the Postmaster General for the area in which any of the said post offices is situated.

(2) Nothing in sub-section (1) shall be deemed to require any person to accept payment of the amount due on a Post Office 5-year Cash Certificate before the same has reached maturity.

¹ Ins. by the Post Office Cash Certificates (Amend.) Act, 1920 (12 of 1920), s. 3.

² Subs. by the Government Savings Banks (Amendment) Act, 1943 (2 of 1943), s. 8, for "sections 4 and 8".

³ Ins. by G. G. O. 4 of 1949, Sch.

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THE POST OFFICE NATIONAL SAVINGS CERTIFICATES

ORDINANCE, 1944

(ORDINANCE No. XLII OF 1944)

(As modified upto 30th April, 1968)

Sections

1. Short title, application and commencement.
2. Interpretation.
3. Restriction of transfer.

Sections

4. Payment on death of holder of savings certificate.
5. Holdings by or on behalf of minors.
6. Rules.

CHAPTER V

THE POST OFFICE NATIONAL SAVINGS CERTIFICATES ORDINANCE, 1944

ORDINANCE No. XLII of 1944

(*As adopted in Bangladesh*)

(9th September, 1944)

An Ordinance to make certain provision in respect of Post Office Twelve-Year National Savings Certificates and other classes of Savings Certificates ;

WHEREAS an emergency has arisen which renders it necessary to make certain provision in respect of Post Office Twelve-Year National Savings Certificates and other classes of Savings Certificates ;

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor General is pleased to make and promulgate the following Ordinance :—

1. Short title, application and commencement.—(1) This Ordinance may be called the Post Office National Savings Certificates Ordinance, 1944.

(2) It applies to—

(a) Post Office Twelve-Year National Savings Certificates issued in pursuance of the Notification of the Government of India in the Finance Department No. F. 17 (100)-F/43, dated the 4th September, 1943, and

(b) any¹ other classes of savings certificates to which the Government

1 The Ordinance has been applied to—

(i) Baluchistan, see (Notification No. 52-W., dated the 11th October, 1944, Gazette of India, 1944, Pt. I, p. 1326 ;

(ii) the Chittagong Hill-tracts, with effect from the 11th January, 1945, see Bengal Government Notification No. 218-S., dated the 6th January, 1945.

(iii) the partially excluded areas of the Mymensingh District, subject to modifications with effect from the 18th January, 1945, see Ben. Government Notification No. 828-S. S. S., dated the 12th January, 1945.

2 The provisions of this Ordinance have been applied to the Bangladesh Post Office Twelve-Year Savings Certificates and to the Bangladesh Defence Savings Certificates, see Gazette of Bangladesh, 1948, Pt. I, p. 601 and also to the Bangladesh Post Office Ten-Years Savings Certificate and the Bangladesh Post Office Five-Years Savings Certificates, see Gazette of Bangladesh, 1953 Pt. I, p. 233 ; and the Ten-Years National Development Certificates, see *ibid.*, 1957 Est. p. 2215.

may from time to time by notification in the official Gazette direct that the provisions of this Ordinance shall apply.

(3) It shall come into force at once.

2. Interpretation.—In this Ordinance—

- (a) "minor" means a person who is not deemed to have attained his majority under the Majority Act, 1875 (IX of 1875) ;
- (b) "Savings Certificate" includes a Post Office Twelve-Year National Savings Certificate referred to in clause (a) of sub-section (2) of section 1 and a savings certificate of any other class to which the provisions of this Ordinance have been applied by a direction in pursuance of clause (b) of that sub-section ;
- (c) "transfer" means a transfer *inter vivos* and does not include a transfer by operation of law.

3. Restriction of transfer.—Notwithstanding any provision in any enactment or any rule of law for the time being in force to the contrary, no transfer whether made before or after the commencement of this Ordinance, or as the case may be, before or after the making of a direction in pursuance of clause (b) of sub-section (2) of section 1, of a savings certificate shall be valid without the previous consent in writing of an officer of the Post Office authorised by general or special order of the Government in that behalf.

4. Payment on death of holder of savings certificate.—(1) If a person dies and is at the time of his death the holder of a savings certificate, payment of the sum for the time being due thereon may be made in the manner provided in the Government Savings Banks Act, 1873 (V of 1873), for the payment of deposits belonging to the estates of deceased persons, and the provisions of sections 4 to 9 of the said Act shall apply accordingly as if the holder of the savings certificate were a depositor in a Government Savings Bank and the sum for the time being due on the certificate were a deposit in such a Bank :

Provided that in such application section 8 of the said Act shall be construed as if the reference therein to Taka three thousand were a reference to the amount of the maximum holding of savings certificates prescribed in the rules made or deemed to have been made under this Ordinance applicable to the particular savings certificate :

Provided further that—

- (a) the powers conferred by the said provisions on the Secretary of a Government Savings Bank shall be exercisable by the Postmaster General for the area within which the post office of issue of such

savings certificate is situated ⁴ [or if that area is in India, by the Postmaster General for such area in Bangladesh as the Government may by a general or special order specify in this behalf] ;

- (b) where in any one case payment is to be made of savings certificates issued from more post offices than one, the said powers shall be exercisable by the Postmaster General for the area in which any of the said post offices is situated.

(2) Nothing in sub-section (1) shall be deemed to require any person to accept payment of the amount due on a savings certificate before it has reached maturity.

5. Holdings by or on behalf of minors.—Notwithstanding any provision in any enactment or any rule or law for the time being in force to the contrary,—

- (1) a minor may apply for and hold savings certificates and any person may apply for and hold savings certificates on behalf of a minor ;
- (2) where any certificate is held by or on behalf of a minor, the minor shall, whether the certificate was applied for and issued before or after the commencement of this Ordinance or, as the case may be, before or after the making of a direction in respect of such certificate in pursuance of clause (b) of sub-section (2) of section 1, be bound by the provisions of this Ordinance and of any rules made or deemed to have been made thereunder applicable to such savings certificate and by the terms of any declaration made by the applicant for the certificate in pursuance of the said rules ;
- (3) payment of the sum for the time being due on a savings certificate held by or on behalf of a minor may be made—
- (a) to him personally, if he himself applied for the certificate, or
- (b) for the use of the minor, if the application for the certificate was made by any person other than the minor,—
- (i) to any such person, being a parent of the minor or guardian of his property, as may be nominated in that behalf in the form of application, or
- (ii) if no such nomination has been made, to any guardian of the property of the minor appointed by a competent Court, or where no such guardian has been so appointed, to either parent of the minor, or where neither parent is alive, to any other guardian of the minor,—

¹ Certain words ins. by A. O., 1949.

and the receipt of the minor or, as the case may be, of his parent or guardian for any sum paid under this clause shall be a sufficient discharge therefor.

6. Rules.—(1) The Government may by notification in the official Gazette make rules¹ relating to any class of savings certificate.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the application, for the issue, maximum limits of holding and discharge of, and conditions as to interest or discount relating to, any class of savings certificate, and may also provide—

- (a) that where any such maximum limits of holdings are exceeded no interest shall be payable on the amount of such excess ;
- (b) that if any interest has been paid on any amount of such excess, it shall be recoverable as an arrear of land-revenue or in such other manner as the rules may prescribe.

(3) All rules relating to—

- (a) the Post Office Twelve-Year National Savings Certificates in force at the commencement of this Ordinance ;
- (b) any other class of savings certificate in force at the time when a direction in pursuance of clause (b) of sub-section (2) of section 1 is made in respect thereof—

shall, so far as they are not inconsistent with the provisions of this Ordinance, continue in force until they are duly rescinded or amended, and shall be deemed to have been made under this Ordinance.

¹ For the Ten-Year National Development Savings Certificates Rules, 1958, see Gazette of Bangladesh, 1958, Part I, pp. 651-679 ; and for the encashment of the Holdings of Deceased Saving Certificates, see *ibid.*, 1960 Part I, pp. 393-394.

**THE POST OFFICE
SAVINGS BANK RULES**

THE POST OFFICE SAVINGS BANK RULES

DEFINITIONS

1. For the purposes of these rules—

Deposit means money paid into a Post Office Savings Bank by, or on behalf of a depositor.

Depositor means the person by whom, or on whose behalf, money is deposited.

Account means the account of a depositor in a Post Office Savings Bank.

Balance means the balance at credit of an account.

Minor means a person who is not deemed to have attained his majority under the Majority Act, 1875.

'*Guardian*' includes a father, or, failing him by reason of death, incapacity, refusal or absence, a mother, or failing her by reason of the same and if no guardian of the minor has been appointed by will or deed or under any enactment for the time being in force in Bangladesh, any adult relation of the minor with or by whom the minor is residing or being maintained, or the legal guardian of the minor.

Director-General means the Director-General of Bangladesh Post Office.

"*Postmaster-General*" means the chief postal authority in any Circle or place to which the system of Post Office Savings Bank is extended.

"*Accountant-General*" means the A. G., Posts, Telegraphs and Telephones, Dacca.

OBJECT OF GOVERNMENT IN ESTABLISHING POST OFFICE SAVINGS BANKS

2. The object of Government in establishing Post Office Savings Banks is to provide a ready means for the deposit of savings and so to encourage thrift. Savings Banks are not to be used for the purpose of keeping a current account, and the A. G. is empowered to close accounts, or, in the case of accounts opened on behalf of minors, to stop the receipt of further deposits should he have reason to believe that the accounts are being used for a purpose for which the Savings Bank was not intended.

BUSINESS HOURS

3. Post Office Savings Banks will be open every day, with the exception of Sundays and other Post Office holidays. The hours for the transaction of business are from 9-30 a. m. to 2-30 p.m. and on Fridays from 8-30 to 11-30. These hours may, under the authority of the Director-General, be altered to suit local circumstances.

POSTAL OFFICIALS BOUND TO SECRECY

4. The officers of the Post Office engaged in receipt or payment of deposits are not allowed to disclose the name of any depositor, or the amount deposited or withdrawn by him, except to the Postmaster-General or other officers of the Department engaged in carrying out the provisions of these rules.

Exception.—This prohibition, however, does not apply to the supply to the Income-tax Authorities of information regarding Government Securities held by, and interest paid to, investors through the Post Office and the income-tax deducted therefrom.

PERSONS WHO MAY DEPOSIT MONEY

5. (1) (a) Any person may deposit money in a Post Office Savings Bank on behalf of—

- (i) himself,
- (ii) any minor of whom he is the guardian, or
- (iii) any lunatic of whom he is the guardian or manager appointed by a Court of Law provided that the Superintendent of a Mental Hospital may deposit money on behalf of any lunatic confined in the hospital,
- (iv) a known firm in the firm's name.

(b) An adult depositor may also open a Joint Account along with another adult person.

(c) A minor may open an account in his own name in addition to any account opened by his guardian on his behalf.

(d) A married woman may open a separate account in her own name notwithstanding the fact that her husband has an account opened in his own name or both of them have a joint account.

(2) Save as provided in sub-rule (1), deposits on behalf of any person shall be deemed to be deposits of that person and no claim preferred by any other person on the ground that the deposits were fictitiously made in the name of the former person and that the deposits belong to the claimant, shall be entertained.

LIMITATIONS AS TO OPENING ACCOUNTS AND DEPOSITS

6. (1) No person shall have more than one account opened in his own name except where otherwise provided for by these rules.

(2) In addition to any account which a person may open in his own name, he may open any number of separate accounts in the names of any minors or lunatics on whose behalf he may deposit money under sub-rule (1)(a) of rule 5:

Provided that not more than one account shall be opened or kept open by him on behalf of any such minor or lunatic.

(3) *(Deleted.)*

(4) If through any cause an account has been opened is kept open in contravention of the provisions of this rule the A. G. may, at any time, cause the account to be closed, with effect from such date as may be specified by him, and the depositor shall not be entitled to claim profit on the account from that date.

7. Deposits in trust are not allowed, and cannot be recognised.

8. Money cannot be deposited in the name of more than two persons jointly provided that nothing in this rule shall prevent the deposit of money in the name of a known firm.

9. (1) No account shall be opened with a deposit of less than Taka two.

(2) No subsequent deposit shall be less than Taka one.

(3) No deposit whether initial or subsequent, shall include a fraction of a Taka.

NOTE 1.—The prohibition against the deposit of a sum containing a fraction of a Taka does not apply to the following cases :—

- (a) when the amount deposited represents profit on trust funds administered by a Government servant in his official capacity ;
- (b) when included in amounts credited on account of profit on, or sale-proceeds of Government Securities.

NOTE 2.—No profit will be allowed on deposits made in contravention of the above rule ; nor on deposits made in an account having a balance of less than Taka 2 which has been treated as dead.

10. The total amount at call which may be deposited in any one official year from the 1st July to 30th June inclusive, after deducting the amounts withdrawn during the year, may not exceed Taka 30,000 for accounts standing open in a head office or in a departmental sub-office or Taka 5,000 for accounts standing open in an extra-departmental sub-office or a branch office, *i.e.*, no deposit shall be received which has the effect of raising the depositor's balance, exclusive of profit credited in the current year, to a figure more than Taka 30,000 for accounts standing open in a head office or in a departmental sub-office or Taka 5,000 for accounts standing open in an extra-departmental sub-office or a branch office, inclusive of the balance at his credit at call on the 1st July last.

Note 1.—Amounts deposited and withdrawn for purposes of immediate investment will not be taken into account in applying the limit of Taka 30,000 or Taka 5,000, as the case may be.

Note 2.—The maximum limit on deposits standing open in a Head Office or in a departmental sub-office shall not apply to deposits of money of local bodies and other institutions whose income is not liable to income tax.

11. (*Deleted.*)

POWERS TO WITHDRAW MONEY AND LIMITATIONS AS TO WITHDRAWALS

12. A depositor whose account stands at a head office or a sub-office may withdraw money from his account twice a week provided that on any one day not more than one withdrawal is made. A depositor whose account stands at a branch office, may, however, withdraw money from his account only once a week. By the term "week" is meant the period from Monday to Saturday, both days inclusive. The restriction as to the number of withdrawals in a week does not apply when a withdrawal is required for immediate investment in Government Securities (including Savings Certificates) provided that no cash is actually paid out by the post office at the time of the transaction.

13. A minor may only withdraw money deposited by him in his own name. Money deposited on behalf of a minor may only be withdrawn during minority by his guardian. Money deposited on behalf of a lunatic may only be withdrawn by his manager or guardian appointed by a Court of Law or by the Superintendent of a Mental Hospital in the case of accounts opened by him on behalf of the patients confined in any such hospital.

14. Women, whether married or single, may withdraw money deposited by them in their own names; and married women may also withdraw money deposited by them as single women in their own names, their marriages notwithstanding. The fact that a female minor, on whose behalf money has been

deposited is married, or becomes married after the account has been opened on her own behalf, shall not prevent her from withdrawing the money so deposited on attaining majority.

15. A depositor may not withdraw any sum which is less than Taka one or, unless it be for withdrawing the whole balance at his credit and closing the account, any sum which includes a fraction of a Taka or would reduce the balance to less than Taka two.

NOTE.—The prohibition against the withdrawal of a sum containing a fraction of a Taka does not apply to the following cases :—

- (a) a trust fund administered by a Government servant in his official capacity;
- (b) withdrawal for investment in Government Securities or Savings Certificates provided that no cash is actually paid out by the post office at the time of the transaction.

HOW TO OPEN AN ACCOUNT

16. Any person wishing to open an account should apply to the nearest post office that is a Savings Bank. Applications need not necessarily be made in person ; but the applicant shall state his name, address and his occupation or profession. If he be a Bangladeshi he shall also state his father's name and caste. A married woman may state the name of her husband.

17. The intending depositor must sign a declaration in the following form that he has read and accepted the Post Office Savings Bank Rules. If he be unable to write, he must attend personally and, in the presence of witness, affix his mark or seal to the declaration to be attested by the signature of the witness. If he should apply in person, a copy of these rules will be given to him to read, or they will be read and explained to him, should he be unable to read. If he should not apply in person, a copy of these rules with the form of declaration will be sent to him and he must present the declaration duly signed with the first deposit.

Form of declaration to be signed by depositor on making first deposit.

"I hereby declare that the Post Office Savings Bank Rules have been read by me.

_____ † and that I accept them as binding upon me.
to me

† Strike off whichever is not required.

"I further declare that I have no ordinary S. B. account opened by me on my own behalf at any Post Office Savings Bank except a Joint Account (rule 36-A) and Fixed or Joint Fixed Deposit Account (rule 36-B),* or Profit-with-Bonus Account (rule 36-c)."

NOTE 1.—If the intending depositor does not wish to draw profit on the balance at credit of his Savings Bank Account he must give the following declaration in writing on the Index-Card :—

"I also declare that I do not demand profit."

NOTE 2.—The intending depositor shall affix three signatures below his declaration on the index card and one or two more signatures if his account is opened at a sub-post office or a branch post office. Those whose accounts are already open shall also provide additional specimens of their signature.

18. Women may open accounts in their own names through their agents or, if they are married women, through their husbands or agents. The agent or husband will be required to produce a letter of authority in the prescribed form from the depositor and to sign the declaration that the depositor understands and accepts the rules. No postal official may, under this rule, be the agent of any woman, except his own wife, in respect of an account held in the post office in which he is employed.

19. When the declaration is presented, duly signed, with the amount of the first deposit or when it has been signed by a depositor, attending in person to make a deposit, the amount of the deposit will be entered in a pass-book which will be supplied to the depositor, and the entry will be initialled by the postmaster and stamped with the office stamp. The depositor will be required to sign a receipt for the pass-book.

NOTE.—No new account will be opened with a deposit by cheque.

20. If the account be opened at a sub or branch post office, the pass-book for the deposit will have to be obtained from the head office. A preliminary receipt for the amount of the first deposit will, therefore, be given to the depositor, who will be informed of the date on which he should call to receive the pass-book. When the pass-book is handed over to the depositor, he will be required to return this preliminary receipt and to sign a receipt for the pass-book. The amount of the original deposit will be entered in the pass-book by the head office and the depositor will, therefore, have a guarantee that the sum has been received in that office. He should be careful to see that the entry in the pass-book corresponds with the amount entered in the preliminary receipt before giving up the latter.

* NOTE.—In the event of an account being opened on behalf of a minor or lunatic, the person opening the account shall make the following further declaration :—

"I declare that I have no account on behalf of the minor/lunatic at any Post Office Savings Bank."

"I declare that the minor was born on (date by the Christian era as nearly as can be ascertained)."

20-A. Pass-books can be issued independently by sub-offices specially authorised in this behalf only in cases where an account is sought to be opened by a person on behalf of :—

- (i) himself, singly or jointly ;
- (ii) any minor of whom he is the guardian ;
- (iii) any female of whom he is an agent, and in case of ;
- (iv) fixed deposit accounts mentioned in Rules 36-B (a) (i), (ii), (iii), (v) & 1 of the rules for depositors.

In all other cases the existing rules shall apply.

20-B. (1) Persons who open the following categories of accounts and are able to sign their names in running hand, may be supplied with cheque books :—

- (a) Individual and joint accounts other than those of minors and lunatics opened under rule 3.
- (b) Public accounts opened under rule 42.
- (c) Regimental, Police and other conjoint accounts opened under rule 44.

(2) The Post Office reserves to itself the right to allow, extend or withdraw the facility at any time and for any reason whatsoever.

(3) Cheque book for the first time will be delivered under receipt to the depositor himself or despatched by registered post. It will not be handed over to third party except on proper identification.

(4) A new cheque book will be issued only on receipt of the requisition slip attached to the cheque book issued previously and, this should be sent along with the pass book for entries being posted up-to-date.

(5) Depositors who already hold an account in the Post Office Savings Bank may be issued cheque books on submission of a written application to the postmaster concerned in the prescribed form personally or through an authorised agent.

PASS-BOOK AND ITS IMPORTANCE

21. The pass-book will show, in Bengali or in English, as the depositor may wish, the number of his account, with the name of the office from which the book is issued, his own name and address. No deposit can be made and no money can be withdrawn from an account without its production, and the Post Office will not be responsible for any sum not acknowledged in the pass-book. Depositors

should carefully examine their books before leaving the office and satisfy themselves that the entries are correct. They should also be careful to keep their pass-books in their own possession, as the Post Office does not accept responsibility for any loss caused to a depositor, if, through his negligence, any person shall obtain possession of the book and fraudulently obtain the payment of any sum belonging to the depositor.

NOTE 1.—In the case of an account opened at a sub or branch post office, the pass-book will be sent to the head office as soon as possible after the 15th October when the pass-book is presented for entry of profit under rule 10. The depositor will obtain a receipt in exchange for his pass-book and he must give up this receipt when his pass-book is returned to him at the sub or branch office.

NOTE 2.—A depositor can have his pass-book sent free of charge to the post office at which the account stands for the purpose of having the profit entered or the account transferred, or in response to a call from the post office, but not for the purpose of making a deposit or withdrawal.

NOTE 3.—Whenever the pass-book is handed over to the post office in connection with any transaction or the entry of the profit the depositor must obtain it back from the post office within three months of his handing over the pass-book, failing which and in the absence of the pass-book, the entries in the post office ledger shall be conclusive evidence of the state of the depositor's account.

CHANGE OF ADDRESS

21-A. When a depositor changes his permanent address, he should communicate the same to the post office where his account stands for carrying out necessary correction in the post office records.

LOSS OF PASS-BOOK

22. No charge will be made for the pass-book at first supplied to a depositor, or for any book issued to him in continuation of the original book which will be retained by the post office. But if a pass-book be lost or spoiled or if any account be re-opened with the permission of the Accountant-General (under rule 35), before the expiration of one month from the date of closure, the depositor will have to pay Taka two for a fresh book.

Exception.—When the balance at credit of the account is less than Taka 100, the Postmaster-General may at his discretion grant exemption from the payment of the usual fee or sanction refund of the fee already paid, provided the pass-book is lost or spoiled in circumstances over which the depositor had no control. In other cases, the exemption will be granted only when the pass-book is lost or spoiled through the fault of the Post Office.

Note.—When a pass-book is used-up and a fresh one is issued to the depositor in continuation of the original one, the used-up pass-book may be returned on receipt by the postmaster of a written application from the depositor.

SUPPLY OF SAVINGS BANK LEDGER COPIES

22-A. A depositor can obtain copies of his Savings Bank account as appearing in the ledger on making a written application to the postmaster. A fee of Taka two will be charged for every thirty entries or part thereof.

MODE OF DEPOSITING MONEY AFTER AN ACCOUNT HAS BEEN OPENED

23. (1) A depositor may deposit money at the office at which his account stands as often as he wishes, so long as the prescribed maximum limits (see rule 10) are not exceeded. All that he is required to do is to take or send to the post office the amount to be deposited along with his pass-book and a form of Deposit Slip duly filled in and signed by him. The form can be obtained at the Post Office. The amount of his deposit will be entered in the pass-book, and the balance struck as shown below :—

Date 1	Date stamp of post office. 2	Amount of each deposit or withdrawal (to be entered in words). 3	Amount deposited. 4	Amount withdrawn 5	Balance at credit of the depositor. 6	Initials of the post-master 7
			Taka	Taka	Taka	
3rd April	--	Deposited Taka ten	10 0	--	10 0	A.B.
9th April	--	Deposited Taka twenty-five	25 0	--	35 0	A.B.
18th May		Withdrawn Taka three --	--	3 0	32 0	A.B.

The entry will then be initialled by the postmaster and stamped with the date stamp of the office, and the pass-book will be returned to the depositor or his messenger. In case of deposit by cheque, all entries shall be made in the depositor's pass-book as in the case of deposit by cash except in regard to (i) column (3) in which the words "By cheque" shall be recorded in red ink; and (ii) column (6) which shall be left blank till the cheque is cleared.

NOTE.—No new account will be opened with a deposit by cheque.

(2) A depositor whose account stands at a head office may deposit money at any of the Savings Bank sub-office under that head office provided the deposit made at any one time does not exceed Taka 30,000 in the case of departmental

sub-office and Taka 5,000 in the case of extra-departmental sub-offices and the maximum limit of Taka 30,000 fixed for a head office is not exceeded ; and a depositor whose account stands at a sub-office may deposit money at the head office of that sub-office or at any of the Savings Bank sub-offices under that head office provided the maximum limit of Taka 30,000 fixed for departmental sub-offices or Taka 5,000 in the case of extra-departmental sub-offices is not exceeded. Similarly a depositor at a *branch office* may deposit money at the office to which it is subordinate and, if such office is a sub-office, he may also deposit money at the head office of such office provided the deposit made at any one time does not exceed Taka 5,000 and also the maximum of Taka 5,000 fixed for a branch office is not exceeded. With these exceptions, a depositor may deposit money only at the post office at which his account stands.

NOTE 1.—No deposit may be made to an account which has been ordered to be closed.

NOTE 2.—No deposit may be made to an account opened on behalf of a minor after he has attained his majority—See rule 34(1).

24. If the amount be deposited at a sub or branch post office, the depositor will receive, in addition to the receipt in his pass-book, an acknowledgment from the head office which will generally be the office at the headquarters station of the district. This acknowledgment will be delivered to him in ordinary course through the post office. If it should not reach the depositor in proper time or if, when it reaches him, it should show any signs of erasure, or should not agree with the entry in the pass-book, the depositor should immediately apply to the postmaster of the head office, the name of which is in the pass-book and renew his application again and again until he receives a satisfactory reply.

MODE OF WITHDRAWING MONEY

25. When a depositor who has not been issued a cheque book wishes to withdraw money, he must present his pass-book personally or by agent at the post office at which his account stands, with a printed form of application for withdrawal which can be obtained at the post office, signed by himself, and showing the balance at his credit and the amount which he wishes to withdraw. If the pass-book and application for withdrawal are presented by an agent, the name and signature of the agent should be entered in the application for withdrawal before it leaves the depositor's custody. If the depositor is unable to write, he must attend personally and affix his mark or seal to the application. Should he be absolutely unable to attend personally, he must have his mark or seal affixed to the application and attested by some respectable witness, and the postmaster will make payment to the person presenting this application with the pass book, after satisfying himself, by such enquiry as he may think proper, of the inability of the depositor to attend and of the genuine character of the application. The

mark or seal of a depositor or messenger who cannot write must, at the time he receives payment of a withdrawal, be attested by the signature of a respectable witness (other than the paying officer) who is personally acquainted with the depositor or messenger, as the case may be, and also known to the postmaster or some member of the post office establishment.

Exception :—(1) When the amount to be withdrawn does not exceed Taka 100, the depositor may, on presentation of the pass-book and the application for withdrawal (form S. B. 7), withdraw the amount from the head office or any savings bank sub-office under that head office irrespective of the fact whether the relevant savings bank account stands open at that head office or at any savings bank sub-office under that head office. Before a depositor can be allowed to take advantage of this facility, he will have his photograph pasted to his pass-book, after due attestation by the office where his S. B. account stands for identification. For this purpose, he will present at the post office concerned, at his own cost, two copies of his photographs in pass-port size. Both copies of the photograph so presented will be attested by the officer-in-charge of the post office concerned, one copy being pasted to the inside of the cover of the depositor's pass-book, date-stamped and signed by the officer-in-charge in such a manner that a part of the date-stamp impression and of his signature come on the cover of the pass-book. The post office will retain the other copy of the photographs for office record. The post office will also retain, on giving a receipt in form S.B. 28, the depositor's pass-book for submission to the head office for scrutiny. The pass-book will, after scrutiny, be returned to the sub-office concerned by the head office for delivery to the depositor who will receive the same on surrender of the receipt in form S. B. 28. The depositor who takes advantage of this facility will have to produce at his own cost fresh copies of his photograph at intervals of three years or when a fresh book is issued.

(2) In case a savings bank account stands open at a branch post office, withdrawals not exceeding Taka hundred may, subject to the conditions laid down in the preceding paragraph (1), be made from the account office (whether head or sub) of that branch office.

(3) Withdrawals contemplated *vide* the preceding paragraphs (1) and (2) will be allowed only if the application for withdrawal is presented by the depositor concerned *personally* and not through an agent or messenger.

NOTE 1.—If a depositor desires to withdraw the whole of the balance shown to his credit in his pass-book, he will be required to close his account.

NOTE 2.—In the case of withdrawals made from the accounts of female depositors by their authorised agents under rule 18, the agent must sign the following certificate on the application for withdrawal :—

“Certified that the depositor is on this day alive and sane.”

NOTE 3.—In the case of withdrawal from a lunatic's account, the guardian, or the manager of the lunatic depositor duly appointed by a Court of Law, must sign the following certificate on the application for withdrawal :—

"Certified that the amount sought to be withdrawn is required for the use of the lunatic who is alive this day."

NOTE 4.—A minor cannot appoint an agent to act for him and must attend the post office personally to withdraw money deposited by him in his own name.

26. Should any person other than the father or the mother wish to withdraw money from an account opened on behalf of a minor and claim to do so as guardian of such minor, he will be required to fill in on a form prescribed by the Director-General, will answer to the following questions and such other questions as may be considered necessary, and will only be allowed to withdraw money on the order of the Postmaster-General in accordance with rule 41 :—

- (a) What is your relationship to the minor?
- (b) Is the father or the mother or are both parents of the minor dead, incapacitated or absent from the country or refuse to operate the account? What near relations of the minor are alive?
- (c) Have you been appointed guardian of the minor by will or deed or under any enactment in force in Bangladesh? (If the reply to this question is in the affirmative, the applicant should produce the documents on which he relies to support his claim.)
- (d) Are you an adult relative of the minor, and does he reside with you or is he maintained by you?

NOTE.—Every application for withdrawal from a minor's account must have a certificate in one or other of the terms given below—according to the circumstances of the case—signed by the person making the application :—

- (i) In case of withdrawal from a male minor's account—"Certified that the amount sought to be withdrawn is required for the use of the minor who is alive this day."
- (ii) In case of withdrawal from a female minor's account by her husband—"Certified that the amount sought to be withdrawn is required for the use of the minor who is alive this day and is my legally married wife."
- (iii) In case of withdrawal from a female minor's account by any other person—"Certified that the amount sought to be withdrawn is required for the use of the minor who is alive this day and is married/ not married."
- (iv) In case of withdrawal from the account of a minor (male or female) by guardian who is an official appointed as such in his official capacity by order of a Court under the Guardians and Wards Act, 1890—"Certified that the amount sought to be withdrawn is required for the administration of the minor's estate."

27. The amount to be withdrawn will be entered in the pass-book and a fresh balance struck as in case of a deposit, against the initials of the postmaster and an impression of the date-stamp of the office. The amount will then be paid to the depositor or to the person presenting the pass-book and application, and his receipt taken, in all cases free of stamp duty, on the warrant of payment.

28. (1) The payment of a withdrawal at a sub-office or a branch office is subject to the condition that funds are available in the office. If funds are not available, they will be obtained as soon as possible. In such a case, the depositor will be informed of the date on which he should come to the post office to receive payment, and he will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(2) When a depositor whose account stands at a branch office wishes to withdraw a sum not exceeding Taka two hundred payment will be made by the branch postmaster without referring to the account office. He will retain the pass-book on giving a receipt to the depositor who will be informed of the date on which he should come to the post office to receive his pass-book. An application for a withdrawal exceeding Taka four hundred will be sent to the head or sub-office to which the branch office is subordinate for a warrant of payment. The depositor will be informed of the date on which he should come to the branch office to receive payment. He will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(2) (a) When a depositor whose account stands at an Extra-departmental Sub-Post Office wishes to withdraw a sum not exceeding Tk. 400/- withdrawal will be sanctioned and payment made by the E. D. Sub-Postmaster. After making the payment as also necessary entries in the pass-book, the E. D. Sub-Postmaster will retain the pass-book and give a receipt to the depositor who will be informed of the date on which he should come to the Post Office to receive his pass-book. An application for withdrawal exceeding Tk. 400/- will be sent to the Head Office for a warrant of payment. The depositor will be informed of the date on which he should come to the Sub-Office to receive payment. He will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(3) Payment at sub and branch offices will be made to the depositor or other person presenting the pass-book under the conditions laid down in rule 25, and his receipt will be taken, in all cases, free of stamp duty, on the warrant of payment. The transaction will be entered in the pass-book against the initial of the sub or branch postmaster and an impression of the date stamp of the office.

28-A. (1) A depositor supplied with a cheque book may at his option use a cheque or an application for withdrawal prescribed in rules 25 and 36-A(d). Presentation of the pass-book along with the cheque will not be necessary. This pass-book must, however, be presented at the time of issue of a fresh cheque book and otherwise at least once a month.

(2) Crossed cheques payable through commercial banks may be issued only on the Post Office Savings Bank at station where business with commercial banks is transacted through a clearing house.

(3) A depositor shall not issue a cheque for small sums and in any case, the amount of a cheque shall not be less than Tk. 5.

(4) Post-dated cheques or cheques presented three months after the date of their issue will not be paid.

(5) If a depositor desires to stop payment of cheque he must make a request in writing under his own signature. The request will be registered, but the Post Office will not accept any liability, whatsoever, for failure to comply with such a request."

Note.—In the case of an application to withdraw money from a security deposit account standing open at a sub-office or a branch-office, no payment will be made until a warrant of payment is received from the head office. Similarly, in the case of withdrawals sought from a conjoint account from a branch post office, payment will not be allowed until a warrant of payment is received from the account office.

PROFIT

29. With effect from 1st July, 1976 and until further orders, profit will be allowed at the rate of $8\frac{1}{2}\%$ per annum on all accounts except as otherwise provided in rules 36-B and 45-C.

This profit will be allowed for each calendar month on the lowest balance at credit of an account between the close of the "sixth" day and the end of the month; provided that profit shall be allowed only on sums of complete Taka, and that it shall be calculated, to the nearest Poisha; provided also that profit shall not be allowed on any sum in excess of Taka 60,000 or Taka 50,000 or Taka 5,000 as the case may be.

Note 1.—When an order has been issued to close an account, profit ceases to accrue from the first day of the month in which the order is issued (see end of rule 33).

Note 2.—Profit on the account of a deceased depositor ceases to accrue from the first day of the month in which notice is issued to the person or persons recognised by the Postmaster-General or the Head Postmaster (see rule 37) as entitled to receive the balance of the account. No profit will be allowed on money deposited after his death in the account of a deceased depositor.

Note 3.—(Deleted.)

Note 4.—Profit earned on deposits made in Post Office Savings Bank Accounts is free of income-tax.

30. The profit calculated as above for each month will be added each year to the balance of each account. Depositors should present their pass-books as soon as possible after the 15th October in order that the necessary entries may be made in them. If the pass-book be not presented for this purpose, the entry will be made on the next occasion when a deposit is made or when money is withdrawn.

Note 1.—Pass-books of depositors in sub and branch post offices will be sent to the head office for the entry of profit under this rule.

Note 2.—No balance will be struck in the pass-book after the 30th June until profit has been added for the past year.

Note 3.—The Accountant-General is vested with the power of making at any time adjustments on account of excess or short credits of profit to a depositor's account, by deduction from or addition to the balance standing at the credit of such depositor, as the case may be. But such adjustments are not to be carried back beyond six preceding account years.

TRANSFER OF ACCOUNTS

31. A depositor may have his account transferred, free of charge, to any post office that is a Savings Bank, provided that the account shall have been in existence for at least three months from the date on which it was opened or reopened on transfer. If he should wish to transfer his account, he must present his pass-book personally, or send it to the post office and must in either case make a written application for transfer in which he should mention whether or not he holds Government Securities in the custody of the Accountant-General, Posts, Telegraphs and Telephones, Direct and specify the particulars of the means in which he has investments, if any. He must, at the same time, forward one, two or three specimens of his signature according as the post office to which the account is to be transferred is a head, sub or branch office. The pass-book will be returned to the depositor (but see Note 3 below), who should present it as soon as possible at the post office to which his account has been transferred.

Note 1.—Accounts cannot be transferred from one head post office to another between the 16th and 30th June both days inclusive.

Note 2.—Accounts ordered to be closed cannot be transferred nor can an account be transferred after the death of the depositor.

Note 3.—The Accountant-General is vested with the power of making at any time to transfer his account will first be sent to the head post office to which the sub or branch office is subordinate to have the orders authorising the transfer entered in the book.

NOTE 4.—When an application for the transfer of an account of a female depositor is made by her authorised agent or of an account opened on behalf of a minor by the person who opened it, the agent or the person who opened the account, as the case may be, must certify as follows above his signature on the application for transfer :— “Certified that the depositor is on this day alive and sane.”

NOTE 5.—When an application for the transfer of an account of a lunatic depositor is made by his or her guardian or manager duly appointed by a Court of law, the guardian or the manager must certify as follows on the application for transfer :—

“Certified that the depositor is alive this day.”

NOTE 6.—In case of an account opened for the first time, the restriction that an account cannot be transferred unless it shall have been in existence for at least three months from the date on which it was opened may be relaxed under the orders of the Postmaster-General in exceptional cases where delay in the transfer of the account will cause hardship to the depositor. In the case of an account which has been re-opened on transfer from another office, the Head Postmaster may, at his discretion, relax this restriction in exceptional circumstances, provided that three months have elapsed from the date on which the account was originally opened.

CLOSING AN ACCOUNT

32. When a depositor wishes to close his account, he must present his pass-book personally or by agent at the post office at which his account stands, with a prescribed form of application, signed by himself, for withdrawal of the amount shown at his credit in the pass-book. He must also surrender to the postmaster un-used cheques if he has any. The amount of profit due on his account up to the end of the calendar month preceding the date of presentation, will be entered in the pass-book and a final balance struck. The amount will then be paid to the depositor and his receipt taken on the warrant of payment. The pass-book will be retained in the post office. If the application to close an account be presented at a sub or branch office, the same procedure will be followed as in the case of an ordinary withdrawal, except that the pass-book will be retained and that the application and pass-book will, when profit is due, be, in all cases, sent to the head office for the warrant of payment.

NOTE.—The rule (see rule 12) which prevents a depositor from withdrawing money from his account more than once or twice a week does not apply to the closing of an account, that is to say, an account may be closed within the week in which withdrawal or withdrawals, as the case may be, has or have been made.

33. If an order to close an account be issued by the Postmaster-General or the Accountant-General, under these rules, notice in writing will be sent to the depositor requiring him to present his pass-book and receive payment of the balance at his credit as soon as convenient. After the date of such notice, no deposit will be accepted to the account, and no profit will be allowed upon the balance after the end of the calendar month preceding such date.

34. (1) An account opened on behalf of a minor must, if still open, be closed by the person on whose behalf it was opened, on his attaining majority under the Majority Act, 1875. Ordinarily a minor attains his majority on the completion of his age of 18 years; but in the cases mentioned below the minor does not attain his majority until he has completed his age of 21 years :

- (i) a minor of whose person or property or both, a guardian other than a guardian for a suit has been appointed or declared by a Court of Justice before the minor has attained the age of 18 years.
- (ii) a minor of whose property the superintendence has been assumed by any Court of Wards before the minor has attained the age of 18 years.

(2) When the late minor is not in Bangladesh and delay would cause substantial hardship, the Postmaster-General may allow the guardian to close the account on behalf of the late minor on his indemnifying the post office against loss from any future claim.

(3) Profit on an account opened on behalf of a minor ceases to accrue from the first day of the month in which the minor attains his majority.

(4) An account opened on behalf of a lunatic by the manager or guardian appointed by a Court of Law must, if still open, be closed by the person on whose behalf it was opened in the event of the Court subsequently declaring him to be sane.

RE-OPENING AN ACCOUNT

35. A depositor who has once closed an account cannot open another account until after the expiration of one month from the date of closure without the permission of the Accountant-General and a depositor whose account has been closed by order cannot open a fresh account in any case without the permission of the authority which ordered it to be closed.

DEAD ACCOUNT

36. Accounts in respect of which no transactions have taken place for six complete years will be treated as "dead accounts" and no subsequent deposit or withdrawal will be allowed in the case of such accounts without the previous orders of the head postmaster.

NOTE 1.—A dead account does not lapse to Government but may be re-opened at any time on the application of the depositor, and the profit that has accumulated will be added to the principal when the account is revived.

NOTE 2.—Presentation of pass-book for entry of profit is not transaction within the meaning of this rule.

NOTE 3.—Accounts of the balances at credit of which have reached the maximum limit of deposits will not be treated "dead" in any case.

JOINT ACCOUNTS

36-A. The following special conditions govern the opening of joint accounts and their transactions :—

- (a) In addition to an ordinary account opened under rule 5, an adult depositor may open not more than one joint account with another adult person. In other respects, a joint account shall, except when the contrary is stated, be subject to the general rules for ordinary accounts.
- (b) The total amount at call, which may be deposited in a joint account in any one official year after deducting the amounts withdrawn during the year, may not exceed Taka 60,000 for accounts standing open in a head office or a departmental sub-office or Taka 5,000 for accounts standing open at an extra-departmental sub-office or a branch office, *i.e.* no deposit shall be received which has the effect of raising the depositor's balance, exclusive of profit credited in the current year, to a figure more than Taka 60,000 for accounts standing open in a head office or a departmental sub-office or Taka 5,000 for accounts standing open in an extra-departmental sub-office or a branch office inclusive of the balance at his credit at call on the 1st July last.
- (c) Both joint depositors must give the following declaration, *viz.* :—
 "We hereby declare that the Post Office Savings Bank Rules have been by*
 read—us and that we accept them as binding upon us. We also
 to
 declare that neither of us is a minor and that neither of us has any other joint account opened in the name of either of us at any Post Office Savings Bank. We further declare that payment may be made on the application for withdrawal signed by either or both of us."
 We acknowledge receipt of the pass-book.
- (d) The application for withdrawal (SB. 7) must be signed by either or both of the joint depositors as indicated in the declaration given at

*Strike out the alternative not required.

the time of opening the joint account, payment of the amount being made to both jointly or to either of them or to their authorised agent or messenger as the case may be.

Note.—In the case of withdrawal by either of the joint depositors, the person seeking the withdrawal must sign the following certificate on the application for withdrawal :—

"Certified that the other joint depositor is on this day alive and sane."

- (e) The application for transfer or closure of a joint account must be signed by both the joint depositors. In the case of death of one of the joint depositors, transfer of a joint account shall not be allowed.
- (f) In the case of death of one of the joint depositors, the amount at credit of the joint account shall belong to and be payable to the survivor. The Head Postmaster of the office in which, or in one of the sub-offices attached to which, the joint account for the time being stands, is competent to issue orders for the closure of the account and payment of the amount together with profit, if any, due.

FIXED DEPOSIT ACCOUNTS AND JOINT FIXED DEPOSIT ACCOUNTS

36-B. The following special conditions govern the opening of fixed deposit accounts and joint fixed deposit accounts and their transactions :—

- (a) One and only one fixed deposit account may be opened by any of the following irrespective of whether or not another account is opened by the same person or body under the other provision of these rules :—
 - (i) a single adult ;
 - (ii) two adults in their joint names—
 - (1) payable to the holders jointly or payable to either with the written consent of the other ; or
 - (2) payable to either ;
 - (iii) a minor ;
 - (iv) an adult on behalf of—
 - (1) any minor or minors of whom he is the guardian ; or
 - (2) any lunatic of whom he is the guardian or manager appointed by a Court of Law.

NOTE.—An adult person may open any number of separate fixed deposit accounts in the names of any minors or lunatics of whom that person is the guardian or manager, provided that not more than one account will be opened or kept open by him on behalf of any one minor or lunatic.

- (v) local authorities as defined in the General Clauses Act, 1897 ;
- (vi) registered co-operative societies excluding Co-operative Bank ;
- (vii) Co-operative Banks, the Bangladesh Bank and Scheduled Bank as defined in the Bangladesh Bank Act, 1956 (XXXIII of 1956)—
 - (1) in the bank's own name from the funds of the bank ; or
 - (2) on behalf of the bank's clients ;
- (viii) employers including firms and companies on behalf of their employees ;
- (ix) properly constituted associations of a charitable, religious, educational, or recreational nature or for the encouragement of thrift, e.g. dispensaries, hospitals, mosques or other religious institutions, schools, orphanages, libraries, etc. ;
- (x) incorporated companies or associations and registered firms ;
- (xi) on behalf of teachers or employees from their money in a provident fund or an approved superannuation fund by officers authorised by a Government or by persons to whom the power may be delegated by the other authorised by the Government ;

NOTE.—The provisions of rule 45A(a) and (c) and the notes thereunder will apply *Mutatis Mutandis* to fixed deposit accounts opened under this clause.

- (xii) Commissioner of Workmen's Compensation Act for the deposit of amounts of compensation payable to the claimants under Section 3 of the Workmen's Compensation Act, transactions in these accounts being made only by the officer opening the account or by the successor in office ;
 - (xiii) Government officers or officers of the Bangladesh Bank in their official capacity on behalf of another individual or fund.
- (b) (i) A fixed deposit account or joint fixed deposit account (as the case may be) may be opened for 1 year, 2 years or 3 years.
- (ii) The depositor may by application in writing to the post office concerned, extend the period of the fixed deposit from the date of its expiry for a further period of 1 year or multiples thereof. The extended period will commence imme-

diately after the expiry of the original period of deposit and the deposit will earn profit during the extended period at the rate applicable to the period for which it has been extended. The depositor may similarly re-extend the period of deposit any number of time.

- (c) The total amount at call which a person or a body holding a fixed deposit account may have at any time exclusive of profit is Taka 50,000 if the said account stands open at a head office or a departmental sub-office or Taka 5,000 if it stands open at an extra-departmental sub-office or a branch office. In the case of a fixed deposit account held in the name of two adults jointly, maximum limit will, however, be Taka 1,00,000 if the account stands open at a head office or a departmental sub-office and Taka 5,000 if it stands open at an extra-departmental sub-office or a branch office.

NOTE 1.—For the purpose of calculating the limit of deposits, accounts opened under items (iv) (1) and (2), (vii) (2), (viii), (xi) and (xii) of clause (a) above will not be reckoned as of the person operating the account.

NOTE 2.—The maximum limit on fixed deposit standing open in a head office or in a departmental sub-office shall not apply to deposits of money of local bodies and other institutions whose income is not liable to income tax.

- (d) Deposits may be made in lump sum or in instalments. If deposits are made in instalments, the initial and subsequent instalments shall be of Taka 100 or multiples of Taka 100, and the period for which each instalment is deposited shall be reckoned from the date of its deposit.
- (e) (i) with effect from 1st July, 1976 and until further orders the rates of profit to be allowed on fixed deposits for different periods shall be as shown below :—

Deposits for one year	9½%
Deposits for two years	10½%
Deposits for three years	11½%

NOTE 1.—In respect of Fixed Deposit Accounts opened before 1st July, 1976 profit for the unexpired periods of six months ending on or after 1st July, 1976 shall be allowed at the rates specified in clause (e)(i) above.

NOTE 2.—Deposits withdrawn before expiry of 1 year shall not earn profit at the rate prescribed at para (c) (i) above, but profit will be allowed at the rate applicable to ordinary savings bank accounts and the period less than six months shall be ignored.

NOTE 3.—Profit earned on fixed deposits accounts is free of income tax.

- (ii) Profit shall be allowed for each period of six months or over but not for a period of less than six months and shall be calculated to the

nearest quarter of Taka at the rate specified in clause (c)(i). No profit will be paid on any sums in excess of the maximum limits specified in clause (c).

- (f) No withdrawal of the whole or a part of a deposit may be made before the expiry of the fixed period except in emergent cases with the prior approval of a Superintendent of Post Offices or a Gazetted or a non-Gazetted Head Postmaster duly authorised in that behalf by the Postmaster-General. No such approval is, however, required for withdrawals from a Post Office for making contributions simultaneously at the same Post Office to a National Defence Fund or any other similar fund that may be constituted by the Government from time to time ; Provided that—

- (i) if withdrawal of only a part of the amount at credit is sought, the amount to be withdrawn will either be Tk. 100 or multiple of Tk. 100 and will not reduce the balance to less than Tk. 100.
- (ii) no profit will be allowed on the amount so withdrawn for the period of a fraction of a quarter.

NOTE.—Profit accrued on a fixed deposit account, or a joint fixed deposit account opened for not less than two years, may with the prior approval of the head postmaster, be withdrawn from time to time in lump sum or in instalments after the expiry of the first year from the date on which a fixed deposit account or a joint fixed deposit account, as the case may be, is opened.

- (g) In the case of fixed deposit accounts standing in the name of a deceased depositor, the heir may close the account at once or continue to hold the amount by transferring same to his or her name till the expiry of the fixed period for which the deceased depositor had opened the account. Profit will accrue and be paid on such amount at prescribed rates even if the limits prescribed in clause (c) above are exceeded as a result of such transfer of additional amounts due to inheritance and for period for which the relevant account of the deceased depositor was opened provided always that the heir does not further increase the balance by his/her own deposits.

NOTE.—In case the heir decides to close the account of the deceased depositor immediately after sanction of the claim by the Postmaster-General or the Head Postmaster, profit will accrue and be payable only for complete years preceding the date of issue of the sanction referred to above.

BONUS AND PROFIT-CUM-BONUS DEPOSIT ACCOUNTS

36-C. (i) A Bonus and Profit-cum-bonus deposit account may be opened by or on behalf of any of the following persons irrespective of whether or not

another account is opened by the same person under the other provisions of these rules ;

- (i) a single adult ;
- (ii) a minor ;
- (iii) an adult on behalf of—
 - (1) any minor or minors of whom he is the guardian ; or
 - (2) any lunatic of whom he is the guardian or manager appointed by a Court of Law.
- (iv) two adults in their joint names—
 - (1) payable to the holders jointly or payable to either with the consent of the other ; or
 - (2) payable to either ;
- (v) (1) a commanding officer of a Unit on account of the men and followers of his Unit ;
- (2) an officer-in-charge or in command of any Police Force on account of the men of that Force ; or
- (3) a duly authorised officer on account of the employees of a District Board, Municipality, Cantonment Committee, Court of Wards or other institutions administered or controlled by Government.

(b) One and only one account may be opened in the name of any one person, either singly or jointly with another person.

NOTE.—An adult person may open any number of such accounts in the name of minors or lunatics of whom that person is the guardian or manager provided that not more than one account will be opened or kept open by him on behalf of any one minor or lunatic.

(c) Deposits into an account may be made in lump sum or in instalments of Taka 100 or multiple thereof.

(d) The total amount of deposit in an account other than conjoint account, profit and bonus shall at no time exceed Taka 10,000. No bonus or profit will be payable on any amount in excess of this amount or if the account is held by two persons jointly Taka 20,000. On deposit in conjoint accounts opened under sub-clause (v) of clause (a) of this rule there will be no limit ; but the officer opening an account under that sub-clause shall be required to sign a certificate that to the best of his belief, the money deposited in the account is the property of the employees and that the amount of deposit excluding profit and bonus ascribable to any one employees does not exceed and will not be allowed in future to exceed Taka 10,000.

(e) An account under this rule shall be opened for a period of 6 years; but, before the expiry of that period, withdrawals may be made, at any time, of the whole or a part of the amount at the credit of the account with the prior approval of Superintendent of Post Offices or a Gazetted or non-Gazetted Head Postmaster, as the case may be provided that if withdrawal of only a part of amount at credit is sought, the amount to be withdrawn will either be Taka 100 or a multiple of Taka 100.

(f) With effect from 1st July, 1976 and until further orders deposit unless withdrawn before completion of a period of 4 years shall earn bonus at the following rates to be paid at the time of withdrawal of the deposit :—

	Rate of Bonus per Tk. 100 of deposit, Taka
On completion of 4 years ..	60
On completion of 5 years ..	80
On completion of 6 years ..	100

On deposits withdrawn before completion of 4 years profit will be paid at the rate of $9\frac{1}{4}\%$ per cent per annum calculated for each period of complete 6 months.

(g) With effect from 1st July, 1976 and until further orders if a depositor desires to receive profit in lieu of a part of the bonus and declares his intention to this effect at the time of making a deposit he will be paid a profit at the rate of $9\frac{1}{4}\%$ per cent per annum to be drawn by him on completion of each period of 6 months and over but not a fraction of six months and the rates of bonus payable to him will be as follows :—

	Rate of Bonus per Tk. 100 of deposit, Taka
On completion of 4 years ..	20
On completion of 5 years ..	25
On completion of 6 years ..	30

NOTE.—Investment in these accounts are not eligible for investment allowance under section 15A of the Income Tax Act.

(h) If any deposit is not withdrawn or extended after a period of six years, the amount at credit of the account shall be deemed to have been re-invested for another term of six years under these rules. There would also be no objection to its being re-extended in similar manner.

NOTE 1.—In respect of profit-*cum*-bonus deposit accounts opened before 1st July, 1976 profit for the unexpired period of 6 months ending on or after 1st July, 1976 shall be allowed at the rate specified in clauses (f) and (g) above.

NOTE 2.—7-Year Bonus Account/Bonus-*cum*-Profit Accounts opened within the 6 months preceding 1-7-74 shall stand automatically converted into 6-year Bonus Accounts/Bonus-*cum*-Profit Accounts even if a depositor does not apply for such conversion.

(i) In the case of an account standing in the name of a deceased depositor the nominees or other legal heirs may close the account or let it run until its maturity.

(j) In the case of deposit accounts standing in the name of a deceased depositor, the heir may close the account at once or continue to hold the amount by transferring the same to his or her name till the expiry of the full period of deposit. Profit and bonus will accrue and be paid on such amount at the prescribed rates even if the limits prescribed in clause (d) above are exceeded as a result of such transfer of additional amounts due to inheritance and for the period for which the relevant account of the deceased depositor was opened provided always that the heir does not further increase the balance by his/her own deposits.

NOTE.—The procedure to be followed in cases of successions and guardianship laid down in rules 37 to 41, will apply *mutatis mutandis* to cases falling under such accounts.

NOMINATION AND PAYMENT ON DEATH OF A DEPOSITOR AND PROCEDURE TO BE FOLLOWED IN CASES OF SUCCESSION AND GUARDIANSHIP

37. (1) If a depositor dies, leaving in a Post Office Savings Bank a balance in cash not exceeding Taka twenty-five thousand and if probate of his will, or letters of administration of his estate, or a certificate granted under the Succession Act (Act XXXIX of 1925), be not produced to the Postmaster-General within 3 months of death of the said depositor, the Postmaster-General may pay the said sum of money to any person appearing to him to be entitled to receive it or to administer the estate of the deceased.

(1)(a) In the case of an account opened by an individual or individuals, whether adult or minor, holding the account singly or jointly, nomination may be made by the depositor in the prescribed form obtainable from the Post Office at the time of opening an account or at any time thereafter, specifying the amounts, whether whole or in part, receivable by the nominee on the death of depositor.

(b) Nomination made under clause (a) shall be valid notwithstanding anything contained in any other law for the time being in force or in any disposition whether testamentary or otherwise.

(c) Nomination made under clause (a) shall cease to have effect in case the nominee dies before the death of the depositor or before he has received any sum thereunder.

(1A) A depositor may, by notice to the postmaster, vary or cancel the nomination made under clause (a) or sub-rule (1) at any time.

(1B) In any case where—

- (a) a depositor dies without making any nomination under clause (a) of sub-rule (1) or after having made such nomination, it has ceased to have effect under clause (c) of sub-rule (1) ;
- (b) the deposit or part of the deposit in respect of which no nomination has been made does not exceed Taka twenty-five thousand ; and
- (c) the probate of the Will of the depositor or the letter of administration of his estate, or a Succession Certificate under the Succession Act, 1925 (XXXIX), is not produced to the officer or authority authorised in this behalf within three months of the death of the depositor, payment of the deposit or part thereof, as the case may be, made to person who appears to be entitled to receive it or to administer the estate of the deceased depositor by the P.M.G.

37. (1B) (2) Deleted.

NOTE 1.—(a) The head postmaster of the office on the books of which the account of the deceased depositor stands may exercise the powers vested in the Postmaster-General under sub-rule (1-B) of this rule in respect of payment upto the amount specified below :—

	Up to Taka
(i) gazetted head postmasters	5,000
(ii) non-gazetted head postmasters	1,000

(b) The Superintendent of Post Offices may exercise the same powers as vested in a gazetted head postmaster in the case of the accounts of deceased depositors standing on the books of a second-class head post office situated within his postal division.

NOTE 2.—The provisions of this rule are not applicable to the balances at credit of a deceased depositor's account opened under rule 45A—Teachers' Provident Fund Accounts.

NOTE 3.—In the case of a deceased depositor in whose name more accounts than one stand open under the special circumstances mentioned in the rules, the balances at credit of all accounts excepting the account opened under the rule 45-A will be added together for the purpose of applying this rule.

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38. Where a deposit or a part of a deposit in the account of a deceased depositor exceeds Taka twenty-five thousand and no nomination in respect thereof had been made by the depositor, payment shall be made on production

of probate, letter of administration or a certificate under the Succession Act (XXXIX of 1925).

The Director General has, however, discretionary power to dispense with such evidence if he is of opinion that to require it would cause hardship and that to dispense with it would involve no appreciable risk.

NOTE.—In the case of death of both the holders of a joint account opened under rule 36-A, 36-B, or 36-C the account shall be deemed to have been held single by the last surviving account holder and payment shall be made accordingly under rule 37 or rule 38 as the case may be.

39. If any depositor who has made no nomination becomes insane or otherwise incapable of managing his affairs, and if such insanity or incapacity be proved to the satisfaction of the Postmaster-General, then the Postmaster-General may, from time to time, make payment out of the deposits to any proper person. Where a committee or manager has been duly appointed to administer the depositor's estate, nothing in this rule authorises payments to any person other than such committee or manager.

NOTE.—The provisions of this rule are not applicable to an account opened under rule 45-A—Teachers' Provident Fund Accounts.

40. *Deleted.*

41. When any person other than the father or the mother claims to withdraw money from an account opened on behalf of a minor as being the guardian of such minor, the Postmaster-General may authorise the applicant to withdraw money from the account for the minor's use, in accordance with the following rules :—

- (a) where the applicant claims to be guardian under the law, on production of proof of the claim to the satisfaction of the Postmaster-General ;
- (b) where the applicant claims as guardian duly appointed by will or deed, on production of the documents supporting the claim ;
- (c) where the amount of the account does not exceed Taka five hundred and the applicant does not claim to be guardian under clause (a) or clause (b), upon his giving evidence to the satisfaction of the Postmaster-General that he (the applicant) is the guardian of the minor ;
- (d) where the amount of the account exceeds Taka five hundred and the applicant does claim to be guardian under clause (a) or clause (b), upon the applicant producing a certified copy of the order of a competent court appointing him or declaring him to be guardian of the property of the minor ; and

- (c) in any case of doubt, the applicant (not being the father or mother of the minor) may be required to produce a certified copy of the order of a competent court appointing him or declaring him to be guardian of the property of the minor, before payment is made to him.

Note.—An authority given by the Postmaster-General under clause (c) will not hold good for a subsequent withdrawal if the balance of the account exceeds Taka five hundred.

PUBLIC ACCOUNTS

42. The following special conditions govern the opening of public accounts and their transactions :—

- (a) Public Accounts may be opened by secretaries, treasurers, managers or other responsible office-bearers of the funds of any dispensary, church or other religious institution, school, orphanage, asylum or library or of any other funds of a properly constituted association for the encouragement of thrift and for the mutual benefit of its members. Race, racquet, billiard, mess and similar funds the objects of which are of a private or personal nature, cannot be allowed public accounts.

Illustration.—The funds of regimental and public bands, which are maintained for purposes other than private advantage or amusement, are admissible.

Explanation.—(1) A library fund is admissible, even though the library is open only to subscribers.

Note.—The maximum limit on deposits in public accounts standing open in a head office or in a departmental sub-office shall not apply to deposits of local bodies and other institution whose income is not liable to income tax.

- (2) If an institution has two or more distinct funds which cannot, under their constitution and in accordance with the conditions imposed by the donors, be amalgamated, a public account is admissible for each such fund.
- (3) The prohibition of current accounts when applied to a public account extends only to the use of the account for full details of the income and expenditure of the fund and does not prevent the periodical credit of subscriptions or other receipt or the periodical withdrawal of money for expenditure, e.g., a building fund raised for the erection of church or charitable institution is admissible.
- (b) Secretaries, treasurers, managers or other responsible office-bearers of societies registered under the Co-operative Societies Act, 1912 (II of

1912), or under similar enactments in force, liquidators of Co-operative Societies appointed as such under the provisions of section 42 of Act II of 1912 and secretaries, treasurers, managers, or other responsible office-bearers of non-registered societies specially allowed to use the word "Co-operative" as part of their name or title under the provisions of section 47 of the Act II of 1912 may be allowed public accounts.

- (c) Secretaries, managers or other responsible office-bearers of benevolent funds (that is, funds formed by mutual subscription as an insurance against domestic misfortune) may be allowed public accounts.
- (d) Officers of Government or of public institutions, such as railway and steamer companies and the like, who collect subscriptions, voluntary or departmental from their subordinates, for departmental purposes, may be allowed public accounts.
- (e) Managers of funds held in trust for the relief of the poor, for the provision of education or medical relief, or for the advancement of any other object of general public utility may be allowed to open public accounts, whether the managers are public officers or not, provided that the money is not the property of Government.
- (f) Funds of Union Panchayats, Union Boards, Village Unions and other local bodies of like nature, established under statutory provisions, may have accounts subject to the same conditions as public accounts.
- (g) Public accounts of the kind specified above must be designated by name indicating the objects, to which the money is devoted as *A-pore Dispensary Fund*, *Worshippers' Stock Fund*, etc., and information must be given in writing regarding the object and source of income of the fund.
- (h) A public account may be opened under the authority of the head postmaster who is also empowered to direct the closure of such an account should its object at any time be found to be such that the account could not have been opened as a public account under the rules.

In the event of doubt arising, the head postmaster should obtain the orders of the Postmaster-General.

Note.—When public accounts are required to be opened under statutory authority or on the authority of rules made by Government the application should be supported by an officer of Government not below the rank of tahsildar or sub-deputy Collector.

- (i) In every case in which the holder of a public account is changed, a fresh declaration (see rule 17) must be filled up and sent to the post office where the account stands with a letter of authority for the change

from the previous holder of the account. No change of incumbent will be recognised without such letter of authority or without the previous sanction of the Postmaster-General in cases when such an authority is not forthcoming. Such a letter of authority is not, however, necessary in the case of a public account administered by a Government servant in his official capacity or by an official under "Local Funds" as defined in Fundamental Rule 9(14) in his official capacity.

- (j) The limitations laid down in rule 6 are not meant to prevent any person from opening more than one *ex-officio* or public account.
- (k) The prohibition against deposits in the name of more than two persons jointly (*see* rule 8) does not apply to public accounts.
- (l) The maximum limits for deposits (*see* rule 10) as well as the maximum limits for calculation of profit (*see* rule 29) do not apply to public accounts. No public account standing open in an extra-departmental sub-office or a branch office may have, at any time, more than Taka 5,000 at its credit exclusive of profit for the current year and no profit shall be credited on any sum in excess of Taka 5,000.
- (m) The amount of withdrawals within a calendar month from a public account is limited to Taka 2,500 unless the person who holds the account gives notice to the Post Office at which the account stands of his intention to make additional withdrawals. The notice must specify the amount to be withdrawn and be given one week in advance by means of an ordinary letter addressed to the postmaster. This notice should specify the date on which it is intended to make the withdrawal. No notice will be required in the following cases :—
 - (a) when withdrawals are made for the purpose of investment in Savings Certificates in the office where the Public Account stands open.
 - (b) when withdrawals are made by local bodies for the purpose of investment in Government loans which cannot be purchased or subscribed through the Post Office, provided the application for investment along with the application for withdrawal of the required amount from the Savings Bank with the words "for investment in.....Loan" written in bold letters is presented by the operator of the savings bank account at a post office which is in account with the treasury or sub-treasury. The amount withdrawn will be paid by the post office into the treasury or sub-treasury. The amount withdrawn will be paid by the post office into the treasury by book-transfer. When a refund is to be made to the applicant due to a loan being over-subscribed or for any other reason, the amount will be credited to the savings bank account concerned on the date on which the refund certificate from the Treasury Officer is received in the post office.

- (n) In the form of declaration (*see* rule 17), which every intending depositor is required to sign, the words "I further declare that I have no account opened by me on my own behalf at any post office Savings Bank *et sequence*" should be scored through in the case of a public account.

43. No account may be allowed for money—

- (a) which is the property of Government, or
- (b) which has been received for credit of Government, or
- (c) which has been drawn from the treasury for expenditure on account of Government, or
- (d) which is raised by taxation, except in the case of funds of Union Panchayats, Union Boards, Village Unions and of other local bodies referred to in rule 42(f),
- (e) which is collected or received or held in trust by any public officer or court in accordance with any law, provided that the money is the property of Government.

REGIMENTAL, POLICE AND OTHER CONJOINT ACCOUNTS

44. The following special conditions govern the opening of the conjoint accounts specified below and their transactions :—

- (a) The Commanding Officer of a unit may open a single account with the Post Office Savings Bank on account of the men or followers of his unit making his own arrangements about the separate accounts of the individuals and about the distribution to them of the profit credited upon the conjoint account. In other respects the account will, except when the contrary is stated, be subject to the general rules for other accounts. The Commanding Officer must, when opening the account, sign a certificate that to the best of his belief the money is the property of the men or followers of his unit.
- (b) District Superintendents of Police and officers in command or charge of any Police Force may open similar accounts on account of the men of the Police Force under their command or charge.
- (c) Chairman or Presidents of District Boards and Municipalities are also allowed to have similar accounts on account of servants of such Boards and Municipalities in accordance with rules which may be sanctioned from time to time by Government.

Exception.—On the written authority of the Government, an official other than the Chairman or President of District Boards and Municipalities can be allowed in his official capacity to operate on conjoint accounts opened under rule 44 (c).

- (d) Managers of provident funds authorised by Government in connection with Courts of Wards and other institutions administered or controlled by Government are also allowed to open similar accounts on behalf of non-pensionable employees paid from the funds of the Courts of Wards or other institutions in accordance with rules which may from time to time be sanctioned by Government or Administration.
- (e) Secretaries of Cantonment Committees are also allowed to open similar accounts on behalf of non-pensionable employees paid from cantonment funds, in accordance with rules which may from time to time be sanctioned by the Government of the People's Republic of Bangladesh.
- (f) Headmasters of educational institutions are also allowed to open similar accounts on behalf of students for the deposit of small sums saved by them for the purchase of Bangladesh Sanchayapatra.

Note.—Nothing in this rule shall be held to prevent any member of any of the abovementioned classes of persons of whom a conjoint account has been opened, from opening an account of his own, in his individual capacity.

- (g) Officers-in-charge of lunatic asylums may open similar accounts on behalf of patients in their charge.
- (h) Not more than one account may also be opened by a person or persons authorised by a private firm or company, in the name of the firm or company's employees' provident fund account, for the purpose of depositing provident fund balance of all its employees.
- (i) The maximum limits for deposits (*see* rule 10) as well as the maximum limits for calculation of profit (*see* rule 29) do not apply to accounts opened under this rule Provided they stand open at a head office or a departmental sub-office. But no conjoint account standing open in an extra-departmental sub-office or a branch office may have at any time more than Taka 5,000 at its credit exclusive of profit for the current year and no profit will be credited on any sum in excess of Taka 5,000.
- (j) The amount of withdrawals within a calendar month from an account opened under this rule is limited to Taka 2,500 unless the person who holds the account gives notice to the post office at which the account stands of his intention to make additional withdrawals. The

notice must specify the amount to be withdrawn and be given one week in advance by means of an ordinary letter addressed to the postmaster. This notice should specify the date on which it is intended to make the withdrawal.

Note.—The provisions of the Note below clause (m) of rule 42 apply also to this rule.

Exception.—The Postmaster-General may, at his discretion, relax this rule in favour of an account opened in a place where there is no other bank and grant general permission to make withdrawals from the account in excess of Taka 2,500 at a shorter notice.

(k) In the form of declaration (*see* rule 17), which every intending depositor is required to sign the words "I further declare that I have no account opened by me on my own behalf at any Post Office Savings Bank *et sequente*" should be scored through in the case of accounts opened under this rule.

(l) The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$

and prohibition against the $\frac{\text{withdrawal}}{\text{deposit}}$ of

sums containing fraction of a Taka (*see* rule 9/15) do not apply to conjoint accounts opened for Provident Fund deposits of persons employed by municipalities, district boards, etc.

SECURITY DEPOSIT ACCOUNTS

45. The following special conditions govern the opening of security deposit accounts and their transactions :—

(a) Government servants (including railway employees), employees of local authorities, of Government-Sponsored Corporations and of Courts of Wards, who are required by their employers to deposit security, contractors who are required by Government or local authorities to deposit security any persons who are authorised under section 202 of the Sea Customs Act, VIII of 1878, to act as agents for the transactions of business in any custom house on behalf of the public and are required under that section to deposit security, may be allowed separate accounts for the security deposit only.

- (b) A person undertaking more than one work or contract at the same time may be allowed a separate account in respect of each.
- (c) There is no maximum limit for each separate account standing open in a head office or a departmental sub-office but Taka 5,000 for accounts standing open in an extra-departmental sub-office or a branch office and the amount may be deposited in single sum or by instalments.
- (d) A person may open a security deposit account either in his own behalf or on behalf of another person. More than one account, however, may not be opened as security for the same person in respect of the same work or contract.

Note.—Local authority means any body corporate, municipal committee or other persons legally entitled to the control or management of any local or municipal fund or legally entitled to impose any cess, rate, duty or tax upon any person within any local area.

- (e) A security deposit account may be opened in the joint names of the persons undertaking the same work for contract. On release by the pledgee of such a security deposit account, payment of the amount will be made jointly to all the depositors. If one or more of the depositors has died, payment will be made jointly to the surviving depositor or depositors and the legal representatives of the deceased depositor or depositors or to the surviving depositor or depositors on his or their producing a written statement of the legal representatives of the deceased depositor or depositors indicating their consent to such payment being made. If all the depositors have died, payment will be made jointly to the legal representative or representatives of the deceased depositors, or to the legal representative or representatives of any one or more of the deceased depositors on his or their producing a written statement of the legal representatives of the remaining deceased depositors indicating their consent to such payment being made.
- (f) The depositor will be required to sign a letter (in a form prescribed by the Director-General) addressed to the post-master, undertaking not to make any claim on the Savings Bank for the repayment of the amount pledged or any part of it, except with the express written sanction of the person referred in the letter to whom the security is pledged; not to object to the payment by the Bank of the whole or part of the amount pledged to such person on his claiming it and not to make any claim for profit from the date on which profit has ceased to accrue owing to the payment of the amount pledged to such person or from the date on which such person has sanctioned the repayment of the amount pledged. This letter date should be communicated simultaneously by the pledgee to the postmaster concerned.

When the amount pledged is deposited in instalments, the depositors should give an undertaking not to make any claim on the Saving Bank for the profit also while the amount at credit does not exceed the amount pledged. When the amount at credit exceeds the amount pledged, the depositor can withdraw profit to the extent of such excess.

- (g) The officer to whom the security is pledged as above may, with the consent of the person pledging the security, open an account for such security in his own name, e.g., "Executive Engineer, A—post, on account of security of A. D." In this case the deposit will be received from the officer to whom the security is pledged and the pass-book will be issued to him.
- (h) Profit on security deposits will accrue and be paid in the usual manner subject to the conditions specified in the letter mentioned in clause (f) of this rule.
- (i) The prohibition against transfer of an account until it has been in existence for three months (see rule 31) does not apply to security deposit accounts.
- (j) In the form of declaration (see rule 17), which every intending depositor is required to sign, the words "I further declare that I have no account opened by me on my behalf at any Post Office Savings Bank *et sequnce*" should be scored through in the case of a security deposit account.
- (k) If after opening a security deposit account the original amount of security deposit for the work in respect of which the account was opened, is increased or decreased, the pledgee will be required to sign a fresh index card and produce a fresh letter of authority pledging the revised amount of deposit.

PROVIDENT FUND ACCOUNTS

45-A (a) Where a provident fund is established by Government, administration or a body authorised to open Public Account under rule 42 for its employees in pensionable service and an officer is nominated to manage the fund and arrange for its deposit in the local Post Office Savings Bank, individual accounts will be opened by the Post Office for all employees who are permitted to contribute to such fund. The deposits in such accounts will comprise of contributions made by the employees as well as by the employer. The officer-in-charge of a fund shall have the custody and control of the pass books of the fund accounts.

NOTE.—An employee for whom a provident fund account has been opened is not debarred from maintaining an ordinary private account in his own name.

(b) The maximum limits for deposits (see Rule 10) as well as the maximum limits for calculation of profit (see Rule 29) do not apply to accounts opened under this rule.

(c) The withdrawal of the balance or any part of it or the transfer of the account to another post office is not allowed without the sanction of the Government or Administration or the officer to whom such power may be delegated.

NOTE 1.—When the balance at credit of such an account lapses according to the rules of the fund, it may be withdrawn either wholly or in part by the Government, or Administration or the officer to whom such powers may be delegated. The Government or Administration or the officer to whom such power may be delegated may also withdraw the total balance at credit of such accounts of an institution when it ceases to exist and is thus excluded from the fund or when, for any other reason, such a course appears necessary.

NOTE 2.—In cases in which a depositor is debarred, in accordance with the rules of the fund, from receiving the portion of the deposit which is made up of the contribution of the management the manager will be allowed to withdraw the amount concerned under the orders of the Government or Administration or the officer to whom such power may be delegated.

NOTE 3.—In the event of a subscriber's death occurring while his fund account standing in the Post Office Savings Bank is open, the total amount standing to his credit will be drawn by the Government or Administration or the officer to whom such power may be delegated and will be divided by the authorities among all or any members of his family in accordance with the terms of the declaration made by him in his application at the time of admission to the fund, or in its absence, under the provisions of the Provident Fund Rules.

NOTE 4.—The provisions of rule 39 are not applicable to an account opened under this rule. In the event of the depositor becoming insane or otherwise incapable of managing his affairs the balance at credit will be drawn by the Government or Administration or the officer to whom such power may be delegated.

(d) In the form of declaration (see rule 17) which every depositor will be required to sign the words "I further declare that I have no account opened by me on my own behalf at any Post Office Savings Bank *et sequente*" should be scored through in the case of accounts opened under this rule.

(e) The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$ and prohibition

against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka (see rule

9/15) do not apply to the accounts opened under this rule.

(f) Profit on an account opened under this rule ceases to accrue from the first day of the month in which the order for final withdrawal of the balance at credit is issued by the Government or Administration or the officer to whom such power may be delegated.

MISCELLANEOUS ACCOUNTS

45-B. (a) *Judicial deposit accounts.*—Notwithstanding anything contained in rule 43, an account may be opened for a judicial deposit in accordance with a special order passed by a Court of Law in a particular case directing the investment of the money in the Post Office Savings Bank. Unless a judicial deposit is made expressly for and on behalf of a minor, it should be treated as standing in the name of the judicial officer opening the account and the rules regarding minor's accounts will not apply. A judicial account, when admitted, is subject in every respect to the rules and limitations which govern ordinary private

accounts, except that the maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$ and

prohibition against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka

(see rule 9/15) do not apply to such accounts.

(b) *Accounts opened solely for making investments in Government Securities.*—The secretary, treasurer or manager of any fund not entitled to a public account under rule 42 or a conjoint account under rule 44 may open an account solely for the purpose of making investments in Government Securities through the Post Office and for receiving profit thereon, provided that the securities to be purchased are to be kept in the safe custody of the Accountant-General, P. P. & T., Dacca. No deposits at call will be allowed through an account opened under this rule and all deposits must be accompanied by applications for their investments in Government Securities, failing which the deposits will be refused.

NOTE 1.—If the Secretary, treasurer or manager of the fund concerned desires to take delivery of all the securities held by the Accountant-General, P.T. and T., Dacca, in an account opened under the conditions described above, the account will have to be closed.

NOTE 2.—The special conditions laid down in clauses (i), (j), (k) and (e) of rule 42 will apply to accounts opened under this rule.

NOTE 3.—The expression "deposits at call" does not include profit on Government Securities which will be credited to the account and may be withdrawn in the usual way. Profit will be allowed on this amount at the usual rate and subject to the usual conditions.

(c) *Accounts opened for the deposit of values of defective and lost Government currency and bank notes and lost Government Securities.*—

(1) Accounts may be opened by the Managers of the Bangladesh Bank for the purpose of depositing the value of Government Securities on behalf of claimants under the provisions of the Securities Rules and also by Currency Officers for the purpose of similarly depositing the value of currency and bank notes under the provisions of the Bangladesh Bank (Note Refund) Rules, 1948. Transactions in these accounts may be made only by the officer opening the account or,

by his successor in office. The maximum limits $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$

and prohibition against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a

Taka (see rule 9/15) do not apply to such accounts.

(2) For the purpose of depositing the value of lost Securities of Government loans notified for discharge, accounts may similarly be opened by the Financial Secretary of the Government or by the Managers of the Bangladesh Bank required by the Security Rules of the Government concerned.

(3) Accounts may also be opened by the competent officers of municipalities or other local bodies of a like nature for the purpose of depositing on behalf of claimants the value of lost debentures issued by them. Transactions in these accounts may be made only by the officers opening the account or by their

successors in office. The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$

and prohibition against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka

(see rule 9/15) do not apply to such accounts.

(d) *Accounts opened for deposit of amounts of compensation payable under the Workmen's Compensation Act.*—Accounts may be opened by the Commissioner appointed by the Government under the Workmen's Compensation Act for the purpose of depositing on behalf of claimants the amounts payable under section 8 of the Act. Transactions in these accounts may be made only by the officer opening the account or by his successor in office. These accounts should be treated as ordinary accounts standing in the name of the Commissioner opening the account and no cognizance will be taken of the person or persons (major or minor) on whose behalf the account is opened. The transfer of any one of these accounts from one post office to another or from one Commissioner to

another, may be allowed on application from the officer authorised to operate on it.

The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$ and prohibition

against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka (see rule 9/15) do not apply to such accounts.

(c) *Accounts opened for deposit of the amounts of compassionate gratuity sanctioned by Government.*—Accounts may be opened by the Deputy Commissioner or the Collector for the purpose of depositing on behalf of the dependents of deceased Government employees the amounts of compassionate gratuity sanctioned in their favour by the Government. Transactions in these accounts may be made only by the officer opening the account or by his successor in office. The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$ and prohibition against $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka (see rule 9/15) do not apply to such accounts.

(f) *Accounts opened for deposit of the amounts of scholarships awarded to students by Government.*—Accounts may also be opened and operated on by the Headmaster of a Government School for depositing and withdrawing the amounts of scholarships awarded to a pupil by the Government.

(g) *Accounts opened for deposit of amounts to be paid as temporary pension to ex-sailors, ex-soldiers or ex-airmen and their dependents.*—Accounts may be opened and operated on by the Chairman or a District Sailors', Soldiers' and Airmen's Board, or by the local Civil Authority of the district for the purpose of depositing and withdrawing amounts, received from various sources to be paid as temporary pensions of a non-official character, sanctioned to ex-sailors, ex-soldiers and ex-airmen and their dependents from the Defence Forces Relief Fund and Defence Services Benevolent Fund. The maximum limits of $\frac{\text{deposit (see rule 10)}}{\text{withdrawal (see rule 15)}}$

prohibition against the $\frac{\text{deposit}}{\text{withdrawal}}$ of sums containing fractions of a Taka (see rule 9/15) do not apply to such accounts.

(h) *Deferred Credit Account of the Crews serving with Shipping Companies.*—(1) Accounts may be opened in favour of the crews serving with Shipping

companies for the deposit of their Deferred Credit moneys. Such accounts will be opened only on the authority of an officer of Shipping Company duly authorised in this behalf. Individual accounts will be opened by the Post Office for every one of the crews who is permitted to make use of such accounts. Deposits in such accounts will be tendered by the authorised officer at the local Post Office and will be accompanied by the relevant pass-books (which will always remain in the custody of the authorised officer) and a statement in the following form :—

Name of the Shipping Company.....

Month of.....

- (i) Account No. as the pass-book ;
- (ii) Name of the crew (depositor) ;
- (iii) Amount tendered for deposit ; and
- (iv) Total.

(2) The withdrawal of the balance at credit or of any part thereof shall not be allowed without the written permission of the authorised officer of the Shipping Company.

(3) The transfer of an account opened under this rule from one post office to another shall not be allowed.

(4) Profit on accounts opened under this rule shall cease to accrue from the first date of the month in which the order for final withdrawal of the balance at credit is issued by authorised officer.

(5) The prohibition against the deposit or withdrawal of sums containing fractions of a Taka (see rules 9 and 15) does not apply to accounts opened under this rule.

(6) The maximum limits for deposits as well as the maximum limits for calculation of profit do not apply to the accounts opened under this rule.

(7) In the form of declaration (see rule 17) which every crew will be required to sign, the words "I further declare that I have no account opened in my name or on my behalf at any Post Office Savings Bank *et. seq.*" should be scored through in the case of accounts opened under this rule.

NOTE 1.—A crew for whom a Deferred Credit Account has been opened will not be deterred from opening an ordinary or a joint account or a Fixed Deposit Account under other provisions of these rules.

NOTE 2.—In the event of a crew's death occurring while his Deferred Credit Account standing in the P.O. Savings Bank is open, the total amount standing at his credit will be drawn by the authorised officer of the Shipping Company concerned and disposed of by the said officer amongst the heirs of the deceased in accordance with the rules and regulations of the Company.

(i) *Accounts opened for the deposit of amounts due on Educational and Marriage Endowment Policies of the Postal Life Insurance Fund.*—The General Manager, Postal Life Insurance, Dacca or his authorised officers may authorise opening of a Savings Bank Account in the name of any person entitled to receive the whole or partial value of a Postal Life Insurance Policy for the deposit of the value of the policy. The letter of authority of the General Manager will specify the period for which the relevant S. B. Account will remain open and the terms and conditions under which it will be operated. The person in whose name an account is opened will be deemed to be the depositor and will operate the account subject to the following conditions, viz. :—

- (1) The relevant account will be used only for making withdrawals and the withdrawals will be allowed only from a head post office or a departmental sub-office.
- (2) The relevant account must not be closed during the period for which it is required to be kept open by the General Manager without his prior sanction and must be closed as soon as this period is over.
- (3) Withdrawals of the principal from such account will be allowed only to the extent and after such intervals as may be specified in the letter of authority of the General Manager; but profit which may accrue on such an account may be withdrawn by the depositor at any time without reference to the General Manager; and
- (4) Withdrawals from an account opened in the name of a minor, who has not attained the age of discretion so as to understand the nature of the transaction, will be allowed only by the authorised guardian of the minor.

BANGLADESH SOLDIERS' PRIVILEGE SAVINGS BANK ACCOUNTS

45-C. The following special conditions govern the opening of Bangladesh Soldiers' Privilege Savings Bank Accounts :—

- (a) A Bangladeshi soldier may open an account solely for the purpose of deposit of post-war gratuities and other payments made to him at the time of demobilisation. Unless it is certified by the Military Accounts Authorities that the amount sought to be deposited is a part of the post-war gratuities, etc., no subsequent deposits will be accepted in such an account.
- (b) Profit will be allowed at the rate of 1 per cent over the prevailing rate of profit on ordinary post office savings bank accounts as per rule 29.

- (c) In the form of declaration (see rule 17) on which every intending depositor is required to sign, the words "I further declare that I have no account opened by me or on my own behalf at any Post Office Savings Bank *et sequente*" will be scored through in the case of an account opened under this rule.
- (d) If any depositor desires that his account, after being opened at the office where the first deposit is presented, be transferred to any other post office which is savings bank, the prescribed application for transfer of the account [form S. B. 10-(b) Revised] with extra specimen signature, if necessary, be obtained from him along with the index card and for this purpose the proviso that the account shall have been in existence for at least three months from the date on which it was opened be relaxed. If an account sought to be transferred stands open at a sub-office, a receipt in form S.B. 28-Revised will be given to the depositor; but the entries relating to date on which the depositor may call at the post office for taking delivery of the pass-book will be deleted and substituted by the words "The pass-book will be despatched by post". The pass-book will be despatched by registered post to the depositor after necessary entries relating to the transfer of the account have been made.

NOTE.—(1) The words "Bangladesh Soldiers' Privilege Savings Bank Account" will be written prominently in red ink on the index card, the pass-book and the savings banks ledger.

NOTE.—(2) A depositor who has already an ordinary savings bank account opened in his name is not debarred from opening an account under this rule.

INVESTMENTS

PURCHASE OF GOVERNMENT SECURITIES

NOTE.—Applications for the purchase, sale and safe custody of securities should be addressed to the Accountant-General, Posts, Telegraphs & Telephones, Dacca.

46. (1) Any person, whether previously a depositor in the Post Office Savings Bank or not, may invest through the post office in any loan issued by the Government.

(2) The total amount, after deducting any sum sold through the post office, which may be invested through the post office by an individual investor in any one official year from the 1st July to 30th June inclusive, is Taka 15,000 in the case of a head office or a departmental sub-office and Taka 5,000 in the case of an extra-departmental sub-office or a branch office, which may be left in the safe custody of the Accountant-General, P.T. & T., Dacca, under rule 4E(1).

NOTE 1.—The above limit will be applied with reference to the nominal value of the Securities purchased. It does not, however, apply to investments in connection with regimental, police and other conjoint accounts and will not also be applicable to public accounts and accounts opened under rule 43-B(b) for making investments in Government Securities. Income-tax will be deducted from the amount of profit accruing to the accounts in respect of all tax-bearing Government Securities, unless a certificate granted by the Income-tax Officer under proviso to section 18(3) of the Income-tax Act, 1922, is presented, in which case income-tax will not be deducted or will be deducted at the rate specified in that certificate. But the amount of income-tax thus realised will be refunded on application to the Commissioner, Income-tax, provided that the income of that account is protected by section 4(3) of the said Act.

NOTE 2.—If a notification announcing the issue of a loan prescribes a limit up to which individual subscribers may subscribe through the post office, such limit will be in addition to the yearly amount of investment permissible under these rules.

(3) An investor may apply for the purchase of Government Promissory Notes or Stock Certificates* under clause (5). A form of application is prescribed for this purpose and may be obtained at any post office.

(4) If the investor is already a depositor in the Post Office Savings Bank, he should present his pass-book with his application; if he is not already a depositor, a pass-book will be prepared and delivered to him. Investment in Government Securities can be made either from money already deposited in the investor's Savings Bank account, or from money specially deposited for the purpose, or partly from the one and partly from the other.

(5) (a) Applications for the purchase of Government Promissory Notes or Stock Certificates will be for whole pieces of Government paper of Taka 100, or any multiple of Taka 100 subject to the annual limit prescribed by clause (2).

(b) The investor should specify the particular loan or loans in which he desires to make the investment. He has also the option of taking delivery of Government Promissory Notes or Stock Certificates or of leaving them in the custody of the Accountant-General, P.T. & T., Dacca. In the latter case, a receipt from the Accountant-General, P.T. & T., Dacca, for the paper will be delivered to the investor. When a Government Promissory Note is to be delivered to the investor, it will be endorsed in his favour, enforced for payment of profit at the district treasury, and forwarded to the post office for delivery to the investor. A Stock Certificate to be delivered to the investor will be issued in his name and profit on it will be made payable at the Treasury named by the holder.

Exception.—Government Securities purchased by a minor through his Savings Bank account, opened and operated by himself, will not be kept in the safe custody of the Accountant-General, P.T. & T., Dacca.

*Stock Certificates are a form of Government Securities and their chief advantage is in the fact that they are negotiable by endorsement and are consequently of no value in the hands of a wrongful holder.

(c) The purchase will be made by the Accountant-General, P. T. & T., Dacca, and the investor will be charged for the Government Promissory Note or Stock Certificate at the rate at which the purchase is actually effected by him. This rate cannot be stated beforehand as it is subject to fluctuations of the market and the Accountant-General, P. T. & T., Dacca, cannot accept any responsibility that the rate at which the transaction is effected will be the best obtainable during the course of the day on which the transaction is effected. Investments at any particular rate are not undertaken. The entries in connection with the investment will be noted in the pass-book by the head office.

NOTE 1.—The Accountant-General, P. T. & T., Dacca, will endeavour to effect the sale within fourteen days from the date of receipt of the application in his office. But if owing to the absence of purchasers, the sale cannot be effected within fourteen days, he will return the application unaccomplished, unless it contains a specific clause authorising him to effect the sale within such further period beyond fourteen days as may be specified therein.

NOTE 2.—Government will not accept responsibility for any loss that may be suffered by an investor owing to delay in the transmission of his application for the sale of Government Securities by the post office or delay in effecting sales.

(6) Investments in any Government Loan by means of an Investment Certificate are no longer permissible, but an investor may exchange one or more existing Investment Certificates having an aggregate nominal value of not less than Taka 100 for a whole piece of Government paper of Taka 100 or any multiple of Taka 100 by making application in the prescribed form. The application must be accompanied by the Investment Certificate to be exchanged. If the total nominal value of the Investment Certificates tendered for exchange is not an exact multiple of Taka 100, investor may at his option obtain either (i) the next higher multiple of Taka 100, if the balance in his Savings Bank account is sufficient for the purpose, or (ii) the next lower multiple of Taka 100. In the latter case, the balance will be sold and the proceeds be credited to his Savings Bank account. The investor has also the option of having the Government paper obtained in this way made over to him or held by the Accountant-General, P. T. & T., Dacca, as provided for in rule 5(b).

SALE OF GOVERNMENT SECURITIES

47. (1) Any investor may apply for sale through the post office of the whole, or any portion of any Government Promissory Notes or Stock Certificates which may have been purchased for him through the Post Office, whether held by himself or held for him by the Accountant-General, P. T. & T., Dacca, provided that the investor is also a Savings Bank depositor at the time of application, and also that, if only a portion is specified for sale, the balance of securities left after the sale is of the nominal value of Taka 100 or a multiple

of Taka 100. Investment Certificates tendered for sale by an investor will be sold outright unconditionally.

(2) A separate form of application is prescribed for the sale of (i) Government Securities and (ii) Investment Certificates. An application must be accompanied by—

- (a) such of the Government Promissory Notes or Stock Certificates to be sold as are in the possession of the depositor. Government Promissory Notes should be endorsed by the holder, in favour of the Accountant-General, P. T. & T., Dacca, and in the case of Stock Certificates, the form of transfer on the reverse should be filled in by the holder at the time when these Securities are tendered for sale.
- (b) the receipt referred to in rule 46 (5) (b), for such of the Securities to be sold as are in the custody of the Accountant-General, P. T. & T., Dacca, or
- (c) the Investment Certificates,

as the case may be, and a receipt for them will be granted by the postmaster. The Securities in whatever form will be sold by the Accountant-General, P. T. & T., Dacca, and the investor's account credited with the proceeds at the rate at which the sale is actually effected. Sales at any particular rate are not undertaken and the Accountant-General, P. T. & T., Dacca, cannot accept any responsibility that the rate at which the transaction is effected will be the best obtainable during the course of the day on which the transaction is effected.

NOTE 1.—The Accountant-General, P. T. & T., Dacca, will endeavour to effect the sale within *fourteen* days from the date of receipt of the application in his office. But if owing to the absence of purchasers, the sale cannot be effected within *fourteen* days, he will return the application unaccomplished, unless it contains a specific clause authorising him to effect the sale within such further period beyond *fourteen* days as may be specified therein.

NOTE 2.—Government will not accept responsibility for any loss that may be suffered by an investor owing to delay in the transmission of his application for the sale of Government Securities by the post office or delay in effecting sales.

(3) The result of sale will be intimated to the investor by the Accountant-General, P. T. & T., Dacca, through the postmaster concerned, with the least possible delay after the receipt of the application. The proceeds of sale will be credited to the investor's Savings Bank account in the first instance, and, if the annual or total cash limit of his account is thereby exceeded, the excess will not bear profit and must be withdrawn by the depositor.

NOTE 1.—Securities standing in the name of a minor, other than a married female minor may, under orders of a head postmaster, be sold by the father or, if he be dead, by the mother of the minor, provided that the current value of all Securities standing in the name of the minor does not exceed Taka 5,000 on the date the application for sale is

made. If the applicant for payment is neither the father nor the mother of the minor and the current value of all Securities on the date of application does not exceed Taka 5,000 the Postmaster-General may authorise payment on production of a certificate by the magistrate of the district in which the minor ordinarily resides to the effect that the applicant is the actual guardian of the minor. In the case of Securities standing in the name of a married female minor, all applications for sale should be referred to the Postmaster-General for orders. Except in cases in which the applicant himself has stated that the current value of all Government Securities standing in the name of the minor exceeds Taka 5,000, the applicant must furnish a declaration in the form given below. In cases in which the current value of all Securities standing in the name of the minor exceeds Taka 5,000 on the date of application, payment shall only be made under the orders of the Postmaster-General to the legal guardian.

(Form of Declaration)

I hereby declare that to the best of my belief and knowledge there are no Government Securities standing in the name of the minor (name) other than those specified below. If any more Government Securities in the name of the minor be found afterwards and thereby the current value of the entire holding of the minor exceeds Taka 5,000 on this date I undertake, if required to do so, to produce within three months from the date of demand an order of a competent Court of Law appointing me or declaring me to be the guardian of the property of the minor, failing which I shall hold myself liable to refund the value of the Government Securities to be paid to me on behalf of the minor, with profit thereon, at the rate of 8 per cent. per annum.

N. B.—A natural legal guardian will not be required to obtain and produce an order of a competent court of law appointing or declaring him to be the guardian of the property of the minor.

NOTE 2.—All applications for sale of Securities standing in the name of female minor must in addition to the declaration prescribed above, bear a certificate signed by the person making the application, that the minor is married/not married.

SAFE CUSTODY OF GOVERNMENT SECURITIES

48. (1) An investor may tender at a Post Office Savings Bank, for safe custody by the Accountant-General, P. T. & T., Dacca, Government Promissory Notes and Stock Certificates which have been purchased for him through the post office, provided that the investor is a Savings Bank depositor at the time the Securities are tendered. The tender must be made on the form prescribed for the purpose. Government Promissory Notes tendered for safe custody should be endorsed by the holder in favour of the Accountant-General, P. T. & T., Dacca. In the case of Stock Certificates, the form of transfer on the reverse should be filled in by the holder. A receipt from the Accountant-General, P. T. & T., Dacca, for the Securities will be delivered to the investor.

(2) An investor may also, at any time, apply through the local post office for the delivery to him of any Government Promissory Notes and Stock Certificates which have been purchased for him through the post office. The application must be made in the form prescribed for the purpose and must be accompanied by the receipt referred to (i) in clause (1) of this rule or (ii) in rule 46(5)(b). The Securities will then be forwarded to the postmaster concerned for delivery to the investor. In the absence of any special request as to the form of the Security, it will be delivered in the form of a Promissory Note.

NOTE.—Securities purchased through the post office on behalf of a fund other than one belonging to a body corporate with perpetual succession and a common seal, and kept in the safe custody of the Accountant-General, P. T. & T., Dacca, will be sold by him on application by the person or persons who have furnished a declaration under rule 17 or rule 42(f). If delivery of the Securities is applied for, the Notes will be delivered endorsed in the name of such party or parties.

PROFIT ON GOVERNMENT SECURITIES

49. So long as Government Securities purchased through the post office remain in the custody of the Accountant-General, P. T. & T., Dacca, under rules 46(5)(b) and 48(1), profit when due, will be drawn and the amount, after deducting income-tax on the tax-bearing Securities only, will be advised to the local post office Savings Bank by the Accountant-General, P. T. & T., Dacca, for credit to the investor's account ; and a certificate showing the amount of income-tax deducted and the rate at which it is deducted will be sent for delivery to the investor. If the annual or total cash limit of the account is exceeded, the excess will not bear profit.

NOTE.—The following table shows the dates of payment of profit on and repayment of the current loans :—

<i>Loan.</i>	<i>Profit payable on</i>	<i>Date of repayment.</i>
1. 2½% Loan 1955-56	.. 18th April & 18th October (liable to income-tax).	At par, not earlier than 18th October, 1955 and not later than 18th October, 1956.
2. 2½% Loan 1956-57	.. 20th January & 20th July (liable to income-tax).	At par, not earlier than 20th July 1956 and not later than 20th July, 1957.
3. 2½% Loan 1957-58	.. 15th April & 15th October (liable to income-tax).	At par, not earlier than 15th October, 1957 and not later than 15th October, 1958.
4. 2½% Loan 1958-59	.. 18th April & 18th October (liable to income-tax).	At par, not earlier than 18th October, 1958 and not later than 18th October, 1959.

<i>Loan</i>	<i>Profit payable on</i>	<i>Date of repayment.</i>
5. 3% Loan 1958	15th December & 15th June (liable to income-tax).	At par, on 15th June, 1958
6. 3% Loan 1959	28th January & 28th July (liable to income-tax).	At par, on 28th July, 1958.
7. 3% Loan 1960	14th February & 14th August (liable to income-tax).	At par, on 14th February, 1960
8. 3% Loan 1961	15th December & 15th June (liable to income-tax).	At par, on 15th June, 1961.
9. 3% Loan 1962	28th January & 28th July (liable to income-tax).	At par, on 28th July, 1962.
10. 3% Loan 1963	18th April & 18th October (liable to income-tax).	At par, on 18th October, 1963.
11. 3% Loan 1968	14th February & 14th August (liable to income-tax).	At par, on 14th February, 1968.
12. 3% Loan 1968-70	20th January & 20th July (liable to income-tax).	At par, not earlier than 20th July, 1969 and not later than 20th July, 1970.
13. 1½% Income-tax Free Bearer Bonds.1958.	14th February & 14th August	At par, on 14th February, 1958

FEEES

50. No fee, commission, or brokerage, of any kind is charged for the purchase, sales, safe custody or delivery out of custody of Government Securities, bought through the post office or for the realisation and remittance of profit on such Securities.

POWER OF GOVERNMENT TO ALTER RULES

51. The Government of the People's Republic of Bangladesh reserves the right to alter or add to these rules at any time.

**PRATIRAKKHA SANCHAYAPATRA
RULES, 1976**

PRATIRAKKHA SANCHAYAPATRA RULES, 1976

I—SCOPE

1. (1) These rules may be called the Pratihakkha Sanchayapatra Rules, 1976.

(2) These rules shall apply to the Pratihakkha Sanchayapatra introduced in 1976 and shall come into force with effect from 8th March, 1976.

(3) For the purpose of these rules, the word "certificate" shall mean the "Pratihakkha Sanchayapatra".

2. A person who buys a certificate shall be bound by these rules.

3. A certificate may be issued by the Bangladesh Bank, the scheduled banks and the post offices, each one of which shall be called "Issuing Authority" and each of their offices shall be called "Office of Issue."

4. A certificate may be purchased by any of the following, namely :—

(1) a single adult;

(2) a minor;

(3) two adults in their joint names —

(a) payable to the holders jointly or payable to either with the written consent of the other,

(b) payable to either;

(4) an adult on behalf of—

(a) a single minor, or

(b) two minors jointly, or

(c) himself (or herself) and a minor jointly ;

(5) local authorities as defined in the General Clauses Act, 1897, e. g., Union Parishads, Poursavas, notified areas, district boards, port commissioners and similar bodies, entitled or entrusted by the Government with the control or management of a municipal or local fund;

(6) registered co-operative societies excluding co-operative banks but including co-operative land mortgage banks;

- (7) co-operative banks, registered or deemed to have been registered under the Co-operative Societies Act, 1912 (VI of 1912), or any other law for the time being in force, the Bangladesh Bank and the scheduled banks, as defined in the Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972)—
- (a) in the bank's own name from the funds of the bank, or
 - (b) on behalf of the bank's clients;
- (8) employers, including firms and companies, on behalf of employees to whom they have advanced money for the purpose of acquiring certificates;
- (9) properly constituted associations (whether incorporated or registered or not) of a charitable, religious, educational or recreational nature or for the encouragement of thrift, provided that the funds are for the mutual benefit of the members or of the general public such as dispensaries, hospitals, churches, temples or other religious associations, schools, orphanages, libraries and the like;
- (10) incorporated companies or associations and registered firms, other than those of a charitable or religious nature, such as, described in clause (9) above;
- (11) on behalf of teachers or employees, from the balance in their provident fund or an approved superannuation fund as defined in clause (a) of section 58-N of the Income-tax Act, 1922 (XI of 1922), by—
- (a) persons authorised by the Government to control a Teachers' Provident Fund,
 - (b) a University,
 - (c) the governing body of an educational institution,
 - (d) a municipal or local board,
 - (e) persons controlling recognised provident funds as defined in clause (a) of section 58-A of the Income-tax Act, 1922 (XI of 1922), and those that are governed by the Provident Funds Act, 1925 (XIX of 1925),
 - (f) persons controlling approved superannuation funds;
- (12) Supply Officer-in-Charge, Bangladesh Navy Pay Office, on behalf of the personnel of the Bangladesh Navy;
- (13) a Commissioner for workmen's compensation when investing sums payable to women, or other persons, under any legal disability;

- (14) all gazetted Government officers and officers of the Bangladesh Bank in their official capacity on behalf of another individual or fund.

NOTE.—The term "scheduled banks" used in rules includes executor and trustee companies which are subsidiaries to a scheduled bank.

II—PROCEDURE FOR PURCHASE

5. Applications for the issue of certificates shall be made in the Form (SC-I) obtainable free of charge from any Office of Issue.

6. Application forms may be presented at any Office of Issue—

- (a) by the purchaser in person, or
- (b) by his messenger or agent, or
- (c) through an authorised agent or canvasser, as the case may be.

7. The application shall be signed—

- (1) in the case of individuals, whether adult or minor, by the individuals themselves or their bankers; in the case of an illiterate person, the thumb impression of the applicant must be attested by a person known to the bank or the postmaster;
- (2) in the case of a Commissioner for workmen's compensation investing sums payable to women or other persons under any legal disability, by the Commissioner;
- (3) in the case of gazetted Government officers and officers of Bangladesh Bank in their official capacity on behalf of another individual or fund, by the officers so described by their designations; and
- (4) in all other cases, by the person or persons authorised to administer the funds and to sign specifying the designation, e.g., "President", "Secretary", or "Treasurer", or by their bankers.

8. **Purchase of certificates by or on behalf of a minor.**—(1) When an adult, or a bank purchases a certificate on behalf of a minor, the application form shall be signed by the adult or by the adult's or minor's banker, and after the entry of the minor's name therein, the following further entry shall be made in brackets, namely :—

"(MINOR :—Date of birth.....)",

and a nomination may be made at the option of the purchaser as to the person who shall be entitled to encash the certificate(s) on behalf of the minor, such nomination being restricted to—

- (a) the father, or
- (b) the mother, or
- (c) the paternal grand-father, or
- (d) the legal guardian of the minor.

If the certificate has been purchased by a bank and is eventually encashed by the bank, the proceeds shall be payable by the bank only to the person nominated.

(2) If it is desired to make a nomination as indicated in sub-rule (1) the words "through father" or "through mother", as the case may be, shall be added in the Application Form in continuation of the words indicated in that sub-rule.

(3) Notwithstanding anything contained in sub-rule (2), a person who has purchased certificates on behalf of a minor and has not nominated any one to encash them, shall be permitted to nominate a person or persons to do so later. The certificate(s) in question should be produced before the Issuing Authority from which they were bought, who shall permit the holder to add the necessary words 'through father/mother', etc., as desired in the original application, and a similar entry shall be made by the Issuing Authority on the certificate(s).

9. Purchase of certificates on behalf of a properly constituted association—

(1) In the case of purchase of certificates on behalf of properly constituted associations [vide rule 4(9)]—

- (a) the name and address of the association,
- (b) its objects, and
- (c) the sources of the income of the funds invested,

shall be disclosed in writing to the Issuing Authority.

(2) If, after investment has been made, it is found at any time that the object of the fund is not such as that declared at the time of investment and but for such declaration the investment would not have been permitted under rule 4(9), no interest shall be allowed thereon.

10. Purchases of certificates by employers on behalf of employees to whom they have advanced money for the purpose.—(1) An employer (including a firm or company) may advance money to employees to enable the latter to acquire certificates and may purchase the same on behalf of the individual employee.

(2) The certificates shall remain in the custody of the employer until the employee has repaid the advance, when they shall be formally transferred to the latter under rules 52 and 53. In the event of the death of the employee, or his failure to repay the advance made, the employer shall be permitted to encash the certificate, provided that no interest shall be payable on any certificate so

encashed and not transferred to the sole name of the employee on whose behalf it was originally purchased.

11. Purchase of certificates on behalf of teachers or employees from the money to their credit in a provident fund or approved superannuation fund.—

(1) when such investment is made from money standing in the name of a teacher or employee in a Post Office Savings Bank Account (opened under rule 45-A of the Rules for the Guidance of Depositors in the Post Office Savings Banks), the money shall be withdrawn from the account by the authority who controls the provident fund.

(2) Certificates bought under sub-rule (i) shall remain in the custody of the officer authorised to control the fund, who shall conduct all future transactions.

Note 1.—The Issuing Authority shall accept as proof of the conditions prescribed in rule 4(1)(e), written authority from a Commissioner of Income-tax, in the case of provident fund coming within the definition of clause (e) of section 58-A of the Income-tax Act, 1922, and from the person controlling the provident fund in the case of those governed by the Provident Funds Act, 1925, which shall be attached to the application for issue of certificates.

Note 2.—The Issuing Authority will accept written authority from the National Board of Revenue as proof that the conditions prescribed in sub-rule 4(1)(f) have been fulfilled in the case of approved superannuation funds coming within the provisions of clause (a) of section 58-N of the Income-tax Act, 1922.

Note 3.—If a written authority as aforesaid has previously been furnished with an application for issue of certificates it is not necessary for the applicant to furnish copies of the said authority with subsequent applications for issue of certificates from the same Office of Issue; only the number and date of the letter of authority and the particulars of the last application for issue of certificates need be indicated.

12. Purchase of certificates by Supply Officer-in-Charge, Bangladesh Navy Pay Office, on behalf of the personnel of the Bangladesh Navy.—(1) The Supply Officer-in-Charge, Bangladesh Navy Pay Office, shall sign the application for issue of the certificates on behalf of the investor and the certificates will be issued in the name of "Supply Officer-in-Charge, Bangladesh Navy Pay Office on behalf of (name of holder)..... Naval Officer/Naval Rating."

(2) The certificates purchased under this rule shall remain in the custody of the Supply Officer-in-Charge, Bangladesh Navy Pay Office who shall conduct future transaction so long as they are not endorsed to the holder with the word "Pay to (Name of holder)..... Officer/Naval Rating," and handed over to him.

Note.—In these cases, no formal transfer of the certificates to the holder's name shall be necessary.

(3) After the certificates have been endorsed to the holder in the manner stated above, he shall be permitted to deal with them in accordance with the rules, on production of the "Identity Slip", duly attested by the Supply Officer-in-Charge, Bangladesh Navy Pay Office, which shall contain the specimen signature of the holder.

III—NOMINATION

13. (1) In the case of purchase of a certificate by individual or individuals, whether adult or minor, holding the certificate singly or jointly, nomination may be made by the purchaser(s) of certificate in the application form at the time of the purchase, specifying the amount, whether whole or in part, receivable by the nominee on the death of the purchaser(s).

(2) Subject to the provisions of rules 10 and 11, nomination made under sub-rule (1) shall be valid notwithstanding anything contained in any other law for the time being in force or in any disposition, whether testamentary or otherwise.

(3) Nomination made under sub-rule (1) shall cease to have effect in case the nominee dies before the death of the holder or before he has received any sum thereunder.

14. A holder of a certificate may, by notice, to the Issuing Authority vary or cancel the nomination made under rule 13 at any time.

15. In any case where—

- (a) a holder dies without making any nomination under rule 13 or after having made such nomination, it has ceased to have effect under rule 13(3);
- (b) the sum or part of the sum in respect of which no nomination has been made does not exceed Taka twenty-five thousand; and
- (c) the probate of the will of the holder or the letters of administration of his estate, or a succession certificate under the Succession Act, 1925 (XXXIX of 1925), is not produced to the officer or authority authorised in this behalf within three months of the death of the holder;

payment of the sum or part thereof, as the case may be, shall be made to the person who appears to be entitled to receive it or to administer the estate of the

deceased holder, by the authority empowered by the Government in this respect and to the extent to which it is so empowered.

16. It shall be open to nominee under rule 13 to receive the amount due to him on the death of the holder either immediately or on maturity of the certificate.

IV.—PAYMENT BY INVESTORS FOR CERTIFICATES

17. Payment for the purchase of a certificate may be made by any of the following methods, namely :—

- (a) cash or currency notes;
- (b) cheque;
- (c) surrender of Savings Stamps of the requisite value (for purchase of certificates of the value of Taka 5 and of Taka 10 only) in the case of purchase at a post office only;
- (d) by completing a form for withdrawal of money from the purchaser's Post Office Savings Bank Account and presenting the same together with the pass-book, in the case of purchase at a post office only.

Note—The cost of certificates shall be debited to the Saving Bank Account under "Withdrawals" and the pass-book shall be returned together with the newly bought certificates.

18. Certificates shall be paid for in full at the time of purchase.

V.—PERMISSIBLE LIMITS OF HOLDING (FACE VALUE OF CERTIFICATES) BY VARIOUS CLASSES OF INVESTORS

19. Notwithstanding any provisions in these rules, no money shall be invested in certificates if such money—

- (a) is the property of the Government;
- (b) has been received for the credit of the Government;
- (c) has been withdrawn from the Treasury for expenditure on account of the Government;

- (d) has been raised by a taxation except in the case of funds of Union Parishad, Poursava and of the local authorities defined in rule 4(5);
- (e) collected, or received, or held in trust by any public officer or court, in accordance with any law, if the money is the property of Government.

20. Except as provided in rule 22, the maximum limit of holding of certificates of Taka 5 denomination for or on behalf of any one person or body shall be Taka two hundred and fifty.

21. The limit imposed in rule 20 shall be included in the total maximum limits specified hereinafter.

22. The maximum permissible holding of Pratirakkha Sanchayapatra shall severally be as shown below for each class of investor :—

- (1) For any one person or on behalf of any one person—*Taka fifty thousand (Taka 50,000)*.

Note—For the purpose of calculating this limit, the following shall not be counted as the holding of the person purchasing, or receiving the certificates by transfer, but shall be held to be the holding of the person or body on whose behalf they were purchased or held on security—

- (1) certificates purchased under rule 4(4) (a) and (b), 4(8) and 4(11).
- (2) certificates temporarily held by an officer of the Government or by an official of the Bangladesh Bank in pursuance of Rule 4(14)
- (2) By two persons jointly —*Taka One lakh (Taka 1,00,000)* provided that neither holder shall, under any circumstances, hold more than Taka 50,000 whether held partly in his own name and partly jointly with another. For the purposes of calculating the individual holding when two persons hold jointly, one half of the joint holding shall be assumed to belong to each.
- (3) Local authorities as described in rule 4(5)—*Without limit*.
- (4) Registered co-operative societies, excluding co-operative banks but including co-operative land mortgage banks as described in rule 4(6)—*Taka One lakh (Taka 1,00,000)*.
- (5) Banks excluding co-operative banks but including the Bangladesh Bank and scheduled banks, incorporated companies and registered firms as described in rule 4(7)(a) and 4(9)—*Taka Twenty-five thousand (Taka 25,000)*.

- (6) Co-operative banks as described in rule 2(7) (a)—*Taka Five lakh (Taka 5,00,000).*
- (7) Employers including firms and companies on behalf of employees as described in rule 4(8)—*Taka Twenty-five thousand (Taka 25,000) on behalf of any one employee, subject to a maximum of Taka two lakh (Taka 2,00,000) in respect of the whole staff.*
- (8) Properly constituted institutions as described in rule 4(9)—
- (1) Charitable institutions and funds approved for the purposes of section 15-D of the Income-tax Act, 1922 (XI of 1922)—*Without limit.*
 - (2) Funds and institutions not so approved—*Taka One lakh (Taka 1,00,000).*
 - (3) Provident funds or approved superannuation funds of employees as described in rules 4(9) (e) and (f) when invested in lump-sum—*Without limit.*
- (9) All other bodies and institutions, whose income is not liable to Income-tax—*Without limit.*

23. If the limit prescribed in rules 20 and 22 for any one holder be exceeded as a result of acquisition of further certificate(s) by reason of—

- (a) inheritance, or
- (b) by award of the Government to a soldier for valour,

the holder shall be permitted to hold the excess, which shall earn interest; but the holder shall not further increase the holding.

VI.—PENALTY FOR HOLDING CERTIFICATES IN EXCESS OF THE MAXIMUM VALUE PRESCRIBED UNDER RULE 20 or 22.

24. If, through any cause (except as provided for in rule 23), the total holding of any investor is discovered to be in excess of the limits prescribed in rule 20 or 22, whether as a result of—

- (a) direct purchase, or
- (b) receipt by transfer, or
- (c) purchase on holder's behalf by any other person or agency, or

- (d) being in excess as a result of inheritance, or award to a soldier for valour,

and the holder has still further increased that excess, the investor concerned shall be bound immediately to discharge the excess holding when called upon to do so and further shall not be entitled to any interest thereon.

25. Any profit or bonus which may have been paid in contravention of rule 24 shall be refunded to Government on demand, and in the event of failure to refund, may (in addition to other remedies for the recovery thereof by Government) be deducted from any money payable by the Government to the person who received the interest or payment or from his or her estate, or be recovered as an arrear of land revenue.

VII.—ISSUE OF CERTIFICATES

36. **Method of issue of certificates.**—(1) The certificate(s) shall be handed over by the Office of Issue immediately against payment in cash or currency notes.

- (2) In the case of payment by cheque, a provisional receipt shall be given.

The certificate shall be delivered against surrender of the provisional receipt.

The date of issue of the certificate shall be the date of the provisional receipt.

(3) If application for the purchase of certificate(s) is made at a Branch Post Office not authorised to issue certificates, a temporary receipt shall be given for the money, and the certificate(s) shall be obtained from another post office and be delivered in due course against surrender of the temporary receipt.

27. **Issue on behalf of bank's clients.**—In cases where a bank signs on behalf of its clients, the certificates shall be made out in the name of the bank with the addition of the words, "A/C (name of the bank's client)".

28. Before issuing the certificate(s), the Issuing Authority shall satisfy itself in every case that the holding-limit prescribed in rule 20 or 22 is not exceeded.

29. **Issues to employers on behalf of employees.**—In the case of certificate(s) purchased by employers on behalf of employees, the certificate(s) shall be made in the name of the employer, with the addition of the name of the employee to whom money has been advanced, e.g., (name of firm), employers, on behalf of (name of employee), employee.

30. Issues to teachers or employees from money at their credit in a provident fund or approved superannuation fund.—In the case of certificates purchased out of a teacher's or employee's provident fund or an approved superannuation fund, the certificates shall be made out—

- (a) in the name of the fund or of the officer authorised to administer the fund and sign on behalf of the fund with the name of the teacher or employee [e.g., "(name of the fund or of officer concerned) on behalf of (name of teacher or employee) from (name of provident fund or superannuation fund)"], if investments are made in respect of each individual teacher or employee;
- (b) in the name of the fund only if investments are made in lump-sum from a provident or superannuation fund;
- (c) in the name of the teacher or employee followed by the words, "S. B. Provident Fund Account", if investments are made out of a Post Office Savings Bank Account (opened under rule 45-A of the Rules for the Guidance of Depositors in the Post Office Savings Banks).

Note.—In such case, the following endorsement shall be made prominently in red ink on the reverse of the certificate: "Payable only to the officer authorised to control the provident fund or, on his countersignature, to the holder."

VIII.—ENCASHMENT, DISCHARGE AND TRANSFER OF CERTIFICATE

(i) Where encashable

31. (1) Subject to the provisions of rule 32 to 35, certificates shall be encashable at the Office of Issue.

(2) A certificate issued by an Issuing Authority other than the post office may be collected as a cheque.

32. (1) A purchaser who anticipates that the certificates may have to be encashed at an office other than that of issue may, at the time of purchase, sign the lower portion of the application form (SC-1), which portion is known as the "Identity Slip" (form SC-2).

Note 1.—The slip should be kept carefully and separately from the certificates to prevent possible loss of both simultaneously.

Note 2.—The thumb-impression of an illiterate person shall not be accepted in lieu of signature on "Identity Slips."

(2) No "Identity Slip" shall be issued in respect of certificates bought under rules 4(5) to (10), (13) and (14).

33. A purchaser who has not obtained an "Identity Slip" in accordance with rule 32 may, on presentation of his certificate at the Office of Issue procure an "Identity Slip" by signing the same in the presence of the Issuing Authority. If necessary, the slip may be signed in the presence of the Bank Officer or the Postmaster, as the case may be, of an office other than that of issue and, in such cases the Bank Officer or the Postmaster, as the case may be, shall send the slip for verification to the Office of Issue and, on its return, deliver it to the applicant duly certified.

NOTE 1.—The thumb-impression of an illiterate person shall not be accepted in lieu of signature.

NOTE 2.—Certificate purchased from the Bangladesh Bank, the scheduled banks and the post offices can only be transferred respectively to the offices or branches of the Bangladesh Bank, the scheduled bank concerned and the post offices.

34. A purchaser who has not obtained an "Identity Slip" in accordance with rule 32 or 33 may, subject to the provisions of Note 2 below rule 33, nevertheless encash his certificates at another bank or post office, as the case may be, by effecting transfer of registration of his holdings from the Office of Issue to the office where encashment is desired by obtaining (free) from an Issuing Authority the prescribed "Form for Transfer from one Office of Issue to another" and completing the same. The form may be handed in together with the certificate either—

(a) at the Office of Issue, or

(b) at the office to which transfer of registration is desired.

NOTE 1.—In the case of (b) above, a temporary receipt shall be given and the transfer shall be effected after the certificates have been verified, by reference to the Office of Issue. After the transfer has been effected, encashment may be made at any time desired subject to the provisions of rule 33 and if required, and "Identity Slip" can be obtained in accordance with rule 32.

NOTE 2.—Applications for the transfer of certificates in joint names (of both classes) from one Office of Issue to another shall be signed by both the joint holder when both of them are alive.

35. When a certificate held by an adult on behalf of a minor is to be encashed by the adult in Bangladesh a declaration shall be given on its reverse to the effect that the minor is still alive and the money is required on his or her behalf.

(ii) When encashable.

36. Except as provided for in rule 37, the certificates shall, notwithstanding anything to the contrary appearing on the obverse or reverse of the certificates, be encashable not earlier than one year from the date of issue.

37. Certificates of any denomination may be encashed before the period mentioned in rule 36 under the following conditions, namely :—

- (a) after the death of the holder or after the death of both the holders in the case of a joint holding, when encashment is required by heirs;
- (b) voluntarily by the holder when the holding is in excess of the limits prescribed in rule 20 or 22 or on demand by the Issuing Authorities on discovery of such excess;
- (c) on retirement from service of a teacher or employee when the certificate has been bought under the terms of rule 4 (11) ;
- (d) (i) owing to the death of the employee, or
(ii) owing to failure of the employee to repay the sum advanced by the employer, when the certificates have been bought under the terms of rule 4(8);
- (e) when certificates pledged under rules are being forfeited owing to any default of the pledger and the pledgee claims the amount ;
- (f) when ordered by a court;
- (g) when the entire proceeds are simultaneously contributed to any other similar Fund that may be constituted by the Government from time to time;
- (h) under special circumstances, within the first year of their issue without any interest, with the permission of the Bangladesh Bank or its Regional Offices or the Postmaster-General or on his behalf by a Superintendent of Post Offices or a Gazetted Head Postmaster.

NOTE—If the entire pledged amount is not being claimed fresh certificates may be issued for the unclaimed balance under rule 39.

IX—DISCHARGE AND EXCHANGE OF CERTIFICATES

38. Every certificate shall, on encashment, be duly discharged, that is to say, signed on the reverse thereof by the person entitled to receive payment or by his banker stating that the amount has been credited to the payees account

or, in the case of an illiterate person, the thumb-impression be duly attested by a person known to the bank or the Postmaster.

39. At any time after the period of non-encashability specified in rule 36 a certificate of high denomination may be discharged in part, such part being Taka ten, or a multiple thereof, on application to the Issuing Authority indicating the amount it is desired to receive in cash and the denominations of certificates required for the balance remaining. The date of issue of certificates given for the balance due shall be that of the original certificate partly discharged.

40. Several certificates of lower denominations of any one issue may be exchanged for one or more certificates of a higher value of the same issue or a certificate of a higher value of any one issue may be exchanged for a number of certificates of lower denomination of the same issue (excluding certificates of the denomination of Taka 5), on application to the Office of Issue. The certificates issued in exchange shall bear the same date of issue as that of the original certificate surrendered. In case the date of issue of the certificates desired to be exchanged for one of a higher denomination are not the same, the date of the new certificates shall be that of the latest of the certificates to be exchanged.

X—ENCASHMENT OF HOLDING OF A DECEASED PERSON

41. In the case of demise of the holder or holders of a certificate or certificates, payment shall be made in accordance with the provisions of rules 13 to 16. In cases where no nomination has been made, payment shall be made, in accordance with the provisions of rule 15, by the authorities mentioned below and to the extent shown against each :—

Amount of holdings.	Authority competent to authorise payment.
<i>Post Offices.</i>	<i>Banks.</i>
Taka Upto 100 Non-gazetted time-scale Postmaster	} Bank Manager of the Office of Issue.
Taka 105—500 Non-gazetted Selection Grade Postmaster.	
Taka 505—1,000 Non-gazetted Head Postmaster	
Taka 1,055—2,000 Gazetted Head Postmaster	
Taka 2,005—5,000 Postmaster General	.. Manager, Bangladesh Bank Office/ Branch.
Taka 5,005—25,000 Director-General	.. Chief Accountant, Bangladesh Bank.
Taka Above 25,000 Government in the Ministry of Finance, Directorate of National Savings.	

NOTE—A Superintendent of Post Offices may exercise the powers vested in a gazetted Head Postmaster in the case of holdings registered at a second class Head Post Office or a Sub-Post Office within his postal division.

42. Certificates standing in the name of a deceased teacher or employee, purchased in his or her name from the credit in a provident fund or approved superannuation fund under rule 4 (11) shall be discharged by, and payment be made to, the authority controlling the provident fund or approved superannuation fund.

43. Certificates purchased in joint names are payable to the survivor in case of the death of one holder, and a Bank Officer or the Head Postmaster, as the case may be, is the competent authority to issue orders for such payment.

XI.—PROFIT PAYABLE ON CERTIFICATES.

44. The exact amounts (including profit and bonus) payable on each denomination of certificates on completion of specified periods from the date of issue of the certificates, are shown in the following table :—

NOTE 1.—No profit is payable on any denomination of Pratrakkha Sanchayapatras if encashed within the first year of issue.

NOTE 2.—No profit or bonus is payable on any denomination of certificates for any period in excess of eight years. Amount (including profit and bonus, if any) is payable on completion of each period specified in column 1.

Amount payable on completion of	Tk. 5 Denomi- nation.	Taka. 10 Denomi- nation.	Taka. 50 Denomi- nation.	Taka. 100 Denomi- nation.	Taka. 500 Denomi- nation.	Taka. 1000 Denomi- nation.	Taka. 5000 Denomi- nation.	Taka. 10,000 Denomi- nation.
1 Year	5-30	10-60	53-00	106	530	1,060	5,300	10,600
2 Year	5-75	11-50	57-50	115	575	1,150	5,750	11,500
3 Year	6-30	12-60	63-00	126	630	1,260	6,300	12,600
4 Year	6-90	13-50	69-00	138	690	1,380	6,900	13,800
5 Year	7-50	15-00	75-00	150	750	1,500	7,500	15,000
6 Year	8-45	16-50	84-50	169	845	1,690	8,450	16,900
7 Year	9-55	19-10	95-50	191	955	1,910	9,550	19,100
8 Year	11-00	22-00	110-00	220	1,100	2,200	11,000	22,000

45. Profit shall cease to accrue on the expiry of three months from the date of surrender to an official for payment of Government dues under the terms of rule 54.

46. Profit earned on these certificates is not liable to income-tax nor is it taken into account for the purpose of determining the rate of income-tax on the total income.

47. Investments in Pratirakkha Sanchayapatras are exempt from income-tax subject to the provisions of the Income-tax Act, 1922 (XI of 1922).

48. An investor in certificates who does not wish to accept any profit, may, at the time of purchase, make a declaration in writing to that effect on the application form (SC-1). The certificates shall be issued bearing the words "No Profit or Bonus" in red ink on the top of the certificates.

XII.—TRANSFER FROM ONE PERSON TO ANOTHER

49. (1) Except as provided for in rule 52, certificates may be transferred from one person to another on the written authority of—

- (a) a bank officer or a first class postmaster, or
- (b) a Superintendent of Post Office (where the Office of Issue of a certificate is, or is under, a second class Head Post Office).

(2) Except as provided for in rule 52, an application for transfer (form SC-4) shall be made in writing to the Bank Officer or the Postmaster, as the case may be, setting forth—

- (a) name and address of the applicant,
- (b) face value of the certificates sought to transfer, their serial numbers and the Office of Issue of each,
- (c) name of person to whom transfer is proposed,
- (d) relationship (if any) with the person to whom transfer is proposed, and
- (e) the full circumstances which necessitate the transfer.

(3) If the application is for transfer before the expiry of the period of non-encashability specified in rule 36, it shall be allowed only in exceptional circumstances and the application shall bear a certificate signed by a District Magistrate or when the applicant belongs to the Armed Forces by the Officer Commanding of the Unit to which the applicant is attached, to the following effect :—

"Having made the necessary enquiries, I certify that to the best of my belief, the facts stated above are substantially correct."

(4) The fee payable on an application for transfer under this rule shall be as shown in the following table and will under no circumstances be refundable:

TABLE

Total face value of certificate.		Fee payable.	
		Taka.	
Taka	5 to 100	0.25	
Taka	105 to 1,000	0.50	
Taka	1,005 to 2,000	0.75	
Taka	2,005 to 3,000	1.00	
Taka	3,005 to 4,000	1.25	
Above	Taka 4,000	1.50	

(5) Certificate(s) held on behalf of a minor shall, under no circumstances, be transferable to any person other than to the minor concerned, or to his or her heirs.

NOTE 1.—For the purpose of this rule, the term "District Magistrate" includes a Stipendiary Magistrate not below the status of second class Magistrate.

NOTE 2.—Application for the transfer of certificates in joint names (whether encashable jointly or severally) shall be signed by both the joint holders, when both of them are alive.

NOTE 3.—In case of transfer of certificates from a single holder to joint-holder and *vice versa*, or from joint-holders to joint-holders and *vice versa*, a certificate signed by the District Magistrate need not be furnished.

50. Certificate (s) bought under the terms of rule 4 (11) shall not be transferable except on the written instructions of the authority controlling the provident fund or approved superannuation fund.

51. The decision of the bank or postal authority mentioned in rule 49 whether to sanction, or withhold sanction for transfer, shall be final.

52. Notwithstanding the provisions of rule 49, transfers of the following nature shall normally be permissible at any time and can be sanctioned by the Bank Officer or Head Postmaster and Sub-Postmasters of the office where the certificate is registered, on receipt of the prescribed form (Form SC-3, obtainable at bank and post offices) for transfer. These transfers will be free of charge—

- (1) from the authority controlling teachers' or employees' provident fund or approved superannuation fund to the teacher or employee on whose behalf it was bought under rule 4 (11) ;
- (2) from an employer to an employee on whose behalf it was bought under rule 4(8) ;
- (3) from a holder to a Government officer, the Bangladesh Bank or an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation, or of any scheduled bank where the certificate is pledged as security and *vice versa* under rule 58 ;
- (4) from the name of deceased holder, to his or her heir or nominee *vide* rules 13 to 16 ;
- (5) from gazetted Government officers, or the Bangladesh Bank holding certificates in their official capacity under rule 4 (14), to the names of the individuals or persons controlling the funds on whose behalf the certificates were held ;
- (6) from a holder to a court or to any other person under the order of the court.

Note.—The endorsement to be made in red ink on a certificate purchased on behalf of a teacher or employee under rule 11(1) can be cancelled (thus effecting transfer to the teacher or employee) only by the further endorsement of the authority controlling the fund as provided for in rule 11(2).

53. In every case of transfer, the original certificate shall be duly discharged, and a new certificate shall be issued in the name of the transferee and shall bear the same date as the original certificate surrendered.

XIII.—ACCEPTANCE OF CERTIFICATES IN PAYMENT OF GOVERNMENT DUES

54. Certificates can be used to pay any Government dues to an official of the Government at any time after the period of non-encashability specified in rule 36 which authorises acceptance of certificates for such payment.

55. The holder desiring to make payment in accordance with rule 54 shall fill in and sign a prescribed form (Form SC-4, obtainable free from a bank or a post office) and present it together with the certificates, duly discharged (signed on the reverse), to the official receiving payment.

NOTE.—The signature of the holder, or his thumb impression, if he be illiterate, both on the form and on the certificate, shall be attested by the Government official.

56. The certificates received under rule 55 shall be encashed at the Office of Issue or any other bank or post office (doing Savings Bank work) in the usual manner prescribed.

NOTE.—See also rule 43.

XIV.—PLEDGING OF CERTIFICATES AS SECURITY

57. Transfer of certificate as security to private individuals, banks except the Bangladesh Bank, scheduled banks, Government-sponsored corporations (see rule 58) or private concerns is prohibited.

58. Certificates can be transferred for the purpose of being treated as security, to a gazetted Government officer, to an officer of the Bangladesh Bank [as mentioned in rule 4(14)] or to an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation or to officer of a scheduled bank in his official capacity.

NOTE.—“Official capacity” means that the certificates shall be transferred to the official described by his official designation, such as District Magistrate of (place) etc. The certificates shall not be transferred to the personal name of the official who shall hold them as security.

59. A person who has lodged money as a security with a Government official, or an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation or of any scheduled bank can authorise, or consent to, its being invested in certificates.

60. The value of the security shall be—

- (a) the amount for which the certificates were purchased, or
- (b) the surrender value (see rule 44) on the date on which transferred as security if profit and/or bonus has accrued.

61. The procedure for pledging certificates shall be as follows :—

- (1) the pledger shall obtain from the other officer to whom the certificates are to be pledged, written authority to pledge them to him in his official capacity as security ;

- (2) if the pledger has not yet bought the certificates, he shall write on the application form for purchase of certificate above his signature the words "pledged to (official designation) vide authority attached, and to be issued to him in his official capacity";
- (3) if the pledger is already in possession of the certificates, he shall present at the bank or the post office, as the case may be, the prescribed form for transfer (obtainable at bank or post office) applying for transfer to the officer in his official capacity. The authority referred to in sub-rule (1) above shall be attached and the certificates be presented at the same time ;
- (4) when the authority is to be released, the officer concerned shall give written authority to the pledger to resume possession, and shall return to him the certificates. The pledger can then present the authority and certificates at the bank or the post office, as the case may be, and have them transferred to his own name. [Vide rule 52(3)].

XV.—REPLACEMENT OF LOST, DESTROYED OR DAMAGED CERTIFICATE

62. If a certificate is lost or destroyed, the investor shall be entitled to a "declaration in lieu" issued by the bank which issued the original certificate or by the Audit Officer if it was issued by a post office, on his furnishing a written statement to the Office of Issue (or the office of registration if the certificate had been transferred, under rule 34) giving particulars of the certificate and the circumstances under which it was lost or destroyed. If the certificate was in the names of joint holders, both of them shall sign the statement. Where an "Identity Slip" vide rule 32 had been obtained and the certificates to which it related, or any of them, was subsequently lost, the "Identity Slip" shall be presented at the Office of Issue, for the issue of a "declaration in lieu". This declaration shall be encashable only at the Office of Issue. If, however, both the certificate and the "Identity Slip" are lost, a "declaration in lieu" shall only be issued in the case of certificates of the face value not exceeding Taka five hundred (Taka 500) on satisfactory proof of identity and, in the case of certificates of the face value exceeding Taka five hundred (Taka 500) on execution by the holder an indemnity bond in form SC-6 with one approved surety or bank guarantee. The "declaration in lieu" will be issued one month after receipt of the application.

NOTE.—The application for issue of the “declaration in lieu” may be made at any bank or post office (doing Savings Bank work), as the case may be, which shall take necessary action after due reference to the Office of Issue.

63. A declaration issued by the bank or the Audit Officer under rule 62 shall be treated as equivalent to the original certificate for all the purposes of these rules, except that it shall not be encashable at the office other than that at which it is registered, without previous verification.

64. If a certificate is lost or destroyed, a fee on the scale specified below shall accompany the statement required under rule 62 and in no case shall this fee be refunded :—

	Taka
For each certificate of Taka 5 or Taka 10	0-25
For each certificate of Taka 50 or Taka 100	0-50
For each certificate of Taka 500 or Taka 1,000	1-00
For each certificate of Taka 5,000 or above	5-00

65. The bank or the post office shall not be responsible for any loss caused to a holder by another person obtaining possession of a certificate and fraudulently encashing it.

66. If a certificate is spoilt, a new certificate bearing the same date of issue as the original one, shall be issued by the bank or the Head Postmaster, as the case may be, on the holder surrendering the spoilt certificate. If, subject to the provisions of Note 2 below rule 33, it is surrendered at an office other than that of issue, a new certificate will be issued only after reference to the Office of Issue (or the office to which transfer of registration may have been made under rule 34).

GENERAL

67. (1) After the issue of a certificate, all transactions must be carried out by the person who signed the Application Form (SC-1).

(2) Certificates issued in names of bodies, other than those of individuals, must be held in the custody of the persons or officers empowered to administer and sign on behalf of the bodies concerned.

FORM SC - 1

Serial No.....

--

APPLICATION FOR PURCHASE OF PRATIRAKKHA SANCHAYAPATRA

	Taka	Pa.
(1) I/We tender		
(i) cash		
(ii) cheque		
(iii) application for withdrawal from Post Office Savings Bank (PASS-BOOK HEREWITH)		
(iv) Bangladesh Savings Stamps		
Total		

for the purchase of Pratirakkha Sanchayapatra, as detailed on the reverse :-

- (a) in my/our names.....
(BLOCK CAPITALS)
(for single or joint holders or bank, firm, association, etc., investing its own funds)
- * (b) in our names (BLOCK CAPITALS) (1)
(payable to the holders jointly or payable to either with the written consent of the other). (2)
- * (c) in our names (BLOCK CAPITALS) (1)
(payable to either) (2)
- (d) on behalf of (BLOCK CAPITALS) (1) (a) Name
(for purchase on behalf of a minor or two minors jointly encashable by the minors) (b) Date of birth
(1) Father..... (3) Paternal grand-father (2) (a) Name
(2) Mother... (4) legal guardian..... (b) Date of birth.....
- (e) in the name.....on behalf of.....
(for firms, public bodies, etc., purchasing on behalf of employees or from their Provident Funds, approved superannuation funds, etc., banks on behalf of their clients, etc.)

2. I/We hereby nominate:-

Name and address.	Amount. Taka	Name and address.	Amount. Taka
(1)		(4)	
.....		
(2)		(5)	
.....		
(3)	
.....		

to receive the amount(s) expressed in terms of the face-value of the certificate(s) and to the extent shown against the nominee(s) above named.

* Applicable also to purchases by an adult, purchasing on behalf of himself or herself and minor jointly.

3. I/We hereby agree to abide by the Pratirakha Sanchayapatra Rules, 1976.
4. The certificate(s) may be made over to my/our Authorised Agent or messenger who presents this application,

Name(s) and Address(es) of Purchaser(s) } (1)
Signature or thumb impression of purchaser (if illiterate).

(2) Date

RECEIPT FOR PRATIRAKKHA SANCHAYAPATRA

Received the certificate(s) detailed on reverse :

.....
Signature or thumb impression of purchaser or his agent/messenger

N.B.— An investor in certificates who does not wish to take interest, should, at the time of purchase make a declaration in writing to that effect on the Application Form. The certificates shall be issued bearing the words "No Profit or Bonus" in red ink on the top of the certificate(s).

Tear Off Along This Line

IDENTITY SLIP FOR ENCASHMENT OF PRATIRAKKHA SANCHAYAPATRAS

(TO BE COMPLETED BY BANK OR POST OFFICE)

Serial No. (as given above) NAME OF PERSONS
 ENTITLED TO ENCASH.....
 (BLOCK CAPITALS)

Issue Price Taka	Serial Number of Certificates

a specimen of whose signature appears on the reverse, is the holder of the marginally-noted certificate(s) and may encash any or all of them at the Office of Issue or the office where it/they is/are registered for payment, provided he/she discharges the same by signing on the back thereof in the presence of the Bank Officer or the Postmaster.

Date Stamp



.....
Signature of Issuing Authority.

TO BE COMPLETED BY THE APPLICANT

Issue price of certificates applied for	Number of certificates required.	Total Face Value Taka
Taka 5 ..		
Taka 10 ..		
Taka 50 ..		
Taka 100 ..		
Taka 500 ..		
Taka 1,000 ..		
Taka 5,000 ..		
Taka 10,000 ..		

TOTAL (FACE VALUE) TAKA.....

To be filled in only in case of joint holding.

TO BE COMPLETED BY THE BANK OR THE POST OFFICE

Serial No. of certificates issued.	Issue Price Taka.	Date of encashment and initial of the Bank Officer or the Postmaster.	Every change affecting the certificate, such as transfer, issue of certificate in exchange for damaged certificate surrendered—issue of a declaration in lieu in case of lost certificate, etc., shall be noted hereunder and initialed by the Bank officer or the Postmaster.

Total number of Praticakha Sanchayapatras issued.....

Date.....19

Signature of Bank Officer
or
Postmaster.
Line

Tear

Off

Along

This

Line

SPECIMEN SIGNATURE OF THE HOLDER(S) OF
PRATIRAKKHA SANCHAYAPATRA SHOWN ON THE REVERSE

Any erasure, alteration or mutilation of the above signature will invalidate this Identity Slip. Thumb-Impression of an illiterate cannot be accepted in lieu of Signature.

Stamp and date.

IMPORTANT

You are advised to keep this Identity Slip carefully and separately from the certificates to which it relates to obviate possible loss of Slip and certificates simultaneously.

FORM SC-3
PRATIRAKKHA SANCHAYAPATRA
NOMINATION FORM

(See rules 13 to 16 of the Pratirakkha Sanchayapatra Rules, 1976)

I/We hereby nominate.....

Sl. No.	Name and address.	Amount.
		Taka.
(1)	
(2)	
(3)	
(4)	

to receive the amounts, expressed in terms of the face value of the Bangladesh Sanchayapatras purchased by me/us, shown against (each of)* the nominee(s) mentioned above. The nominee(s) shall be entitled to receive the amounts as payable vide rule 44 of the Pratirakkha Sanchayapatra Rules, 1976.

2. I/We hold the following Pratirakkha Sanchayapatras :

No. of certificate.	Value.
	Taka
.....	
.....	
.....	
.....	
.....	

3. In case of demise of the nominee(s) above-named, prior to my death, the nomination of the nominee(s) concerned shall cease to have effect.

Place.....

Date.....

Signature (s) or thumb impression(s) of the holder(s)
of the Pratirakkha Sanchayapatra(s)

*Delete if there is only one nominee.

	Thumb impression attested by _____
Place _____	Name and signature _____
Date _____	Address (with designation, if any) _____

(To be completed by the Bank or the Post Office)

The above nomination form has been attached to the original application form for the purchase of the Pratirakkha Sanchayapatras.

(Signature of Bank Officer or the Postmaster)

FORM SC-4

PRATIRAKKHA SANCHAYAPATRAS

Application for the transfer of Pratirakkha Certificates from one person to another.

(See rules 49 to 53 of the Pratirakkha Sanchayapatra Rules, 1976.)

Registration No. _____	Serial No. and date of original application for purchase of Pratirakkha Sanchayapatras. } _____
------------------------	---

To
THE MANAGER
THE POSTMASTER.

Dated _____

Sir,

I/We

request you to transfer the undermentioned _____ Pratirakkha Sanchayapatras
 "declaration in lieu" of lost Pratirakkha Sanchayapatras

of I am/We are the holder(s) to Mr. _____ I/We hereby declare that on
Mrs.
Miss

the transfer of the said _____ Pratirakkha Sanchayapatras to the said Mr.
 "declaration in lieu" of lost Pratirakkha Sanchayapatras Mrs.
Miss

I/We relinquish all claims to them.

† I/We pay herewith Taka.....Rs..... as fee payable on his application as prescribed in rule 49(3) of the Pratirakkha Sanchayapatra Rules, 1976.

† I am /We are entitled to transfer the certificate(s) free of charge under rule 52 of the Pratirakkha Sanchayapatra Rules, 1976.

†Delete whichever is not necessary.

Serial No. of Bank or Head Post Office—

Oblong M.O. Stamp of Bank or the Post Office.

(Certificates can be transferred to be treated as security only to officers mentioned in rule 58 of the Pratirakkha Sanchayaptras Rules, 1976. Transfers of certificates as security to private individuals, or Institutions is prohibited.)

Declaration by transferee (s)

I/We _____ hereby declare that the total value of the Certificates Pratirakkha Sanchayaptra held by me/us including value of the _____ which I am/We certificate

are taking over from Mr. _____ does not exceed Taka 50,000 (face value) and I/We agree to abide by the Pratirakkha Sanchayaptra Rules, 1976.

Signature of transferee(s) of Pratirakkha Sanchayaptra.

(Note—Government Officers holding certificates in their official capacity as security are exempted from signing this Declaration.)

Particulars of Pratirakkha Sanchayaptras or "declaration in lieu" of lost certificates issued transferee(s)

(To be filled in by the Bank or Head Post Office.)

No.	Date.	Denomination.	Date of discharge and the initial of Bank Officer or Postmaster.	Remarks (Every change affecting a Pratirakkha Sanchayaptra such as, transfer, spoil, issue of declaration, etc should be noted here under the dated initials of the Bank Officer or the Postmaster.)

Signature of Bank Officer or Head Postmaster.

The fee payable for transfer is shown in the table below :

Total face value of certificates—	Fee payable. Taka
Taka 5 to Taka 100	0.25
Taka 105 to Taka 1,000	0.50
Taka 1,005 to Taka 2,000	0.75
Taka 2,005 to Taka 3,000	1.00
Taka 3,005 to Taka 4,000	1.25
Above Taka 4,000	1.50

FORM SC-5

PRATIRAKHA SANCHAYAPTRAS

Form for transfer of Pratirakha Sanchayaptras in payment of Government dues.

(See rules 54 to 56 of the Pratirakha Sanchayaptra Rules, 1976).

I/We (1).....

(2).....

who hold the following Pratirakha Sanchayaptras

Sl. No.	No. of Certificate.	Date of issue.	Amount Taka.
1.
2.
3.
4.
5.
6.

hereby transfer the certificate(s) to

.....
.....
.....

in payment of Government dues relating

.....
.....

Place.....

.....
Signature(s) or thumb impression(s) of the holder(s)
of the Pratirakha Sanchayaptras.

Date.....

Thumb impression(s) attested by _____
 Signature _____
 Place _____ Name and _____
 address _____
 Date _____ (with _____
 designation, _____
 if any) _____

Note—The certificate(s) must not be transferred in the personal name of the officer entitled to receive Government dues but in his official capacity only.

FORM SC-6
 PRATIRAKKHA SANCHAYAPATRAS
 INDEMNITY BOND

(See rule 62 of the Pratirakkha Sanchayapatra Rules, 1976)

In consideration of the _____

(Name of the Bank/Audit Officer on account
 issuing a "Declaration in lieu" favouring

_____ of Post Office)

me/us against Pratirakkha Sanchayapatra(s) as detailed below:

No. _____ dated _____ 19

for Taka _____ (Taka _____)

I/We the undersigned hereby guarantee and agree to hold the said Bank/Post Office, their successors and assignees harmless and indemnified from and against all consequences that may arise from their so doing and from payment of the original Pratirakkha Sanchayapatra(s) and from and against all losses, charges and expenses on account of issue of the said "Declaration in lieu" and I/We further undertake to deliver to the said Bank/Audit Officer on account of the said Post Office the said Bangladesh Bank Sanchayapatra(s) if and when found.

No. of Sanchayapatra	Date of issue	Amount
----------------------	---------------	--------

Dated the _____ the day of 19

Signature _____

Witness _____

SANCHAYAPATRA RULES, 1977.

SANCHAYAPATRA RULES, 1977.

I—SCOPE

1. **Short title, application and commencement.**—(1) These rules may be called the Sanchayapatras Rules, 1977.

(2) These rules shall apply to the Bonus Sanchayapatras and the 5-Year Bangladesh Sanchayapatras and a person who buys the Sanchayapatras shall be bound by these rules.

(3) These rules shall come into force at once.

2. **Definition.**—For the purpose of these rules, the word "certificate" or "Sanchayapatra" shall mean a Bonus Sanchayapatra or the 5-Year Bangladesh Sanchayapatra, as the case may be.

3. **Office of Issue, etc.**—A certificate may be issued by the Bangladesh Bank, the scheduled banks and the post offices, each one of which shall be called "Issuing Authority" and each of their offices shall be called "Office of Issue."

A.—BONUS SANCYAYAPATRAS

4. A Bonus Sanchayapatra may be purchased by any of the following, namely :—

- (1) a single adult ;
- (2) a minor;
- (3) two adults in their joint names—
 - (a) payable to the holders jointly or payable to either with the written consent of the other;
 - (b) payable to either;
- (4) an adult on behalf of—
 - (a) a single minor, or
 - (b) two minors jointly,
 - (c) himself (or herself) and a minor jointly ;

- (5) a commanding officer of a Unit of the Armed Forces on behalf of the personnel of his Unit ;
- (6) Supply Officer-in-Charge, Bangladesh Navy Pay Office on behalf of the personnel of the Bangladesh Navy;
- (7) An Officer-in-Charge or in command of the Bangladesh Rifles or of any Police Force on behalf of that Force;
- (8) a duly authorised officer on behalf of the employees of an Educational Board, Zilla Parishad, Municipality, Cantonment Board, Court of Wards or other institutions administered or controlled by Government.

B.—5-YEAR BANGLADESH SANCHAYAPATRAS.

5. A 5-Year Bangladesh Sanchayapatra may be purchased by any of the following, namely:—

- (1) a single adult;
- (2) a minor;
- (3) two adults in their joint names —
 - (a) payable to the holders jointly or payable to either with the written consent of the other;
 - (b) payable to either;
- (4) an adult on behalf of—
 - (a) a single minor, or
 - (b) two minors jointly,
 - (c) himself (or herself) and a minor jointly;
 - (d) any lunatic of whom he is the guardian or manager appointed by a Court of Law ;
- (5) a commanding officer of a Unit of the Armed Force on behalf of the personnel of his Unit ;
- (6) Supply Officer-in-Charge, Bangladesh Navy Pay Office, on behalf of the personnel of the Bangladesh Navy;
- (7) an officer-in-charge or in command of the Bangladesh Rifles or of any Police Force on behalf of that Force ;

- (8) a duly authorised officer on account of the employees of the Court of Wards or other institutions administered or controlled by the Government;
- (9) local authorities as defined in the Central Clauses Act, 1897 (X of 1897);
- (10) registered co-operative societies excluding co-operative banks;
- (11) co-operative banks, the Bangladesh Bank and scheduled banks as defined in the Bangladesh Bank Order, 1972 (P. O. No. 127 of 1972)—
- (a) in the bank's own name from the funds of the bank, or
- (b) on behalf of the bank's clients;
- (12) employers, including firms and companies, on behalf of their employees;
- (13) properly constituted associations of a charitable, religious, educational, or recreational nature or for the encouragement of thrift, such as dispensaries, hospitals, mosques or other religious institutions, schools, orphanages, libraries and the like;
- (14) incorporated companies or associations and registered firms;
- (15) on behalf of teachers or employees, from the balance in their provident fund or an approved superannuation fund as defined in clause (a) of section 58-N of the Income-Tax Act, 1922 (XI of 1922), by—
- (a) persons authorised by the Government to control a Teachers' Provident Fund,
- (b) a University,
- (c) the governing body of an educational institution,
- (d) a municipal, education or local Board,
- (e) persons controlling recognised provident funds as defined in clause (a) of section 58-A of the Income-Tax Act, 1922 (XI of 1922), and those that are governed by the Provident Funds Act, 1925 (XIX of 1925),
- (f) persons controlling approved superannuation funds;
- (16) Commissioner of Workmen's Compensation for the investment of amounts of compensation payable to the claimants under section 8 of the Workmen's Compensation Act, 1923 (VIII of 1923), transactions in the Sanchayapatras shall be made only by the officer purchasing the certificates or by his successor in office;
- (17) gazetted Government officers or officers of the Bangladesh Bank in their official capacity on behalf of another individual or fund.

II—PROCEDURE FOR PURCHASE

6. **Application form**—Applications for the issue of certificate shall be made in the Form (SC-I) obtainable free of charge from any Office of Issue.

7. **Presentation of Application forms**.—Application forms may be presented at any Office of Issue—

- (a) by the purchaser in person, or
- (b) by his messenger or agent, or
- (c) through an authorised agent.

8. **Signature on the application form**.—The application shall be signed—

- (1) in the case of individuals, whether adult or minor, by the individuals themselves or their bankers; in the case of an illiterate person, the thumb impression of the applicant must be attested by a person known to the Office of Issue;
- (2) in the case of a Commissioner for workmen's compensation investing sums payable to women or other persons under any legal disability, by the Commissioner;
- (3) in the case of gazetted Government officers and officers of the Bangladesh Bank in their official capacity on behalf of another individual or fund by the officers so described by their designations; and
- (4) in all other cases, by the person or persons authorised to administer the funds and to sign specifying the designation for example, "President", "Secretary", or "Treasurer", or by their bankers.

9. **Purchase of certificates by or on behalf of a minor**.—(1) When an adult, or a bank purchases a certificate on behalf of a minor, the application form shall be signed by the adult or by the adult's or minor's banker, and after the entry of the minor's name therein, the following further entry shall be made in brackets, namely:—

“(MINOR :—Date of birth.....)”

and a nomination at the option of the purchaser as to the person who shall be entitled to encash the certificate(s) on behalf of the minor, such nomination being restricted to—

- (a) the father, or
- (b) the mother, or
- (c) the paternal grand-father, or
- (d) the legal guardian of the minor,

If the certificate has been purchased by a bank and is eventually encashed by the bank, the proceeds shall be payable by the bank only to the person nominated.

(2) If it is desired to make a nomination as indicated in sub-rule (1) the words "through father" or "through mother", as the case may be, shall be added in the Application Form in continuation of the words indicated in that sub-rule.

(3) Notwithstanding anything contained in sub-rule (2), a person who has purchased certificates on behalf of a minor and has not nominated any one to encash them, shall be permitted to nominate a person or persons to do so later. The certificate(s) in question should be produced before the Issuing Authority from which they were bought, who shall permit the holder to add the necessary words "through father/mother" as desired in the original application, and a similar entry shall be made by the Issuing Authority on the certificate(s).

10. Purchase of Sanchayapatras on behalf of a properly constituted association.—(1) In the case of purchase of 5-Year Sanchayapatras under rule 5 (13) on behalf of properly constituted associations—

(a) the name and address of the association,

(b) its objects, and

(c) the sources of the income of the funds invested, shall be disclosed in writing to the Issuing Authority.

(2) If, after investment has been made, it is found at any time that the object of the fund is not such as that declared at the time of investment and but for such declaration the investment would not have been permitted under rule 5(13), no interest shall be allowed thereon.

11. Purchase of Sanchayapatras by employers on behalf of employees to whom they have advanced money for the purpose.—(1) An employer (including a firm or company) may advance money to employees to enable the latter to acquire Sanchayapatras and may purchase the same on behalf of the individual employee.

(2) The Sanchayapatras shall remain in the custody of the employer until the employee has repaid the advance when they shall be formally transferred to the latter under rules 53 and 54. In the event of death of the employee, or his failure to repay the advance made, the employer shall be permitted to encash the Sanchayapatras provided that no interest shall be payable on any Sanchayapatra so encashed and not transferred to the employee on whose behalf it was originally purchased.

12. Purchase of Sanchayapatras on behalf of teachers or employees from the money to their credit in a provident fund or approved superannuation fund.—(1) When investment in the Sanchayapatras is made from money standing in the

name of a teacher or employee in a Post Office Savings Bank Account opened under rule 45-A of the Post Office Savings Bank Rules, the money shall be withdrawn from the account by the authority who controls the provident fund.

(2) The Sanchayapatras bought under sub-rule (1) shall remain in the custody of the officer authorised to control the fund who shall conduct all future transactions.

Note 1.—The Issuing Authority shall accept as proof of the conditions prescribed in rule 5(15)(e) written authority from a Commissioner of Income Tax, in the case of provident fund coming within the definition of clause (a) of section 58-A of the Income-tax Act, 1922, and from the person controlling the provident fund in the case of those governed by the Provident Fund Act, 1925 (XIX of 1925) which shall be attached to the application for issue of Sanchayapatras.

Note 2.—The Issuing Authority shall accept written authority from the National Board of Revenue as proof that the conditions prescribed in sub-rule 5(15)(f) have been fulfilled in the case of approved superannuation funds coming within the provisions of clause (a) of section 58-N of the Income-tax Act, 1922.

Note 3.—If a written authority as aforesaid has previously been furnished with an application for issue of Sanchayapatras, it is not necessary for the applicant to furnish copies of the said authority with subsequent application for issue of Sanchayapatras from the same office of issue; only the number and date of the letter of authority and the particulars of the last application for issue of Sanchayapatras need be indicated.

13. Purchase of certificates by the authorities specified in rules 4(5) to (8) and 5(5) to (8).—(1) The authority concerned shall sign the application for issue of the certificates on behalf of the investor and the certificates shall be issued in the official designation of that authority on behalf of (name of holder).....

(2) The certificates purchased under this rule shall remain in the custody of the authority concerned who shall conduct future transaction so long as they are not endorsed to the holder with the word "Pay to (name of holder)....." and handed over to him.

Note.—In these cases, no formal transfer of the certificates to the holders' name shall be necessary.

(3) After the certificates have been endorsed to the holder in the manner stated above, he shall be permitted to deal with them in accordance with the rules on production of the identity slip, duly attested by the authority concerned, which shall contain the specimen signature of the holder.

III.—NOMINATION

14. Nominations.—(1) In the case of purchase of a certificate by individual or individuals, whether adult or minor, holding the certificate singly or jointly, nomination may be made by the purchaser(s) of certificate in the appli-

cation form at the time of the purchase, specifying the amount, whether whole or in part, receivable by the nominee on the death of the purchaser(s).

(2) Subject to the provisions of rules 11 and 12, nomination made under sub-rule (1) shall be valid notwithstanding anything contained in any other law for the time being in force or in any disposition, whether testamentary or otherwise.

(3) Nomination made under sub-rule (1) shall cease to have effect in case the nominee dies before the death of the holder or before he has received any sum thereunder.

15. **Cancellation, etc., of the nomination.**—A holder of a certificate may, by notice, to the Issuing Authority vary or cancel the nomination made under rule 14 at any time.

16. **Where no nomination exists.**—In any case where—

- (a) a holder dies without making any nomination under rule 14 or after having made such nomination, it has ceased to have effect under rule 14(3);
- (b) the sum or part of the sum in respect of which no nomination has been made does not exceed Taka five thousand; and
- (c) the probate of the will of the holder or the letters of administration of his estate, or a succession certificate under the Succession Act, 1925 (XXXIX of 1925), is not produced to the officer or authority authorised in this behalf within three months of the death of the holder;

payment of the sum or part thereof, as the case may be, shall be made to the person who appears to be entitled to receive it or to administer the estate of the deceased holder, by the authority empowered by the Government in this respect and to the extent to which it is so empowered.

17. **Nominee to receive amount of the certificates.**—It shall be open to a nominee under rule 14 to receive the amount due to him on the death of the holder either immediately or on maturity of the certificate.

IV.—PAYMENT BY INVESTORS FOR CERTIFICATES

18. **Method of payment.**—Payment for the purchase of a certificate may be made by any of the following methods, namely:—

- (a) cash or currency notes;
- (b) cheque;

- (c) surrender of Savings Stamps of the requisite value (for purchase of certificates of the value of Taka 10 only) in the case of purchase at a post office only;
- (d) by completing a form for withdrawal of money from the purchaser's Post Office Savings Bank Account and presenting the same together with the pass-book, in the case of purchase at a post office only.

Note.—The cost of certificates shall be debited to the Savings Bank Account under "Withdrawals" and the pass-book shall be returned together with the newly bought certificates.

19. **Purchase money to be paid in full.**—Certificates shall be paid for in full at the time of purchase.

V.—PERMISSIBLE LIMITS OF HOLDING (FACE VALUE OF CERTIFICATES) BY VARIOUS CLASSES OF INVESTORS

20. **Bar to invest money in certain cases.**—Notwithstanding any provisions in these rules, no money shall be invested in certificates if such money—

- (a) is the property of the Government;
- (b) has been received for the credit of the Government;
- (c) has been withdrawn from the Treasury for expenditure on account of the Government;
- (d) has been raised by taxation except in the case of funds of local authorities;
- (e) collected or received or held in trust, by any public officer or court in accordance with any law, if the money is the property of Government.

A.—Bonds Sanchayapatras.

21. **Permissible limit.**—The maximum permissible limit of holding of Bonds Sanchayapatras shall severally be as shown below for each class of investors :—

- (1) for any one person or on behalf of any one person—Taka ten thousand (Taka 10,000);

Note.—For the purpose of calculating this limit, the certificates purchased under rule 4(4) (a) and (b) shall not be counted as the holding of the person purchasing, or receiving, the certificates by transfer but shall be held to be the holding of the person or body on whose behalf they were purchased or held on security.

- (2) by two persons jointly—Taka twenty thousand (Taka 20,000) provided that neither holder shall, under any circumstances, hold more than Taka 10,000 whether held partly in his own name and partly jointly with another;

Note— For the purpose of calculating the individual holding when two persons hold jointly, one-half of the joint holding shall be assumed to belong to each.

- (3) by authorities specified in rules 4 (5), (6), (7) and (8)— Taka Ten thousand (Taka 10,000) for each employee.

B.—5-year Bangladesh Sanchayapatra.

22. Permissible limit.—The maximum permissible limit of holding of 5-year Bangladesh Sanchayapatras shall severally be as shown below for each class of investors—

- (1) for any one person or on behalf of any one person—Taka fifty thousand (Taka 50,000);

Note— For the purpose of calculating this limit, the following shall not be counted as the holding of the person purchasing, or receiving, the Sanchayapatras by transfer but shall be held to be the holding of the person or body on whose behalf they were purchased or held on security :—

- (a) Sanchayapatras purchased under rule 5(4) (c), (b) and (d), (12), (15) and (16) ;
 (b) certificates temporarily held by an officer of Government or of the Bangladesh Bank in pursuance of rule 5(17).

- (2) by two persons jointly—Taka One lakh (Taka 1,00,000) provided that neither holder shall, under any circumstances, hold more than Taka 50,000 whether held partly in his own name and partly jointly with another ;

Note— For the purpose of calculating the individual holding when two persons hold jointly, one-half of the joint holding shall be assumed to belong to each.

- (3) by authorities specified in rules 5 (5), (6), (7) and (8)— Without limit ;
- (4) local authorities specified in rule 5(9)—Without limit ;
- (5) registered co-operative societies, excluding co-operative banks specified in rule 5 (10)—Taka One lakh (Taka 1,00,000) ;
- (6) banks excluding co-operative banks but including the Bangladesh Bank and scheduled banks, incorporated companies or association and registered firms specified in rule 5(11) and (14)—Taka Twenty-five thousand (Taka 25,000) ;

- (7) co-operative banks specified in rule 5(11)—Taka Fifty thousand (Taka 50,000) for each client provided such client has no holding personally ;
- (8) properly constituted associations specified in rule 5(13)—
- (a) charitable institutions and funds approved for the purpose of section 15-D of the Income-tax Act, 1922 (XI of 1922)—Without limit;
- (b) funds and institutions not so approved—Taka One lakh (Taka 1,00,000);
- (9) provident funds or approved superannuation funds of employees specified in rule 5(15) (e) and (f) when invested in lump sum—Without limit;
- (10) all other bodies and institutions specified in rule 5 (15) (a) to (d) and whose income is not liable to income-tax—Without limit.

23. Permissible excess limit.—If the limit prescribed in rules 21 and 22 for any one holder or class of investor be exceeded as a result of acquisition of further certificate(s) by reason of—

- (a) inheritance, or
- (b) by award of the Government to a soldier for valour,

the holder shall be permitted to hold the excess, which shall earn interest; but the holder shall not further increase the holding.

VI—PENALTY FOR HOLDING CERTIFICATES IN EXCESS OF THE MAXIMUM VALUE PRESCRIBED UNDER RULE 21 OR 22.

24. Return of excess certificates.—If through any cause (except as provided for in rule 23), the total holding of any investor is discovered to be in excess of the limits prescribed in rule 21 or 22, whether as a result of—

- (a) direct purchase, or
- (b) receipt by transfer, or
- (c) purchase on holder's behalf by any other person or agency, or
- (d) being in excess as a result of inheritance, or award to a soldier for valour,

and the holder has still further increased that excess, the investor concerned shall be bound immediately to discharge the excess holding when called upon to do so and further shall not be entitled to any interest there on.

25. Penalty.—Any profit or bonus which may have been paid in contravention of rule 24 shall be refunded to Government on demand, and in the event of failure to refund, may (in addition to other remedies for the recovery thereof by Government) be deducted from any money payable by the Government to the person who received the interest or payment or from his or her estate, or be recovered as an arrear of land revenue.

VII—ISSUE OF CERTIFICATES

26. Method of issue of certificates.—(1) The certificate(s) shall be handed over by the Office of Issue immediately against payment in cash or currency notes.

(2) In the case of payment by cheque, a provisional receipt shall be given. The certificate shall be delivered against surrender of the provisional receipt. The date of issue of the certificate shall be the date of the provisional receipt.

(3) If application for the purchase of certificate(s) is made at a Branch Post Office not authorised to issue certificates, a temporary receipt shall be given for the money, and the certificate(s) shall be obtained from another post office and be delivered in due course against surrender of the temporary receipt.

27. Issue on behalf of bank's clients.—In cases where a bank signs on behalf of its clients, the certificates shall be made out in the name of the bank with the addition of the words, "A/C (name of the bank's client)".

28. Duty of the Issuing Authority.—Before issuing the certificate(s), the Issuing Authority shall satisfy itself in every case that the holding limit prescribed in rule 21 or 22 is not exceeded.

29. Issues to employers on behalf of employees.—In the case of certificate(s) purchased by employers on behalf of employees, the certificate(s) shall be made in the name of employer, with the addition of the name of the employee to whom money has been advanced, e.g. (name of firm), employers, on behalf of (name of employee) employee.

30. Issues to teachers or employees from money at their credit in a provident fund or approved superannuation fund.—In the case of certificates purchased out of a teacher's or employee's provident fund or an approved superannuation fund, the certificates shall be made out—

- (a) in the name of the fund or of the officer authorised to administer the fund and sign on behalf of the fund with the name of the teacher or employee [e.g., (Name of the fund or of officer concerned) on behalf of (name of teacher or employee)]

- from (name of provident fund or superannuation fund) if investments are made in respect of each individual teacher or employee;
- (b) in the name of the fund only if investments are made in lump sum from a provident or superannuation fund;
- (c) in the name of the teacher or employee followed by the words, "S. B. Provident Fund Account", if investment are made out of a Post Office Savings Bank Account (opened under rule 45-A of the Post Office Savings Bank Rules).

Note— In such cases, the following endorsement shall be made prominently in red ink on the reverse of the certificate "Payable only to the officer authorised to control the provident fund or, on his countersignature to the holder."

VIII.—ENCASHMENT, DISCHARGE AND TRANSFER OF CERTIFICATE

(i) Where encashable.

31. Encashment of certificates.—(1) Subject to the provisions of rules 32 to 35, certificates shall be encashable at the Office of Issue.

(2) A certificate issued by an Issuing Authority other than the post office may be collected either in cash or in cheque.

32. Encashment of certificates at an office other than the Office of Issue.—

(1) A purchaser who anticipates that the certificates may have to be encashed at an office other than that of issue may, at the time of purchase, sign the lower portion of the application form (SC-1), which portion is known as the "Identity Slip" (form SC-2).

Note 1.—The slip should be kept carefully and separately from the certificates to prevent possible loss of both simultaneously.

Note 2.—The thumb-impresion of an illiterate person shall not be accepted in lieu of signature on "Identity Slips".

(2) No "Identity Slip" shall be issued in respect of certificates bought under rules 4 (5) to (8) and 5 (5) to (17).

33. Procedure for obtaining Identity Slip.—A purchaser who has not obtained an "Identity Slip" in accordance with rule 32 may, on presentation of his certificate to the Office of Issue, procure an "Identity Slip" by signing the same in the presence of the Issuing Authority. If necessary, the slip may be signed in the presence of the Bank Officer or the Postmaster, as the case may be, of an office other than that of issue and, in such cases, the Bank Officer or

the Postmaster, as the case may be, shall send the slip for verification to the Office of Issue and, on its return, deliver it to the applicant duly certified.

Note 1.—The thumb impression of an illiterate person shall not be accepted in lieu of signature.

Note 2.—Certificates purchased from the Bangladesh Bank, the scheduled banks and the post offices can only be transferred respectively to the offices or branches of the Bangladesh Bank, the scheduled bank concerned and the post offices.

34. Encashment of certificates without Identity Slip.—A purchaser who has not obtained an "Identity Slip" in accordance with rule 32 or 33 may, subject to the provisions of Note 2 below rule 33, nevertheless encash his certificates at another bank or post office, as the case may be, by effecting transfer of registration of his holdings from the Office of Issue to the office where encashment is desired by obtaining (free) from an Issuing Authority the prescribed "Form for Transfer from one Office of Issue to another" and completing the same. The form may be handed in together with the certificate either—

(a) at the Office of Issue, or

(b) at the office to which transfer of registration is desired.

Note 1.—In the case of (b) above, a temporary receipt shall be given and the transfer shall be effected after the certificates have been verified by reference to the Office of Issue. After the transfer has been effected, encashment may be made at any time desired, subject to the provisions of rule 35 and if required, an "Identity Slip" can be obtained in accordance with rule 32.

Note 2.—Applications for the transfer of certificates in joint names from one Office of Issue to another shall be signed by both the joint holders when both of them are alive.

35. Declaration at the time of encashment.—When a certificate held by an adult on behalf of a minor is to be encashed by the adult in Bangladesh, a declaration shall be given on its reverse to the effect that the minor is still alive and the money is required on his or her behalf.

(ii) **When encashable.**

36. Bar to encash certificates.—Except as provided for in rule 37, the certificates shall, notwithstanding anything to the contrary appearing on the obverse or reverse of the certificates, be encashable not earlier than one year from the date of issue.

37. Exceptions in certain cases for encashment.—Certificates of any denomination may be encashed before the period mentioned in rule 36 under the following conditions, namely:—

- (a) after the death of the holder or after the death of both the holders in the case of a joint holding, when encashment is required by heirs;
- (b) voluntarily by the holder when the holding is in excess of the limits prescribed in rule 21 or 22 or on demand by the Issuing Authorities on discovery of such excess;
- (c) on retirement from service of a teacher or employee when the certificate has been bought under the terms of rule 5(15);
- (d) (i) owing to the death of the employee, or
(ii) owing to failure of the employee to repay the sum advanced by the employer, when the certificates have been bought under the terms of rule 5(12);
- (e) when certificates pledged under rules are being forfeited owing to any default of the pledger and the pledgee claims the amount;
- (f) when ordered by a court;
- (g) when the entire proceeds are simultaneously contributed to any other similar Fund that may be constituted by the Government from time to time;
- (h) under special circumstances, within the first year of their issue without any interest, with the permission of the Bangladesh Bank or its branch offices or the Postmaster-General or, on his behalf, by a Superintendent of Post Offices or a Gazetted Head Postmaster.

Note.— If the entire pledged amount is not being claimed, fresh certificates may be issued for the unclaimed balance under rule 39.

IX.—DISCHARGE AND EXCHANGE OF CERTIFICATES

38. Discharge.—Every certificate shall, on encashment, be duly discharged, that is to say, signed on the reverse thereof by the person entitled to receive payment or by his banker stating that the amount has been credited to the payee's account or, in the case of an illiterate person, the thumb impression be duly attested by a person known to the Office of Issue.

39. Partial encashment.—At any time after the period of nonencashability specified in rule 36, a certificate of high denomination may be discharged in part, such part being Taka ten, or a multiple thereof, on application to the Issuing Authority indicating the amount it is desired to receive in cash and the

denominations of certificates required for the balance remaining. The date of issue of certificates given for the balance due shall be that of the original certificate partly discharged.

40. **Exchange of certificate from one denomination to another.**—Several certificates of lower denominations of any one issue may be exchanged for one or more certificates of a higher value of the same issue or a certificate of a higher value of any one issue may be exchanged for a number of certificates of lower denomination of the same issue on application to the Office of Issue. The certificates issued in exchange shall bear the same date of issue as that of the original certificate surrendered. In case the date of issue of the certificates desired to be exchanged for one of a higher denomination are not the same the date of the new certificates shall be that of the latest of the certificates to be exchanged.

X.—ENCASHMENT OF HOLDING OF A DECEASED PERSON

41. **Encashment after death.**—In the case of demise of the holder or holders of a certificate or certificates, payment shall be made in accordance with the provisions of rules 14 to 17. In case where no nomination has been made, payment shall be made, in accordance with the provisions of rule 16 by the authorities mentioned below and to the extent shown against each :—

Amount of holdings.	Authority competent to authorise payment.		
	Post Office.	Banks.	National Savings Department
Taka Up to 100	Non-Gazetted time-scale Postmaster.	Bank Manager of the Office of Issue.	
Taka 105—500	Non-Gazetted Selection Grade Postmaster.		
Taka 505—1,000	Non-Gazetted Head Postmaster.		
Taka 1,005—2,000	Gazetted Head Postmaster		
Taka 2,005—5,000	Postmaster-General	Manager, Bangladesh Bank or any of its office or branch.	
Taka 5,005—25,000	Director-General, Post Offices.	Chief Accountant, Bangladesh Bank.	
Above Taka 25,000			Chief Director, National Savings,

Note.—A Superintendent of Post Office may exercise the powers vested in a gazetted Head Postmaster in the case of holdings registered at a second class Head Post Office or a Sub-Post Office within his postal division.

42. **Payment in case of a deceased teacher.**—Certificates standing in the name of a deceased teacher or employee, purchased in his or her name from the credit in a provident fund or approved superannuation fund under rule 5(15) shall be discharged by, and payment be made to, the authority controlling the provident fund or approved superannuation fund.

43. **Payment to the survivor in case of joint holdings.**—Certificates purchased in joint names are payable to the survivor in case of the death of one holder, and a Bank Officer or the Head Postmaster, as the case may be, is the competent authority to issue orders for such payment.

XI.—PROFIT PAYABLE ON CERTIFICATES

Bonus Sanchayapatras.

44. **Profit on Bonus Sanchayapatras.**—The exact amounts (including profit and bonus) payable on each denomination of Bonus Sanchayapatras on completion of specified periods from the date of issue of the certificates, are shown in the following table :—

Amount payable on completion of—	Tk. 10 denomination	Tk. 50 denomination	Tk. 100 denomination	Tk. 500 denomination	Tk. 1,000 denomination	Tk. 5,000 denomination	Tk. 10-00 denomination
1 year ..	10-92	54-62	109-25	546-25	1,092-50	5,462-50	10,915
2 years ..	11-85	59-25	118-50	592-50	1,185-00	5,925-00	11,850
3 years ..	12-77	63-85	127-75	638-75	1,277-50	6,387-50	12,775
4 years ..	16-00	80-00	160-00	800-00	1,600-00	8,000-00	16,000
5 years ..	18-00	90-00	180-00	900-00	1,800-00	9,000-00	18,000
6 years ..	20-00	100-00	200-00	1,000-00	2,000-00	10,000-00	20,000

Note 1.—No profit or bonus is payable on any denomination of Bonus Sanchayapatras for any period in excess of six years.

Note 2.—Investments in Bonus Sanchayapatras are not exempt from Income-tax.

5-year Bangladesh Sanchayapatras.

45. **Profit on Sanchayapatras.**—The exact amounts (including profit) payable on each denomination of Sanchayapatras on completion of specified periods from the date of issue of the Sanchayapatras are shown in the following table :—

Amount payable on completion of—	Tk. 10 denomination.	Tk. 50 denomination.	Tk. 100 denomination.	Tk. 500 denomination.	Tk. 1,000 denomination.	Tk. 5,000 denomination.	Tk. 10,000 denomination.
1 year ..	10-60	53-00	106-00	530-00	1,060-00	5,300-00	10,600-00
2 years ..	11-50	57-50	115-00	575-00	1,150-00	5,750-00	11,500-00
3 years ..	12-60	63-00	126-00	630-00	1,260-00	6,300-00	12,600-00
4 years ..	13-80	69-00	138-00	690-00	1,380-00	6,900-00	13,800-00
5 years ..	16-10	80-50	161-00	805-00	1,610-00	8,050-00	16,100-00

Note 1.—No profit is payable on any denomination of these certificates for any period in excess of five years.

Note 2.—Investments in 5-years Bangladesh Sanchayapatra are exempted from Income-tax subject to the provisions of the Income-tax Act, 1922 (XI of 1922).

46. No profit if encashed within the first year.—No profit is payable on any denomination of the certificates if encashed within the first year of issue.

47. Profit not payable when surrendered for payment of Government dues.—Profit shall cease to accrue on the expiry of three months from the date of surrender to an official for payment of Government dues under rule 55.

48. Profit not liable to income-tax.—Profit earned on certificates is not liable to income-tax nor is it taken into account for the purpose of determining the rate of income-tax on the total income.

49. Declaration of investors for non-acceptance of profit.—An investor in certificates who does not wish to accept any profit, may, at the time of purchase, make a declaration in writing to that effect on the application form (SC-I). The certificates shall be issued bearing the words "No Profit or Bonus" in red ink on the top of the certificates.

XII.—TRANSFER FROM ONE PERSON TO ANOTHER

50. Transfer of certificates.—(1) Except as provided for in rule 53, certificates may be transferred from one person to another on the written authority of—

- (a) Bank Officer or a Gazetted Postmaster, or
- (b) a Superintendent of Post Office (where the Office of Issue of a certificate is, or is under, a second class Head Post Office).

(2) Except as provided for in rule 53, an application for transfer (Form SC-4) shall be made in writing to the Bank Officer or the Postmaster as the case may be setting forth—

- (a) name and address of the applicant,
- (b) face value of the certificates sought to transfer, their serial numbers and the Office of Issue of each,
- (c) name of person to whom transfer is proposed,
- (d) relationship (if any) with the person to whom transfer is proposed, and
- (e) the full circumstances which necessitate the transfer.

(3) The fee payable on an application for transfer under this rule shall be as shown in the following table and will under no circumstances be refundable :

TABLE

Total face value of certificate.	Fee payable.
Taka 5 to 100	0.25
Taka 105 to 1,000	0.50
Taka 1,005 to 2,000	0.75
Taka 2,005 to 3,000	1.00
Taka 3,005 to 4,000	1.25
Above Taka 4,000	1.50

(4) Certificate(s) held on behalf of a minor shall, under no circumstances, be transferable to any person other than to the minor concerned, to his or her heirs.

Note.— Application for the transfer of certificates in joint names (whether encashable jointly or severally) shall be signed by both the joint holders, when both of them are alive.

51. No transfer in certain cases without permission of the controlling authority.—Certificate(s) bought under the terms of rule 5(15) shall not be transferable except on the written instructions of the authority controlling the provident fund or approved superannuation fund.

52. Decision of the Bank, etc., on transfer.—The decision of the bank or postal authority mentioned in rule 50 whether to sanction, or withhold sanction for transfer, shall be final.

53. Transfer of certificates in certain cases without fee.—Notwithstanding the provisions of rule 50, transfers of the following nature shall normally be permissible at any time and can be sanctioned by the Bank Officer, or Head Postmaster and Sub-Postmasters of the office where the certificate is registered, on receipt of the prescribed form (Form SC-3, obtainable at bank and post offices) for transfer. These transfers will be free of charge—

- (1) from the authority controlling a teachers' or employees' provident fund or approved superannuation fund to the teacher or employee on whose behalf it was bought under rule 5(15);
- (2) from an employer to an employee on whose behalf it was bought under rule 5(12);
- (3) from a holder to a Government officer, the Bangladesh Bank or an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation, or of any scheduled bank where the certificate is pledged as security and *vice versa* under rule 59;
- (4) from the name of deceased holder, to his or her heir or nominee *vide* rules 14 to 17;
- (5) from gazetted Government officers, or the Bangladesh Bank holding certificates in their official capacity under rule 5(17), to the names of the individuals or persons controlling the funds on whose behalf the certificates were held;
- (6) from a holder to a court or to any other person under the order of the court.

Note.—The endorsement to be made in red ink on a certificate purchased on behalf of a teacher or employee under rule 12(1) can be cancelled (thus effecting transfer to the teacher or employee) only by the further endorsement of the authority controlling the fund as provided for in rule 12(2).

54. Discharge and issue of new certificates.—In every case of transfer, the original certificate shall be duly discharged, and a new certificate shall be issued in the name of the transferee and shall bear the same date as the original certificate surrendered.

XIII.—ACCEPTANCE OF CERTIFICATES IN PAYMENT OF GOVERNMENT DUES.

55. **Certificates can be issued for payment of Government dues.**—Certificates can be used to pay any Government dues to an official of the Government at any time after the period of non-encashability specified in rule 36.

56. **Manner of making payment of Government dues.**—The holder desiring to make payment in accordance with rule 55 shall fill in and sign a prescribed form (Form SC-4, obtainable free from a bank or a post office) and present it together with the certificates, duly discharged (signed on the reverse), to the official receiving payment.

Note.—The signature of the holder, or his thumb impression, if he be illiterate, both on the form and on the certificate, shall be attested by the Government official.

57. **Encashment of the certificates received in payment of Government dues.**—The certificates received under rule 56 shall be encashed at the Office of Issue or any other bank or post office (doing Savings Bank work) in the usual manner prescribed.

Note.—See also rule 47.

XIV.—PLEDGING OF CERTIFICATES AS SECURITY

58. **Transfer prohibited in certain cases.**—Transfer of certificate as security to private individuals, banks except the Bangladesh Bank, scheduled banks and Government-sponsored corporations (see rule 59) or private concerns is prohibited.

59. **Certificates can be transferred for security.**—Certificates can be transferred for the purpose of being treated as security, to a gazetted Government officer, to an officer of the Bangladesh Bank [(as mentioned in rule 5 (17)] or to an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation or to officer of a scheduled bank in his official capacity.

Note.—“Official capacity” means that the certificates shall be transferred to the official described by his official designation such as, District Magistrate of (place). The certificates shall not be transferred to the personal name of the official who shall hold them as security.

60. **Lodged money can be utilised for purchasing certificates.**—A person who has lodged money as a security with a Government official, or an executive officer of a local authority as defined in the General Clauses Act, 1897 (X of 1897), or to such officer of any Government-sponsored corporation or of any scheduled bank can authorise, or consent to, its being invested in certificates.

61. **Value of security.**—The value of security shall be—

- (a) the amount for which the certificates were purchased, or
- (b) the surrender value (see rules 44 and 45) on the date on which transferred as security if profit and/or bonus has accrued.

62. **Procedure for pledging certificates.**—The procedure for pledging certificates shall be as follows :—

- (1) the pledger shall obtain from the other officer to whom the certificates are to be pledged, written authority to pledge them to him in his official capacity as security;
- (2) if the pledger has not yet bought the certificates, he shall write on the application form for purchase of certificates above his signature the words "pledged to (official designation) vide authority attached, and to be issued to him in his official capacity" ;
- (3) if the pledger is already in possession of the certificates, he shall present at the Office of Issue the prescribed form for transfer to the officer in his official capacity. The authority referred to in sub-rule (1) shall be attached and the certificates be presented at the same time ;
- (4) when the authority is to be released, the officer concerned shall give written authority to the pledger to resume possession, and shall return to him the certificates. The pledger shall then present the authority and certificates at the Office of Issue and have them transferred to his own name.

XV.—REPLACEMENT OF LOST, DESTROYED OR DAMAGED CERTIFICATE.

63. **Replacement of certificates.**—If a certificate is lost or destroyed, the investor shall be entitled to a "declaration in lieu" issued by the Office of Issue which issued the original certificate on his furnishing a written statement to the Office of Issue (or the office of registration if the certificate had been transferred under rule 34) giving particulars of the certificate and the circumstances under which it was lost or destroyed. If the certificate was in the names of joint holders, both of them shall sign the statement. Where an "Identity Slip" vide rule 32 had been obtained and the certificate to which it related was subsequently lost, the "Identity Slip" shall be presented at the Office of Issue, for the issue of a "Declaration in lieu". This declaration shall be encashable only at the Office of Issue. If, however, both the certificate and the "Identity Slip" are lost, a "Declaration in lieu" shall only be issued in the case of certificates of

the face-value not exceeding Taka five hundred (Taka 500) on satisfactory proof of identity and, in the case of certificates of deceased holders and the certificates of the value exceeding Taka five hundred (Taka 500) on execution by the holder or successor of an indemnity Bond in form SC-6 with one approved surety or bank guarantee. The "declaration in lieu" will be issued one month after receipt of the application.

64. Validity of the declaration in lieu.—A declaration issued by the Office of Issue under rule 63 shall be treated as equivalent to the original certificate for all the purposes of these rules, except that it shall not be encashable at the office other than that at which it is registered, without previous verification.

65. Fee for declaration in lieu.—If a certificate is lost or destroyed, a fee on the scale specified below shall accompany the statement required under rule 63 and in no case shall this fee be refunded :

	Taka
For each certificate of Taka 5 or Taka 10 ..	0.25
For each certificate of Taka 50 or Taka 100 ..	0.50
For each certificate of Taka 500 or Taka 1,000 ..	1.00
For each certificate of Taka 5,000 or above ..	5.00

66. Indemnity.—The Office of Issue shall not be responsible for any loss caused to a holder by any other person obtaining possession of a certificate and fraudulently encashing it.

67. Spoilt certificate.—If a certificate is spoilt, a new certificate bearing the same name, date of issue as the original one shall be issued by the Office of Issue to the person surrendering the spoilt certificate. If, subject to provisions of Note 2 below rule 33, it is surrendered at an office other than that of issue, a new certificate will be issued only after reference to the original Office of Issue (or the office to which transfer or registration may have been made under rule 34).

General

68. Future transactions in respect of certificates.—(1) After the issue of a certificate, all transactions must be carried out by the person who signed the Application Form (SC-1).

(2) Certificates issued in names of bodies, other than those of individuals, must be held in the custody of the persons or officers empowered to administer and sign on behalf of the bodies concerned.

FORM SC-1

Serial No.....

APPLICATION FOR PURCHASE OF BONUS SANCHAYA-PATRAS/5-YEAR BANGLADESH SANCHAYAPATRAS

				Taka	Ps.
1. I/We tender
(i) cash
(ii) cheque
(iii) application for withdrawal from Post Office Savings Bank (PASS-BOOK HEREWITH)				_____	
(iv) Bangladesh Savings Stamps	_____	
Total			

for the purchase of Bonus Sanchayapatras/5-year Bangladesh Sanchayapatras as detailed on the reverse :

- (a) in my/ our names.....
(BLOCK CAPITALS)
(for single or joint holders or bank, firm, association, etc., investing its own fund).
- * (b) in our names (BLOCK CAPITALS) (1).....
(payable to the holders jointly or payable to either with the written consent of the other). (2).....
- * (c) in our names (BLOCK CAPITALS) (1).....
(payable to either). (2).....

* Applicable also to purchases by an adult, purchasing on behalf of himself or herself and minor jointly.

(d) on behalf of (BLOCK CAPITALS) (1) (a) Name.....
 [for purchase on behalf of a minor or (b) Date of birth.....
 two minors jointly encashable by the
 minor(s)].

(1) Father.....(3) Paternal grand-father. (2) (a) Name.....

(2) Mother.... (4) Legal guardian..... (b) Date of birth....

(c) in the name.....on behalf of.....
 (for firms, public bodies, etc., purchasing on behalf of employees or
 from their Provident Funds, approved superannuation funds, etc.,
 banks on behalf of their clients, etc.).

2. I/We hereby nominate—

Name and address.	Amount Taka.	Name and address.	Amount. Taka.
(1)		(4).....	
.....		
(2).....		(5).....	
.....		
(3).....			
.....			

To receive the amount(s) expressed in terms of the face-value of the certificates and the extent shown against the nominee(s) above named.

3. I/We hereby agree to abide by the Sanchayapatra Rules, 1977.

4. The Certificate(s) may be made over to my/our authorised agent or messenger who presents this application.

Name(s) (1).....
 and
 Address(es)
 of
 Purchaser(s) (2)..... Date.....
 Signature or thumb impression
 of purchaser (if illiterate).

RECEIPT FOR BONUS SANCHAYAPATRAS/5-YEAR
BANGLADESH SANCHAYAPATRAS.

Received the certificate(s) detailed on reverse :

.....
*Signature or thumb impression of
purchaser or his agent/messenger.*

N.B.—An investor in certificates who does not wish to take interest should at the time of purchase make a declaration in writing to that effect on the Application Form. The certificates shall be issued bearing the words "No Profit or Bonus" in red ink on the top of the certificate(s).

Tear Off Along This Line

IDENTITY SLIP FOR ENCASHMENT OF BONUS SANCHAYA-
PATRAS/5-YEAR BANGLADESH SANCHAYAPATRAS

(TO BE COMPLETED BY BANK OR POST OFFICE)

Serial No.....(as given above) NAME OF PERSONS

ENTITLED TO ENCASH.....
(BLOCK CAPITALS)

.....
Issue Price Serial Number
Taka of Certificates

..... a specimen of whose signature appears
..... on the reverse, is the holder of the
..... marginally-noted certificate(s) and may
..... encash any or all of them at the
..... Office of Issue or the office where
..... it/they is/are registered for payment,
..... provided he/she discharges the same
..... by signing on the back thereof in the
..... presence of an officer at the Office of
..... Issue.

.....
..... Date Stamp.

.....
Signature of Issuing Authority.

(TO BE COMPLETED BY THE APPLICANT)

Issue price of certificates applied for.	Number of certificates required.	Total Face Value Taka
Taka 5 ..		
Taka 10 ..		
Taka 50 ..		
Taka 100 ..		
Taka 500 ..		
Taka 1,000 ..		
Taka 5,000 ..		
Taka 10,000 ..		

TOTAL (FACE VALUE) TAKA ..

- To be filled in only in case of joint holding.

TO BE COMPLETED BY THE BANK OR THE POST OFFICE

Serial No. of certificates issued.	Issue Price Taka	Date of encashment and initial of the Bank Officer or the Postmaster.	Every change affecting the certificate, such as transfer, issue of certificate in exchange for damaged certificate surrendered, issue of a declaration in lieu in case of lost certificates, etc., shall be noted hereunder and initialled by an officer of the Office of Issue.

Total number of Sanchayapatras issued.....

*Signature of Bank Officer
or
Postmaster*

Date.....19

Year Off Along This Line

**SPECIMEN SIGNATURE OF THE HOLDER(S) OF
BONUS SANCYAYAPATRA/5-YEAR BANGLADESH
SANCYAYAPATRA SHOWN ON THE REVERSE**

Any erasure, alteration or mutilation of the above signature will invalidate this Identity Slip. Thumb-Impression of an illiterate cannot be accepted in lieu of Signature.

Stamp and date

IMPORTANT

You are advised to keep this 'Identity Slip' carefully and separated from the certificates to which it relates to obviate possible loss of Slip and certificates simultaneously.

FORM SC-2

**BONUS SANCHAYAPATRAS/5-YEAR BANGLADESH
SANCHAYAPATRAS IDENTITY SLIP**

(See rules 32 to 34)

This is to certify that the bearing number(s), date(s) and of the face-value as under:

No. of Certificate.	Date of Issue.	Face-value.
		Taka
(1)
(2)
(3)
(4)
(5)
(6)
(7)
(8)
are held by (1)		

2.....

Whose signature(s) are given below :



*Signature(s) of the holder(s) of Bonus Sanchayapatras/
5-Year Bangladesh Sanchayapatras.*

*(Signature and Stamp of Office
of Issue.)*

Place.....

Date.....

FORM SC-3

BONUS SANCHAYAPATRAS/5-YEAR BANGLADESH
SANCHAYAPATRAS.

NOMINATION FORM

(See rules 14 to 17 of the Sanchayapatra Rules, 1977)

I/We hereby nominate.....

Sl. No.	Name and address.	Amount.
		Taka
(1)
.....
.....
(2)
.....
.....
(3)
.....
.....
(4)
.....
.....

to receive the amounts, expressed in terms of the face-value of the Bonus Sanchayapatras/5-Year Bangladesh Sanchayapatras purchased by me/us shown against [each of] * the nominee(s) mentioned above. The nominee(s) shall be entitled to receive the amounts as payable *vide* rule 44 or 45 of the Sanchayapatra Rules, 1977.

* Delete if there is only one nominee.

2. I/We hold the following :

No. of Certificate.	Value.
	Taka
.....
.....
.....
.....
.....
.....

3. In case of demise of the nominee(s) above-named, prior to my death, the nomination of the nominee(s) concerned shall cease to have effect.

Place.....
Signature(s) or thumb impression(s)
of the holder(s) of the Bonus
 Date..... *Sanchayapatras/5-Year Bangladesh*
Sanchayapatras.

Place..... *Thumb Impression attested by*
Name and signature.....
 Date..... *Address (with designation, if any)*

(To be completed by the officer of Issue Office)

The above nomination form has been attached to the original application form for the purchase of the Sanchayapatras.

.....
(Signature of the Officer of the
Office of Issue).

FORM SC-4

**BONUS SANCHAYAPATRAS/5-YEAR BANGLADESH
SANCHAYAPATRAS.**

Application for the transfer of Certificates from one person to another, (See rules 50 to 54 of the Sanchayapatra Rules, 1977). Serial No. and date of original application for purchase of Bonus Sanchayapatra/5-Year Bangladesh Sanchayapatras.

Registration No.

To

The Manager

The ostmaster

Dated

SIR,

I/We request you to
transfer the undermentioned
..... Bonus Sanchayapatras/5-Year Bangla-
..... des Sanchayapatras
..... declaration in lieu of lost Certificates
of which I am/we are the holder(s) to Mr/Mrs/Miss
..... I/We hereby declare that on the transfer
of the said Sanchayapatras/declaration in lieu of the lost Sanchayapatras to
the said Mr/Mrs/Miss
I/We relinquish all claims to them.

2. I/We pay herewith Taka.....Pi.....
as fee payable on his/her/their application(s) as prescribed in rule 50(3)
of the Sanchayapatra Rules, 1977.

I am/We are entitled to transfer the Certificates free of charge under rule
53 of the Sanchayapatra Rules, 1977.

or (b) Transfer of the Certificate(s) to the name(s) of
has been allowed under rule 53 of the Sanchayapatra Rules, 1977 and no fee
has been charged for.

Dated.....19

(Signature and Stamp of the
Office of Issue).

Serial No. of Bank or Head Post Office

--

Stamp of Office of Issue

Certificates can be transferred for being treated as security only to officers mentioned in rule 58 of the Sanchayapatra Rules, 1977. Transfers of Certificates as security to private individuals, or Institutions is prohibited.

Declaration by transferee(s)

I/We hereby declare that the total value of the Bonus Sanchayapatras/5-Year Bangladesh Sanchayapatras held by me/us including value of the certificates which I am/we are taking over from Mr/Mrs/Miss—
—————does not exceed Taka 50,000/Taka 1,00,000 (face-value) and I/we agree to abide by the Sanchayapatra Rules, 1977.

Signature of transferee(s) of
Sanchayapatras.

(a) or (b) (When transfer is allowed). To be enclosed to the Issue Journal in support of relevant remarks made therein against entries or fresh certificate(s) issued in lieu of cancelled ones.

Note.—Government Officers holding certificates in their official capacity as security are exempted from signing this Declaration.

The fee payable for transfer is shown in the table below:

Total face-value of certificates—	Fee payable
	Taka
Taka 5 to Taka 100	0.25
Taka 105 to Taka 1,000	0.50
Taka 1,005 to Taka 2,000	0.75
Taka 2,005 to Taka 3,000	1.00
Taka 3,005 to Taka 4,000	1.25
Above Taka 4,000	1.50

FORM SC-5

BONUS SANCHAYAPATRAS/5-YEAR BANGLADESH
SANCHAYAPATRAS.

Form for transfer of Bonus Sanchayapatras/5-Year
Bangladesh Sanchayapatras in payment of Govern-
ment dues.

[See rules 55 to 57 of the Sanchayapatra Rules, 1977]

I/We (1) _____

(2) _____

who hold the following Bonus Sanchayapatras/5-Year Bangladesh San-
chayapatras,

Sl. No.	No. of Certificate.	Date of issue.	Amount. Taka.
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

hereby transfer the certificate(s) to

in payment of Government dues relating _____

Place _____

Date _____

Signature(s) or thumb impression(s)
of the holder(s) of the Bonus
Sanchayapatras/5-Year Bangladesh
Sanchayapatras.

Thumb-impression(s) attested by—

Place _____

Date _____

Signature _____

Name and _____
 address _____

(with _____
 designation, _____
 if any). _____

Note.— The certificate(s) must not be transferred in the personal name of the officer entitled to receive Government dues but in his official capacity only.

FORM SC-6
BONUS SANCHAYAPATRAS/5-YEAR BANGLADESH
SANCHAYAPATRAS
INDEMNITY BOND

(See rule 63 of the Sanchayapatra Rules, 1977)

In consideration of the

_____)
 (Name of the Office of Issue)

_____ issuing a "Declaration in lieu" favouring me/us
 against Sanchayapatra as detailed below :

No. _____ Dated _____ 19

for Taka _____ (Taka _____)

I/We the undersigned hereby guarantee and agree to hold the said Office of Issue, their successors and assignees harmless and indemnified from and against all consequences that may arise from their so doing and from payment of the original Bonus Sanchayapatras/5-Year Bangladesh Sanchayapatras and from and against all losses, charges and expenses on account of issue of the said "Declaration in lieu", and I/We further undertake to deliver to the said Office of Issue on account of the said Sanchayapatras if and when found.

No. of Sanchayapatras	Date of Issue	Amount

Dated the _____ the day of 19

Signature _____

Witness _____

CHAPTER VI
THE WIRELESS TELEGRAPHY
ACT, 1933

CHAPTER VI

THE WIRELESS TELEGRAPHY ACT, 1933

¹Act No. XVII of 1933

(11th September, 1933)

(As modified up to 31st August, 1968)

An Act to regulate the possession of wireless telegraphy apparatus

WHEREAS it is expedient to regulate the possession of wireless telegraphy apparatus in ²[Bangladesh] ; It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the ³Wireless Telegraphy Act, 1933.

⁴(2) It extends to the whole of Bangladesh.]

(3) It shall come into force on such date⁵ as the ⁶[Government] may, by notification in the ⁷[official Gazette], appoint.

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

(1) "wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "wireless telegraphy apparatus" means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under section 10 to be wireless telegraphy apparatus, but does not include

1 For Statement of Objects and Reasons, see Gazette of India, 1933, Pt. V, page 8.

2 Subs. by the Central Laws (Statute R. form) Ordinance 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949, for "British India."

3 The word "India" omitted by A. O., 1949.

4 Subs. by Ordinance 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section(2) as amended by A. O. 1949 and the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 8.

5 The 1st January, 1934 : see Gazette of India, 1933, Pt. I, p. 1131.

6 Subs. by A. O., 1937, for "G. O. in C."

7 Subs. *ibid.*, for "Gazette of India."

any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted for wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under section 10 not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules made under section 10.

3. Prohibition of possession of wireless telegraphy apparatus without licence.—Save as provided by section 4, no person shall possess wireless telegraphy apparatus except under and in accordance with a licence issued under this Act.

4. Power of Government to exempt persons from provisions of the Act.—The [Government] may, by rules made under this Act exempt any person or any class of persons from the provisions of this Act, either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

5. Licences.—[The Director-General, Bangladesh Post Office or an officer authorised by him in this behalf,] shall be the authority competent to issue licences to possess wireless telegraphy apparatus under this Act, and may issue licences in such manner on such conditions and subject to such payments as may be prescribed.

6. Offence and penalty.—(1) Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of section 3 shall be punished in the case of the first offence, with fine which may extend to Taka one hundred and, in the case of a second or subsequent offence, with fine which may extend to Taka two hundred and fifty.

(2) For the purposes of this section a Court may presume that a person possesses wireless telegraphy apparatus if such apparatus is under his ostensible charge, or is located in any premises or place over which he has effective control.

(3) If in the trial of an offence under this section the accused is convicted the Court shall decide whether any apparatus in respect of which an offence has been committed should be confiscated, and, if it so decides, may order confiscation accordingly.

7. Power of search.—(1) * * * A Magistrate of the first class or a Magistrate of the second class specially empowered by the [Government]

1 Subs. by A. O., 1937, for "G. G. in C."

2 Subs. by the Posts and Telegraphs (Amnd.) Act, 1962 (5 of 1962), s. 4, for "The telegraph authority constituted under the Telegraph Act, 1885," (with effect from the 1st July, 1962).

3 The words "A Presidency Magistrate, or" omitted by A. O., 1949.

4 Subs. by A. O., 1937, for "L. G."

in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, vessel or place in which he has reason to believe that any wireless telegraphy apparatus, in respect of which an offence punishable under section 6 has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter into any building, vessel or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he had reason to believe an offence under section 6 has been committed.

8. Apparatus confiscated or having no owner to be property of Government.—All wireless telegraphy apparatus confiscated under the provisions of sub-section (3) of section 6, and all wireless telegraphy apparatus having no ostensible owner shall be the property of the [Government.]

9. [*Power of Court to direct payment of fines to prescribed authority.*] *Rep. by A. O., 1937.*

10. Power of Government to make rules.—(1) The [Government] may, by notification in the [official Gazette], make rules¹ for the purpose of carrying into effect the provisions of this Act.

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

- (i) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Act;
- (ii) the exemption of persons or classes of persons under section 4 from the provisions of this Act;
- (iii) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licences, the form of licences and the payments to be made for the issue and renewal of licences;
- (iv) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;
- (v) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus;⁴

4

5

1 Subs. by A. O., 1937, for "G. G. in C."

2 Subs. *ibid.*, for "Gazette of India."

3 For the Indian Wireless Telegraphy (Possession) Rules, 1933, made under this section, see Gazette of India, 1933, Pt. I, p. 1131. For the Wireless Telegraphy (Possession) Rules, 1957, see Gaz. of P., 1957, Pt. I, pp. 167-169.

4 The word "and" and clause (v) omitted by the Repealing and Amending Act, 1940 (32 of 1940) s. 2 and 1st Sch.

(3) In making a rule under this section the [Government] may direct that a breach of it shall be punishable with fine which may extend to Taka one hundred.

11. Saving of Telegraph Act, 1885.—Nothing in this Act contained shall authorise the doing of anything prohibited under the Telegraph Act, 1885, and no licence issued under this Act shall authorise any person to do anything for the doing of which a licence or permission under the Telegraph Act, 1885, is necessary.

CHAPTER VII
THE WIRELESS TELEGRAPHY
(POSSESSION) RULES, 1957

CHAPTER VII
**THE WIRELESS TELEGRAPHY (POSSESSION)
RULES, 1957***

In exercise of the powers conferred by section 10 of the Wireless Telegraphy Act, 1933 (XVII of 1933), the Government is pleased to make the following rules, namely :—

THE WIRELESS TELEGRAPHY (POSSESSION) RULES, 1957

1. (1) These rules may be called the Wireless Telegraphy (Possession) Rules, 1957.

(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or context,—

(a) "the Act, 1933" means the Wireless Telegraphy Act, 1933 (XVII of 1933) ;

(b) "dealer" means any person who deals in or manufactures for gain wireless telegraphy apparatus ;

(c) "complete wireless set" means any apparatus which is capable of being used for transmitting or receiving communication either by itself or with the addition of electric powers, aerials, valves, telephones, loud-speakers or similar devices, and includes any apparatus which is temporarily incapable of being so used by reason of a defect in its component parts or in the electric wiring ;

(d) "Form" means a Form appended † to these rules ; and

(e) "the Licensing Authority" means the ‡ Director-General, Bangladesh Post Office or an Officer authorised by him in this behalf.

3. Subject to the provisions of these rules, every person other than a dealer is exempted from the requirement of holding a licence to possess wireless telegraphy apparatus in respect of—

(a) such apparatus as is reasonably required for the purpose specified in a current licence issued to him under section 4 of the Telegraph

*Issued vide Government of Bangladesh, Ministry of Communications (Posts and Telegraphs) Notification No. W. 17-6/56, dated the 12th April, 1957.

† Not reproduced.

‡ See S. 1 of the Wireless Telegraphy Act, 1933.

Act, 1885, (XIII of 1885), to establish, maintain and work a wireless telegraph;

- (b) wireless telegraphy apparatus other than complete wireless set; and
- (c) wireless receiving apparatus established in any motor vehicle which is exempt from registration in Bangladesh provided the said wireless apparatus is not used for reception of wireless signals while in Bangladesh.

4. Applications for a licence under these rules shall be made in Form I and in accordance with the instructions contained therein.

5. Licences shall be issued to persons other than dealers in Form II and to dealers in Form III.

6. Licences shall be valid for a period of twelve calendar months beginning from the first day of the month of issue.

7. A fee of Taka 15 shall be payable for every licence issued under these rules.

8. Where the Licensing Authority is satisfied that licence granted under these rules has been lost or accidentally destroyed he may grant a duplicate or substitute licence on payment of a fee of Taka two.

9. Licences issued under these rules shall not be transferable.

10. No refund shall be granted of any fees paid under these rules.

11. (1) Every person licensed under these rules shall keep the wireless telegraphy apparatus possessed by him at the premises specified in that behalf in the licence.

(2) A licence issued under these rules shall ordinarily authorise the licensee to keep wireless telegraphy apparatus in one building only;

Provided that the Licensing Authority may at his discretion permit the licensee to keep the apparatus in two or more buildings.

(3) The Licensing Authority may, during the currency of licence, alter the specification of the premises specified therein on receipt of a written application from the licensee together with the licence for amendment.

12. Every dealer shall require every person purchasing or acquiring a complete wireless set to produce a valid licence issued in such person's name, either under these rules to possess wireless telegraphy apparatus, or under the Telegraph Act, 1885 (XII of 1885), to establish, maintain and work a wireless telegraph :

Provided that this shall not apply when the person purchasing or acquiring a complete wireless set is not resident in Bangladesh and is purchasing or acquiring the set for the use outside Bangladesh :

Provided further that the purchaser of a complete wireless set shall not be required to produce a valid licence if the dealer forwards an application form in respect of the purchaser together with the licence fee to a post office authorised to issue such licences within a period of 48 hours (exclusive of holidays and Sunday) of the disposal of the set.

13. Every dealer shall maintain a register of wireless telegraphy apparatus and shall cause to be entered therein—

- (a) the details of all such apparatus in his possession together with the dates on which the apparatus came into his possession and the sources from which he obtained it;
- (b) the name and address of every person to whom he sells or otherwise transfers a complete wireless set with the date and other particulars of the transaction and except as provided in rule 12, the particulars of licence specified in that rule.

14. (1) The Licensing Authority may, by order in writing, appoint Inspectors under these rules.

(2) Such Inspector may inspect any wireless telegraphy apparatus in the possession of any person, and such person shall, if so required by an Inspector give, to the best of his knowledge, particulars of the name and address of any person to whom he may have transferred and from whom he may have received any wireless telegraphy apparatus.

(3) On demand from such Inspector, every person licensed under these rules shall produce his licence for inspection, and every person who is exempted under clause (a) of rule 3 shall produce his licence issued under the Telegraph Act, 1885 (XIII of 1885).

(4) On demand from such Inspector every dealer shall produce the register maintained under rule 13 of these rules and shall permit the Inspector to make extracts therefrom.

15. Any breach of these rules, other than a breach which is an offence under section 6 of the Act, shall be punishable with fine which may extend to Taka one hundred.

16. The Licensing Authority may cancel any Licence issued under these rules to any person who has been convicted of a breach of these rules or an offence punishable under section 6 of the Act.

17. (1) The Indian Wireless Telegraphy (Possession) Rules, 1933 are hereby replaced.

(2) Any application made, licence issued, proceedings commenced or action taken under those rules shall be deemed to have been made, issued, commenced or taken under these rules.

CHAPTER VIII
THE WIRELESS RECEIVING
APPARATUS (LICENSING) RULES, 1957

CHAPTER VIII
THE WIRELESS RECEIVING APPARATUS
(LICENSING) RULES, 1957*

In exercise of the powers conferred by section 7 of the Telegraph Act, 1885 (XIII of 1885), the Government is pleased to make the following rules, namely :—

THE WIRELESS RECEIVING APPARATUS (LICENSING)
RULES, 1957

1. (1) These rules may be called the Wireless Receiving Apparatus (Licensing) Rules, 1957.
- (2) They shall come into force at once.
2. In these rules, unless there is anything repugnant in the subject or context,—
 - (a) "the Act" means the Telegraph Act, 1885 (XIII of 1885) ; and
 - (b) "the Licensing Authority" means the telegraph authority.
3. Except, as otherwise provided in these rules, no person other than a servant of Government working Wireless Apparatus for or on behalf of the Government shall establish, maintain or work a Wireless Apparatus except under a licence issued by the Licensing Authority.
4. All applications for licences under these rules shall be made in accordance with such instructions as the Licensing Authority, may from time to time, issue.
5. The licences under these rules shall be issued in such form, for such purposes, on payment of such fee and subject to such conditions as the Licensing Authority may, from time to time, prescribe.
6. (1) Licences issued under these rules, except licences for Broadcast Receivers, shall remain in force for a period of twelve months from the first day of the month of issue.
- (2) A licence for a Broadcast Receiver shall remain in force up to the 31st December next following the date of issue of the licence.
7. Where the Licensing Authority is satisfied that a licence issued under these rules has been lost or accidentally destroyed he may issue a duplicate or substitute licence on payment of a fee of Taka two.
8. No refund shall be granted of any fee paid under these rules.

9. The Licensing Authority may, during the currency of a licence, alter amend or vary any entry made therein or any condition subject to which it was issued.

10. (1) The Licensing Authority may, by order in writing, appoint Inspectors for the purposes of these rules and such Inspectors may inspect any Wireless Receiving Apparatus in the possession of any person or any licence issued under these rules.

(2) Every person in possession of Wireless Receiving Apparatus or a licence issued under these rules shall, when required by an Inspector, give particulars of the name and address to whom he may have transferred or from whom he may have received such other information connected with the Apparatus or the licence as the Inspector may require.

11. (1) If a person establishes, maintains or works a wireless receiving apparatus without a requisite licence or continues to establish, maintain or work such apparatus after the expiry of the period of validity of his licence without obtaining a fresh licence on renewal, he shall be liable to a surcharge—

- (i) in the case of a Broadcast Receiver at the rate of Taka three per month subject to a maximum of Taka twenty ; and
- (ii) in the case of a Commercial Broadcast Receiver a sum of Taka fifty only, in addition to the fee for the requisite licence.

(2) A licence in respect of such apparatus shall commence from the date it was established, maintained or worked without licence.

12. The Licensing Authority may, at any time, cancel a licence issued under these rules either by specific notice in writing sent by registered post to the licensee at the address shown on the licence or by a notice published in the official Gazette addressed to all holders of licences and no refund or any part of such fee in the case of such cancellation.

13. Whoever contravenes any provision of these rules shall be liable to a fine which may extend to Taka one hundred.

14. (1) The rules for licensing of Wireless Receiving Apparatus made by the late Government of India, Department of Communications, Notification No. W. L. 100/230 (Coll. 2), dated the 4th January, 1940, as subsequently amended, are hereby repealed.

(2) An application made, licence issued, proceedings commenced or action taken under those rules shall be deemed to have been made, issued, commenced or taken under these rules.

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to

Chapter 2 (Bangladesh Post Office Rules, 1961)

This index has been compiled solely for the purpose of assisting reference. No expression used in it should be considered in any way as interpreting the rules.

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