

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, জানুয়ারি ২৮, ২০১০

বাংলাদেশ জাতীয় সংসদ

ঢাকা, ২৮শে জানুয়ারি, ২০১০/১৫ই মাঘ, ১৪১৬

সংসদ কর্তৃক গৃহীত নিম্নলিখিত আইনটি ২৮শে জানুয়ারি, ২০১০ (১৫ই মাঘ, ১৪১৬) তারিখে রাষ্ট্রপতির সম্মতি লাভ করিয়াছে এবং এতদ্বারা এই আইনটি সর্বসাধারণের অবগতির জন্য প্রকাশ করা যাইতেছে :

২০১০ সনের ১ নং আইন

Post Office Act, 1898 (Act No. VI of 1898) অধিকতর সংশোধনকল্পে প্রণীত আইন।

যেহেতু নিম্নবর্ণিত উদ্দেশ্যসমূহ পূরণকল্পে Post Office Act, 1898 (Act No. VI of 1898) এর অধিকতর সংশোধন সমীচীন ও প্রয়োজনীয়;

সেহেতু এতদ্বারা নিরূপ আইন করা হইল :—

১। সংক্ষিপ্ত শিরোনাম ও প্রবর্তন।—(১) এই আইন The Post Office (Amendment) Act, 2010 নামে অভিহিত হইবে।

(২) ইহা অবিলম্বে কার্যকর হইবে।

(৭৭৯)

মূল্য : টাকা ৪.০০

২। **Act No. VI of 1898** এর **section 4** এর সংশোধন।—Post Office Act, 1898 (Act No. VI of 1898), অতঃপর উক্ত Act বলিয়া উল্লিখিত, এর section 4 এর sub-section (2) এর পরিবর্তে নিম্নরূপ sub-section (2) প্রতিস্থাপিত হইবে, যথা ঃ—

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

৩। **Act No. VI of 1898** এ নূতন **sections 4A, 4B, 4C ও 4D** এর সন্নিবেশ।—উক্ত Act এর section 4 এর পর নিম্নরূপ নূতন sections যথাক্রমে 4A, 4B, 4C ও 4D সন্নিবেশিত হইবে, যথা ঃ—

“4A. **Universal Postal Services, etc.**—(1) The Post Office shall be the designated national public postal operator responsible for providing the Universal Postal Service all over Bangladesh and for international communications.

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

- (a) modify, rearrange or adopt new technologies and provide new services for securing speedy services to the people as it deems fit;
- (b) appoint agents for providing its services or postal articles to any business entities or companies on agreed terms and conditions;
- (c) rent out part of post office premises, counters, facilities or any other installations or technology to any business entity or company on agreed terms and conditions;

- (d) take up any business or agency services permissible under this Act or buy any business facility for the extension or improvement of its own services;
 - (e) enter into new business ventures like Post shops, e-Commerce, Address data base or other data base as it deems fit and can also exchange or interchange business transactions with other domestic or international organisations for the purpose of commercial benefits;
 - (f) provide remittance transfer services, banking services, postal life insurance services either individually or may enter into contract with other organisations for providing the aforesaid services to the people.
- (3) The Director General may, with the prior approval of the Government, by notification in the official Gazette, fix appropriate commission, fees or charges for appointing agents under clause (b) or for renting out post office premises, counters, facilities etc. under clause (c) of sub-section (2) and also fix rates, tariffs, fees etc. for the services provided by the agents.

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

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

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

- (3) If it is found that the applicant has not complied with the provisions of the Act and the rules made there under, Licensing Authority may refuse to grant license applied for and inform the applicant in writing within thirty days of its refusal.
- (4) Notwithstanding anything contained in this section, any person or company who has already been operating the business of Mailing Operator or Courier Service shall apply to the Licensing Authority for license within three months from the date of constitution of the Licensing Authority under section 4C of this Act.

Explanation : For the purpose of this section—

- (a) “Mailing Operator” means an operator other than the designated national public postal operator which provides certain specific mailing or postal service or delivery services but is not responsible for providing Universal Postal Services. Its services may include Parcels, Logistics, Delivery, Courier & Express services;
- (b) “Courier Service” means a person or company which provides mailing services to certain customers other than Universal Postal Services with higher or premium standard and price. Its services may include Parcels, Logistics, Delivery, Courier & Express services.
- 4C. **Licensing Authority, etc.**—(1) The Government may by notification in the official Gazette, constitute a Licensing Authority to grant licenses and to regulate the licensed Mailing Operators and Courier Services.
- (2) The Authority mentioned in sub-section (1) shall consist of three members of whom one shall be appointed as chairman by the Government.

- (3) The Government may, by rule,—
- (a) provide conditions for granting license and operating the business of mailing services by such Licensed Mailing Operator and Courier Services;
 - (b) fix appropriate license fees and other charges and commissions for operating the Mailing services and Courier services;
 - (c) reserve certain rights and fix jurisdiction and areas for service and may also charge compensatory fees to cover the Government's cost of postal service coverage ; and
 - (d) keep provisions regarding standards, restrictions, rewards, dispute settlement, penalties for non-compliance and punishment for default and violation of the rules made under this Act by the Licensed Mailing Operators and Courier Services.

4D. **Cancellation of License.**—(1) The Licensing Authority may suspend or cancel a license granted under sub-section (2) of section 4B, if the Licensed Mailing Operator of Courier Service commits breach of any of the conditions of the license :

Provided that in the case of cancellation of any license, the licensee shall be served with a show cause notice of fifteen days and be given a reasonable opportunity of being heard.

- (2) Any person being aggrieved by the order of the Licensing Authority under sub-section (1) may apply to the government for reviewing the impugned order within thirty days from the date of the order and the decision of the government shall be final.”।

৪। Act No. VI of 1898 এর section 58 এর প্রতিস্থাপন।—উক্ত Act এর section 58 এর পরিবর্তে নিম্নরূপ section 58 প্রতিস্থাপিত হইবে, যথা ঃ—

“58. **Penalty for contravention of sections 4 and 4B.**—(1) Whoever, in contravention of the provisions of section 4 or 4B, carries, receives, tenders or delivers letters, or collects letters, or operates the business of Mailing Operator or Courier Service, shall be punishable with fine which may extend to Taka fifty thousand for every incident for every such letter or such business.

(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 two lakhs.”।

আশফাক হামিদ

সচিব।