

## THE POST OFFICE ACT, 2023

[Act No. 43 of 2023]

[24th December, 2023]

### PREAMBLE

*An Act to consolidate and amend the law relating to Post Office in India and to provide for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

### Section 1 - Short title and commencement

- (1) This Act may be called the Post Office Act, 2023.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

### Section 2 - Definitions

In this Act, unless the context otherwise requires,—

- (a) “Director General” means the Director General of Postal Services appointed by the Central Government and includes any officer authorised by the Central Government to perform the duties of the Director General;
- (b) “item” means an indivisible article which the Post Office accepts for providing a service;
- (c) “notification” means a notification published in the Official Gazette;
- (d) “Post Office” means the Department of Posts and includes every house, building, room, place or any other asset used by the Post Office for providing any service;
- (e) “prescribe” means prescribe by rules made under this Act and the expression “prescribed” shall be construed accordingly;
- (f) “regulations” means the regulations made under this Act.

### Section 3 - Services to be provided by Post Office

- (1) The Post Office shall provide such services as the Central Government may prescribe.
- (2) The Director General may make regulations--
  - (a) in respect of activities necessary to provide services referred to in sub-section (1); and
  - (b) to fix charges for, and the terms and conditions in respect of, services referred to in sub-section (1).
- (3) Any service provided by the Post Office shall be subject to any other law for the time being in force.

### Section 4 - Exclusive privilege in respect of postage stamps

- (1) The Post Office shall have the exclusive privilege of issuing postage stamps.
- (2) The Director General may make regulations relating to the supply and sale of postage stamps and postal stationery.
- (3) In this section, the expressions--
  - (a) “postage stamp” means any stamp provided by the Central Government, in any form, physical or digital, for denoting sums payable in respect of such service provided by the Post Office, as may be prescribed and includes stamps affixed, printed, embossed, embedded, impressed, or otherwise indicated on an item;
  - (b) “postal stationery” means stationery, issued by the Post Office such as envelopes, letter cards, postcards, bearing imprinted stamps or inscriptions indicating that sum payable in respect of a service provided by the Post Office has been prepaid.

#### **Section 5 - Addresses and postcodes**

- (1) The Central Government may prescribe standards for addressing on the items, address identifiers and usage of postcodes.
- (2) In this section, “postcode” means a series of digits, letters or digital code or a combination of digits, letters or digital code used to identify a geographic area or location, and ease the process of sorting and delivery of items and for other purposes.

#### **Section 6 - Power to give effect to arrangements with other countries**

The Central Government may make rules to give effect to arrangements made with any foreign country or territory for services provided by the Post Office between India and the said foreign country or territory.

#### **Section 7 - Recovery of sums due in respect of services provided by Post Office**

- (1) Every person who avails a service provided by the Post Office shall be liable to pay the charges in respect of such service.
- (2) If any person refuses or neglects to pay the charges referred to in sub-section (1), such amount shall be recoverable as if it were an arrear of land revenue due from him.

#### **Section 8 - Official mark to be evidence of certain facts denoted**

The Central Government may prescribe the conditions for denoting the official marks on items to be used as prima facie evidence of the facts so denoted.

#### **Section 9 - Power to intercept, open or detain any item or deliver item to customs authority**

- (1) The Central Government may, by notification, empower any officer to cause any item in course of transmission by the Post Office to be intercepted, opened or detained in the interest of the security of the State, friendly relations with foreign states, public order, emergency, or public safety or upon the occurrence of any contravention of any of the provisions of this Act or any other law for the time being in force.

(2) The Central Government may cause any item referred to in sub-section (1) to be disposed of in such manner as it deems appropriate.

(3) The Central Government may, by notification, empower any officer of the Post Office to deliver an item, received from within or beyond the limits of India and reckoned to contain anything liable to duty or which is suspected to contain any prohibited item to such customs authority or any other authority as may be specified in the said notification, and such customs authority or any other authority shall deal with such item in accordance with the provisions of any law for the time being in force.

#### **Section 10 - Exemption from liability**

(1) Notwithstanding anything in any other law for the time being in force, the Post Office shall not incur any liability except such liability as may be prescribed with regard to a service provided by the Post Office.

(2) No officer of the Post Office shall incur any liability with regard to a service provided by the Post Office, unless the officer has acted fraudulently or wilfully caused loss, delay or mis-delivery of service.

#### **Section 11 - Delegation of power, other than rulemaking powers to Director General**

The Central Government may, by notification, authorise, either absolutely or subject to conditions, the Director General to exercise any of the powers conferred upon the Central Government by this Act, other than the power to make rules.

#### **Section 12 - Power to make rules**

The Central Government may, by notification, make rules for carrying out the purposes of this Act.

#### **Section 13 - Power to make regulations**

The Director General may, with the prior approval of the Central Government, by notification, make regulations for carrying out the provisions of this Act.

#### **Section 14 - Laying of rules and regulations in Parliament**

Every rule or regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

#### **Section 15 - Power to remove difficulties**

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

### **Section 16 - Repeal and savings**

(1) The Indian Post Office Act, 1898 (6 of 1898) is hereby repealed.

(2) Notwithstanding the repeal of the Act by sub-section (1), all rules, notifications and orders, made or purported to have been made under the Indian Post Office Act, 1898 (6 of 1898), shall, in so far as they relate to matters for which provision is made in this Act and are not inconsistent therewith, be deemed to have been made under this Act and shall continue in force unless and until they are superseded by any rules or notification or order made under this Act.