

## The Post Office Act, 2023

No. 43 of 2023

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

- (1) This Act may be called the Post Office Act, 2023.
- (2) It shall come into force on such date (24.12.2023) as the Central Government may, by notification in the Official Gazette, appoint.

### **2. Definitions**

- (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
- (f) "prescribed" shall be construed accordingly;
- (g) "regulations" means the regulations made under this Act.

### **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.

### **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.



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#### **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.

#### **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.

#### **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.

#### **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.

#### **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.

#### **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.



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(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.

#### **11. Delegation of power, other than rule making 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.

#### **12. Power to make rules**

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

#### **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.

#### **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.

#### **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.

#### **16. Repeal and savings**

- (1) The Indian Post Office Act, 1898 is hereby repealed. 6 of 1898.
- (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, shall, in so far as they relate to matters for which provision is made in this Act and are not inconsistent therewith, be



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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.

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## The Post Office Rules, 2024

**G.S.R. 767(E).**— In exercise of the powers conferred by section 12 of the Post Office Act, 2023 (43 of 2023), and in suppression of the Indian Post Office Rules, 1933, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following rules, namely: -

**1. Short title and Commencement.**— (1) These rules may be called the Post Office Rules, 2024.

(2) They shall come in to force on the 16th day of December, 2024.

**2. Definitions.**— (1) In these rules, unless the context otherwise requires,-

(a) “Act” means “the Post Office Act, 2023” (43 of 2023);

(b) “Board” means the Postal Services Board specified in rule 5;

(c) “Circle Head” means the Chief Postmaster General concerned or an officer exercising the powers of Chief Postmaster General in the circle;

(d) “Divisional Head” means Director or Senior Superintendent or Chief Postmaster or Superintendent of Postal Division or Railway Mail Service (RMS) Division or Foreign Post, or an officer exercising the powers of Director or Senior Superintendent or Chief Postmaster or Superintendent of Postal Division or Railway Mail Service Division or Foreign Post;

(e) “mail offices” means the Post Offices or premises associated with handling, processing or transmission of items, used by the Department of Post;.

(f) “mail service” means all activities related to collection, handling, transmission, delivery, forwarding, returning and holding of items;

(g) “postage” means the sum chargeable on mail service;

(h) “Regional Director” means the Director concerned or an officer exercising the powers of Director in the region;

(i) “Regional Head” means the Postmaster General concerned or an officer exercising the powers of Postmaster General in the region;

(j) “universal postal service” means the provision of such postal services which are affordable and made available to all users, within and outside the country; and

(k) “value-added service” means add-on features on mail services.

(2) Words and expressions used herein but defined in the Act shall have the meanings respectively assigned to them in

the Act.

**3. Services to be provided by Post Office (Domestic/Foreign).**— Every Post Office may provide the following service for carrying out the purposes of the Act, namely: -



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- (a) mail services within or beyond the limits of the country; (b) value-added service applicable in respect of clause (a); (c) universal postal service in respect of clause (a);
- (d) financial services including banking, Government Savings Bank, payment system and any other financial services;
- (e) money remittances services within or beyond the limits of the country; (f) insurance services including life insurance or any other insurance; (g) citizen-centric services as authorised by the Central Government; (h) services associated with addressing identifiers and postcodes;
- (i) any service offered by State Government or Local Government; (j) any service offered through collaboration with public or private entities.

**4. Director General to authorize certain Services.-** The Director General is authorised to -

- (a) introduce new products, or modify or discontinue any products related to the services mentioned in these rules; and
- (b) enter into a collaboration with public or private entities in respect of services specified under rule 3.

**5. Postal Services Board.-** The Postal Services Board shall be the apex level policy making body, having perpetual succession and a common seal, for any of the services provided by the Post Office, under rule 3.

**6.** The Central Government may, by notification in the Official gazette, specify the composition of the Board; and powers, functions and duties of the Board.

**7. Exclusive privilege in respect of postage stamps.-** Subject to the provisions of rule 8, the Central Government or, as the case may be, the Director General shall issue definitive, commemorative, special issues of postage stamps or any other form of postage stamps or related material.

**8. Philatelic Advisory Committee. -** The Central Government may constitute a Philatelic Advisory Committee which shall advise the Government on issues of commemorative and special postage stamps and other allied matters related thereto.

**9. Modes of payment of postage or other charges.-** The payment of the postage or other sums chargeable for mail services under rule 3, shall be made through any of the following mode and in such manner as may be specified in the regulations, namely: -

- (a) in cash; or
- (b) payment through digital mode; or (c) by postage stamp; or
- (d) by means of impressions of franking machines; or
- (e) any other mode, as may be specified in the regulations.



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**10. Modes of payment for other Services.** - The modes of payment for the sum chargeable on any other services mentioned in these rules shall be such, as may be specified in the regulations.

**11. Addresses and postcodes.** - (1) The Director General shall, by regulations, -

(i) specify the standards for addressing on the items; (ii) manage and allocate addressing identifiers and postcodes.

(2) The Director General shall manage, allocate and publish Postcodes or Postal Index Number (PIN) codes.

**12. Power to give effect to arrangements with other countries.** - (1) The Central Government shall provide the services as mentioned in these rules in furtherance to international postal co-operation.

(2) The international postal co-operation shall be with other countries or territories, Universal Postal Union (UPU), or other postal unions, or public or private entities, and in conformity with the provisions of the UPU Convention Manual and Regulations, multilateral or bilateral agreements with the foreign countries, other unions, laws and bye-laws, and the international laws, as may be applicable, for the time being in force.

(3) The Director General is authorised to issue regulations, for the purposes of sub-rules (1) and (2).

**13. Official mark to be denoted.** - The Post Office marks shall be the proof of certain facts denoted on the item, in

respect of, —

(a) the production of the item, having thereon the official mark of the Post Office denoting that the item has been refused or rejected or unclaimed, or cannot for any other reason be delivered, or any other remark so denoted, shall be sufficient proof of the fact indicated, and

(b) every proceeding for the recovery of any postage or other sum alleged to be due under the Act.

**14. Sender of Item.** - The person or the address or from whom the item is purported to have come, shall, be deemed to be the sender thereof.

**15. Official mark on items.** - Director General may, by regulations, authorise certain officers or officials to make an official mark on an item denoting that-

(a) any postage or other sum is due in respect thereof to the Post Office; (b) the mark shall be the proof to denote that the said sum as is so due; and

(c) the item has been refused or rejected or unclaimed, or cannot for any other reason be delivered.



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**16. Interception, detention and opening of item(s).**– (1) Subject to the provisions of sub-section(1) of Section 9, no direction for interception, detention or opening of any item or class of item under sub-section (1) of section 9 of the Act shall be issued, except by an order made by a Member of the Board looking after the work of operations in the Department of Posts or the Circle Head.

(2) In unavoidable circumstances, such order may be made by an officer, not below the rank of the Regional Head or the Regional Director.

(3) In emergent cases, where obtaining of prior directions for interception, detention or opening of item is not feasible, the required interception, detention or opening of item shall be carried out on the directions of the Divisional Head, who shall inform the concerned competent authority specified in sub-rule (1) or sub-rule (2) within three working days of such interceptions, detention or opening and that such order shall be got confirmed by the concerned competent authority within a period of seven working days:

Provided that if the confirmation from the competent authority is not received within the stipulated seven days, such interception shall cease to operate and shall not be recommenced without the prior approval of the competent authority.

(4) Any order issued by the competent authority under sub-rules (1), (2) and (3) shall contain reasons to be recorded in writing for such direction.

(5) In order to oversee the interception done under sub-rules (1), (2) and (3), the Central Government shall constitute a review committee consisting of the following, namely: -

(a) Director General, Posts- Chairman and

(b) two Members of the Board, other than the Member mentioned in sub-rule (1) – Members.

(6) The review committee shall meet at least once in three months and review all directions issued under sub-rules (1), (2) and (3).

(7) The Central Government hereby notifies the following officers as authorized officers to intercept and detain items on the orders of the competent authority, namely:-

(a) Officer in-charge of Post Office or any higher officer; or (b) Officer in-charge of the Mail Office or any higher officer.

(8) No authorized officer shall open any item specified in this rule, except in the presence of the concerned law enforcement authority.

(9) The authorised officer shall maintain proper records mentioning therein, category of the item including any tracking number, particulars of sender and addressee, weight of the item, postage, reason for interception and detention of the item, date of interception and detention of the item and the duration for which the directions remain in force.

(10) The authorised officer shall ensure the disposal of the item intercepted under sub-rules (1), (2) and (3) in the manner as specified in the Post Office Regulations, 2024.



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(11) The directions for interception and detention shall remain in force, unless revoked earlier, for a period not exceeding thirty days from the date of issue and may be further extended:

Provided that the period may not be extended beyond ninety days:

Provided further that on the expiry of the period specified in the first proviso, the detained item shall be handed over to the concerned law enforcement authority.

(12) The interception and detention of an item under sub-rules (1) to (3) does not exempt the sender from any action which might have been taken, if the item had been delivered in due course through post.

(13) The provisions of sub-rules (1) to (11) shall apply mutatis mutandis to the items sent to and received from foreign countries.

**17. Duty of authorized officers in delivering items.-** The authorized officers shall be empowered to deliver an item, reckoned to contain anything liable to duty, or which is suspected to contain any prohibited item, to such customs authority or any other law enforcement authority as may be specified in notification issued under sub-section (3) of Section 9 of the Act for taking necessary action in respect of such item in accordance with the provisions of any law for the time being in force.

**18. Interception in addition to and not in derogation of other laws.-** Nothing contained in rule 16 shall prevent interception of items as required under any law for the time being in force and shall be governed by any procedures applicable under such law.

**19. Exemption from Liability.-** (1) The Central Government shall provide compensation for loss or damage of an item or its contents or on any other grounds, if any, as specified in the regulations.

(2) The compensation shall not exceed the amount of the loss or damage, and shall not be paid on prohibited items, or loss or damage caused by the fault or negligence of the sender, or arising from force majeure.

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