The Post Offices Bill, 2023

Why in news?

Rajya Sabha has recently passed the Post Office Bill, which repeals and replaces the Post Office Act, 1898.

Why there is a need for new bill?

- To provide a *simple legislative framework* for post offices, facilitating their evolution into a network for citizen-centric services.
- To ensure the *effective functioning of the Postal Department* as a messenger service.
- To enhance the post offices as a *provider of banking facilities*.

660 post offices were closed earlier but 5,000 offices were opened between 2014 and 2023, and about 5,746 new ones are in the process of being opened.

Features	Existing Provisions (Post Office Act, 1898)	New Provisions (Post Office Bill, 2023)
Exclusive privileges	Central government will have the exclusive privilege of conveying letters wherever it establishes posts. Stamps be issued as per the Rules prescribed by the Centre.	It *removed the exclusive privilege* of central government in conveying letters. It also made the post office to have the exclusive privilege of issuing postage stamps.
Services	Services provided by post office includes the delivery of postal articles including letters, postcards, and parcels and money orders.	Post Office will provide services prescribed by the central government.

Powers to intercept shipments	**Grounds** 1. Any public emergency 2. Interest of public safety or tranquillity. **Authority** - Such interceptions may be carried out by the central government, state governments, or any officer specially authorised by them. **Powers -** An intercepted shipment can be detained or disposed of by the officer in charge.	The bill *retains the power to intercept* shipments **Grounds** 1. Security of the state 2. Friendly relations with foreign states 3. Public order, emergency, or public safety 4. Contravention of the provisions of the Bill or any other law **Authority** - An officer empowered by the central government through a notification may carry out an interception.
Examination of shipment	An officer in charge of the Post Office may examine if he suspects any items prohibited, or are liable to be paid duty upon.	The bill *removes the powers of examination*. In such case, Central government may empower an officer of the Post Office to deliver the shipment to the ***customs authority*** who will then deal with the item in question.
Offences and penalties	The Act specifies various offences and penalties.	The Bill does not provide for any offences or consequences, except one. Amounts not paid or neglected by a user will be recoverable as arrears of land revenue.
Exemptions from liability	The government is exempted from any liability of loss, mis delivery, delay or damage to a postal article but does not apply where the liability is undertaken by the central government in express terms. Officers are also exempt from such liability unless they have acted fraudulently or wilfully.	It *retains exemption* provided to the central government and the officer in charge. The Post Office may prescribe the liability regarding its services which was earlier prescribed by the central government.

What are the concerns with the bill?

- **Draconian colonial provisions** – It not only retains the provision of intercepting a transmitted shipment in the interest of security of state but also added more grounds

of interception.

- **Without any procedure -** The bill also does not lay down any procedures for interception or opening letters of packages.
- **Lacks transparency** – It is silent on specifying the 'level of officer' who will be empowered with such powers.
- **Harms Right to privacy** - Lack of safeguards may violate freedom of speech and expression, and right to privacy of individuals.
- **Emergency as ground** - The grounds for interception include 'emergency', which may be beyond reasonable restrictions under the Constitution.
- **Conflict of Interest** – The bill exempts India Post from liability for lapses in postal services.
- Liability may be prescribed through Rules by the central government, which also administers India Post. This may lead to conflict of interest.
- **Accountability** - It *removed the penalties* for offences done by the post office officials.

References

1. PRS India| Key features of the Post Office Bill, 2023
2. The Hindu| Issues with Post Office Bill

SHANKAR IAS PARLIAMENT
Information is Empowering