

SENATE OF PAKISTAN



SEVENTEETH PARLIAMENTARY YEAR 2019-2020

REPORT NO. 02 OF 2019

**REPORT OF THE SENATE STANDING COMMITTEE ON
POSTAL SERVICES**

ON

**“THE POST OFFICE BILL, 2019 INTRODUCED BY SENATOR
KHUSHBAKHT SHUJAT, IN THE SENATE, IN ITS SITTING
HELD ON 4TH MARCH, 2019.**

PRESENTED BY:

SENATOR MIRZA MUHAMMAD AFRIDI

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON POSTAL SERVICES REGARDING CONSIDERATION OF "THE POST OFFICE BILL, 2019", INTRODUCED BY SENATOR KHUSHBAKHT SHUJAT IN THE SENATE, IN ITS SITTING HELD ON 4TH MARCH, 2019.

I, Senator Mirza Muhammad Afridi, Acting Chairman, Senate Standing Committee on Postal Services, have the honour to submit, on behalf of the Committee, this report on the matter regarding The Post Office Bill, 2019 introduced by Senator Khushbakht Shujat in the Senate, in its sitting held on 4th March, 2019 which was subsequently referred to the Committee.

2. The composition of the Committee is as under:-

| | |
|--|-------------------|
| i) Senator Khushbakht Shujat | Chairperson |
| ✓ii) Senator Mirza Muhammad Afridi | Member |
| iii) Senator Rana Mahmood ul Hassan | Member |
| iv) Senator Rana Maqbool Ahmad | Member |
| v) Senator Mushtaq Ahmed | Member |
| vi) Senator Naseebullah Bazai | Member |
| vii) Senator Mir Kabeer Ahmed Muhammad Shahi | Member |
| viii) Senator Anwar Lal Dean | Member |
| ix) Senator Bahramand Khan Tangi | Member |
| x) Senator Islamuddin shaikh | Member |
| xi) Senator Mohsin Aziz | Member |
| xii) Murad Saeed, Minister for Postal Services | Ex-Officio Member |

3. For the purpose of consideration and deliberation upon the Bill, the Committee met twice, i.e., 27-03-2019 and 22-04-2019.

4. Following Members of the Committee attended the meeting held on 27-03-2019:-

| | |
|---|--------------------------------------|
| i) Senator Mushtaq Ahmed | Acting Chairman/Member |
| ✓ii) Senator Mirza Muhammad Afridi | Member |
| iii) Senator Naseebullah Bazai | Member |
| iv) Senator Anwar Lal Dean | Member |
| v) Senator Behramand Khan Tangi | Member |
| vi) Senator Mir Kabeer Ahmed Muhammad Shahi | Member |
| vii) Senator Khushbakht Shujat | Mover/Attended the meeting as Member |



5. Following Members of the Committee attended the meeting held on 22-04-2019:

- | | |
|-----------------------------------|--------------------------------------|
| i) Senator Behramand Khan Tangi | Acting Chairman/Member |
| ii) Senator Mirza Muhammad Afridi | Member |
| iii) Senator Naseebullah Bazai | Member |
| iv) Senator Anwar Lal Dean | Member |
| v) Senator Khushbakht Shujat | Mover/Attended the meeting as Member |

6. Since Senator Khushbakht Shujat is a mover of this Bill, she disassociated herself from the Chair and the Committee unanimously agreed to allow Senators Mushtaq Ahmed and Behramand Khan Tangi to preside over the above said meeting.

7. After having threadbare discussion in the above meetings, the Committee made some changes in the introduced Pakistan Courier and Logistics Regulatory Authority Bill, 2018 and unanimously approved it but the "The Post Office Bill, 2019 remained under discussion. For the purpose, the Committee sought extension for 60 working days on 4th July, 2019. Then the Committee again met on 30th May, 2019 and had threadbare discussion on the Post Office Bill, 2019. Following members attended the meeting:

- | | |
|--|---------------------------------------|
| ✓ i) Senator Mirza Muhammad Afridi | Acting Chairman/Member |
| ii) Senator Rana Mahmood ul Hassan | Member |
| iii) Senator Mir Kabeer Ahmed Muhammad Shahi | Member |
| iv) Senator Anwar Lal Dean | Member |
| v) Senator Bahramand Khan Tangi | Member |
| vi) Senator Mohsin Aziz | Member |
| vi) Senator Khushbakht Shujat | Mover/ Attended the Meeting as Member |

8. Since Senator Khushbakht Shujat is a mover of this Bill, she disassociated herself from the Chair and the Committee unanimously agreed to allow Senators Rana Mahmood ul Hassan and Mirza Muhammad Afridi to preside over the above said meeting.

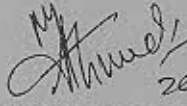
9. The meeting of the Committee further convened on 18th June, 2019 and following members attended the meeting:-

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|------------------------------------|---------------------------------------|
| ✓ i) Senator Mirza Muhammad Afridi | Acting Chairman/Member |
| ii) Senator Anwar Lal Dean | Member |
| iii) Senator Khushbakht Shujat | Mover/ Attended the Meeting as Member |

10. Since Senator Khushbakht Shujat is a mover of this Bill, she disassociated herself from the Chair and the Committee unanimously agreed to allow Senator Mirza Muhammad Afridi to preside over the above said meeting.



11. In the above said meeting, the Committee discussed the said Bill thoroughly and recommended that "The Post Office Bill, 2019" as reported by the Committee may be passed by the House. Copy of Bill as reported by the Committee is annexed as "A" and Bill as introduced in the Senate is annexed as "B".



20/6/19.

(Faheem Ahmed)
D.G./Secretary Committee



(Senator Mirza Muhammad Afridi)
Acting Chairman Committee on Postal Services

SENATE SECRETARIAT

MINUTES OF THE MEETING OF THE SENATE STANDING COMMITTEE ON POSTAL SERVICES HELD ON 18-6-2019.

A meeting of the Senate Standing Committee on Postal Services was held on 18th June 2019, at 11:00 A.M. in Old PIPS Hall, Parliament Lodges, Islamabad under the Chairpersonship of Senator Khushbakht Shujat.

2. The following Members of the Committee attended the meeting:-

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|------------------------------------|---------------------|
| 1. Senator Khushbakht Shujat | Chairperson / Mover |
| 2. Senator Anwar Lal Dean | Member |
| ✓ 3. Senator Mirza Muhammad Afridi | Member |

List of the participants/representatives from Ministry of Postal Services and Pakistan Post Office Department is enclosed.

3. The agenda before the Committee was as under:-

- (i) Further Discussion/ deliberation on "The Post Office Bill, 2019", introduced by Senator Khushbakht Shujat, in the Senate, in its sitting held on 4th March, 2019, and referred by the Honorable Chairman Senate to the Senate Standing Committee on Postal Services for consideration and finalizing the report for presentation in the House.

- (ii) Any other item with permission of the Chair.

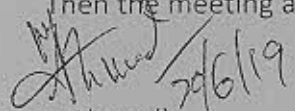
4. Meeting started with the recitation from the Holy Quran. At the outset of the meeting, the Chairperson of the Committee welcomed all the Committee members and participants from the Ministry of Postal Services and Pakistan Post Office Department.

5. Then the Chairperson of the Committee left the Chair which consequently occupied by Senator Mirza Muhammad Afridi as Acting Chairman.


6. After having thorough discussion and deliberations the Committee unanimously approved the reported Bill along with all the amendments proposed by the Members of the Committee, the representatives of Ministry of Postal Services and the Law Division as well. The Committee also agreed to refer this Bill back to the Senate for its passage.

7. Taking other items on the agenda with the permission of the Chair, the Acting Chairman, Senator Mirza Muhammad Afridi, asked the Department and the Ministry as well about the recruitment. Mr. Acting Chairman took serious concern on the reply given by the Department that the matter is subjudice and it is expected to be decided in near future. However, he was of the view that the recruitment is the dire need of the department otherwise this Department cannot compete in the market. He also directed to include this matter as agenda item in the next meeting.

8. Then the meeting adjourned with a vote of thanks to and from the Chair.


(Faheem Ahmed)
29/6/19

D.G./Secretary Committee


(Senator Mirza Muhammad Afridi)
Acting Chairman
Standing Committee on
Postal Services

[AS REPORTED BY THE COMMITTEE]

A

BILL

to repeal and enact the Law relating to the Postal Services
WHEREAS it is expedient to consolidate the law relating to the Postal Services;

It is hereby enacted as follows:-

**CHAPTER I
PRELIMINARY**

1. **Short title, extent and commencement.**—(1) This Act may be called the Post Office Act, 2019.
 - (2) It extends to the whole of Pakistan.
 - (3) It shall come into force at once.
2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—
 - (i) **“Agency Functions”** means the functions performed by Pakistan Post as an Agent on behalf of Federal, Provincial Government, local Governments, autonomous and corporate entities;
 - (ii) **“Chairman”** means Chairman/Chairperson of the Pakistan Postal Services Management Board established under Pakistan Postal Services Management Board Ordinance, 2002 (Ordinance No. CXXVI of 2002).
 - (iii) **“Division concerned”** means the Ministry under which the Pakistan Post functions as an attached Department;
 - (iv) **“Director General”** means the Director General, Pakistan Post Office Department;
 - (v) **“Electronic Remittance”** means a service allowing cash-to-cash money transfers both domestic and international by using Information Communication Technologies (ICTs)
 - (vi) **“Electronic Money Transfer”** means a service allowing account-to-account fund transfer from sender to the payee by Post through using Information Communication Technologies (ICTs)
 - (vii) **“E-post services”** means communication services delivered to customers by means of Information Communication Technologies (ICTs)
 - (viii) **“E-finance services”** means financial services provided by Post to end customers using Information Communication Technologies (ICTs)

- (ix) **"E-commerce services"** means buying and selling products and services using Information Communication Technologies (ICTs). It involves processing and delivery of purchased items physically or electronically by Post.
- (x) **"E-government services"** are services offered by Government and provided through Information Communication Technologies (ICTs) means using Post as third party or agent.
- (xi) **"Franchise Post Office"** means a post office to provide certain postal facilities as may be prescribed and approved by the Director General Pakistan Post which are provided through association of public / private sector either individuals or institutions;
- (xii) **"In course of transmission by post" and "delivery"**
- 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 authorized to receive postal articles of that description for the post shall be deemed to be a delivery to a post office;
 - 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 authorized 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.
 - d. The Director General may require the provision of a receptacle at or close to the gate or on the ground floor of a building to receive unregistered postal articles addressed to the inmates and a postal article put in that receptacle shall be deemed to have been delivered to the addressee;

Provided that where no such receptacle is available at or close to the gate or ground floor of a building, postal article shall be brought back for delivery at the post office counter.

- (xiii) **"Inland" used in relation to a postal article, means-**
- a) posted in Pakistan and addressed to any place in Pakistan or to any place for which a post office is established by the Federal Government, beyond the limits of Pakistan; or
 - b) Posted at any post office established by the Federal Government beyond the limits of Pakistan and addressed to any place for which

Provided that the expression "inland" shall not apply to any class of postal articles which may be specified in this behalf by the Federal Government by notification in the official Gazette, when posted in or at or addressed to any places or post offices which may be described in such notification;

- (xiv) **"Letter"** means any written communication or communication produced by mechanical, electronic or other means either print or type including postcard, aerogramme, documents, return business correspondence, bill and statements contained in an open or closed envelope sent by a sender to an addressee and falling within weight category of 500 grams but does not include newspapers, small packets and parcels;
- (xv) **"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;
- (xvi) **"Mail ship"** means a ship employed for carrying mails, pursuant to contract or continuing arrangement, by the Division concerned or the Government of any foreign country;
- (xvii) **"Officer of the Pakistan Post"** includes any person employed in any business of the Post Office or on behalf of Pakistan Post;
- (xviii) **"Operational rules"** means rules and regulations made by Director General Pakistan Post for operations of the Department;
- (xix) **"Postage"** means the duty chargeable for the transmission by post of postal articles;
- (xx) **"Postage stamp"** means physical or electronic stamp provided by the Director General, Pakistan Post 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;
- (xxi) **"Post office"** includes every house, building, room, carriage or place used for the purposes of the Post Office either for the Departmental Post Office or for the Extra Departmental Post Office, and every letter-box provided by the Post Office for the reception of postal articles;
- (xxii) **"Postal article"** includes a letter, aerogramme, postcard, newspaper, printed paper or small packet, parcel and every article or thing transmissible by post through any means including electronic system and express post articles;
- (xxiii) **"Post Master General"** an officer exercising the powers of a Post Master General;
- (xxiv) **"Deputy Post Master General"** means an officer heading the Region exercising the powers vested under the rules.

- (xxv) **“Public Private Partnership”** means a commercial transaction on revenue sharing basis between an Implementation Agency i.e., ‘Pakistan Post’ and ‘a Private Party’ in terms of which the Private Party performs an Implementing Agency’s functions on behalf of it;
- (xxvi) **“Pakistan Post”** means Post Office Department presided over by the Director General.
- (xxvii) **“Returned Letter Office”** means the office responsible for the disposal of undelivered postal articles;
- (xxviii) **“Secretary”** means the Secretary General, Principal Secretary, Secretary or Acting Secretary to the Government of Pakistan in charge of a Division or a Ministry, and where there is no Secretary, the Additional Secretary or Joint Secretary in charge of the Division or the Ministry;
- (xxix) **“Universal Service Obligation”** means the obligation of the Federal Government to provide, through the Pakistan Post, basic postal services at reasonable access, affordable price and with specified service parameters throughout the country.

CHAPTER II PRIVILEGE AND PROTECTION OF THE GOVERNMENT

3. **Exclusive privilege of conveying letters reserved to the Government.—**

(1) Wherever within Pakistan posts or postal communications are established by the Federal Government, the Pakistan Post 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, dispatching 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 by sea or by land or by air to be delivered with 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 authorize any person or group of persons or any firm, private sector postal operator/ courier or agency to make a collection of letters exempted as aforesaid for the purpose of sending them otherwise than by post.

