

# ACT OF AJK INFORMATION TECHNOLOGY BOARD

## Act of Information Technology Board

An ACT to provide for the establishment of the Azad Jammu & Kashmir Information Technology Board and matters ancillary thereto. Whereas it is expedient to make provisions for the establishment of the Azad Jammu & Kashmir Information Technology Board.

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR LAW. JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT MUZAFFARABAD

Dated the 28th December, 2001

No. I.D/Leg/ 1541-48/2001. The following Act of the Assembly received the assent of the President on 10th December 2001, is hereby published for general information.

(ActXXVIof2001)

An Act

To provide for the establishment of the Azad Jammu & Kashmir Information Technology Board and matters ancillary thereto.

WHEREAS it is expedient to make provisions for the establishment of the Azad Jammu & Kashmir Information Technology Board.

It is hereby enacted as follows:

**1- Short title & Commencement:** (1) This Act may be called The Azad Jammu & Kashmir Information Technology Board Act, 2001.

(2) It shall come into force at once

**2- Definition:**In this Act, unless the context otherwise requires, the following expressions shall have the

Meanings respectively assigned to them that are;

1. "Board" means the Azad Jammu & Kashmir Information Technology Board.
2. "Chairman" means the Chairman of the Board.
3. "Vice-Chairman" means the Vice-Chairman of the Board.
4. "Director General" means the Director General of the Board.
5. "Director" means the Director Board.
6. "IT Professional" means a person qualified in Computer subjects from a recognized university or IT institute of repute, and"

7. IT Institution” means a recognized college or any other institute that teaches computer subjects.

**3- Body Corporate:**The Board shall be a body corporate having perpetual succession and a Common seal with powers to acquire hold or dispose of property and shall by The said name sue and be sued.

**4- Constitution of Board:** (1) The Board shall consist of the following members, namely

(i)	Prime Minister	Chairman
(ii)	Minister Information Technology	Vice Chair
(iii)	Chief Secretary	Member
(iv)	Additional Chief Secretary (Dev.)	Member
(v)	Senior Member Board of Revenue	Member
(vi)	Secretary Information Technology	Member
(vii)	Secretary Finance	Member
(viii)	Secretary Law, Justice, Parliamentary Affairs and Human Rights	Member
(ix)	Director General Information Technology Board	Secretary/Membe
(x)	President AJ&K Chamber of Commerce	Member
(xi)	A Senior official from fixed line phone operators	Member
(xii)	A Senior official from cellular phone operators	Member
(xiii)	An Information Technology Expert from open market	Co-opted Member
(xiv)	Information Technology Professional nominated by Vice Chancellor University of AJ&K	Member”

**5- Functions of the Board :-** The following shall be the functions of the Board.(2) No Act, proceedings or decision of the Board shall be invalid by the reason of any vacancy or defect in the constitution if Board.

1. To act as a Regulatory, Advisory and Monitoring Body for all IT initiatives in AJK.
2. To issue Licenses for IT related activities.
3. To provide opportunities for investment in the field of Information Technology.

4. To prepare plan in accordance with approved policy relating to IT and implementation thereof,
5. To monitor the progress of continuing projects, plan to risk containment actions.
6. To supervise the functions of IT Teachers Training Institutes.
7. To ensure continuous review of the IT curricula of schools, colleges, university, IT training institution and Teachers Training Institutes.

**6. Powers of the Board:-** (1) The Board may, subject to the approval of the Government, make rules and regulations, for carrying out the purpose of this Act.

Provided that the Board shall not propose draft of regulations affecting the Constitution or power of any authority of the Board until such authority has been given an opportunity of expressing an opinion in writing upon the proposal.

(2) In particular and without prejudice to the generality of the foregoing powers such regulations may provide for.

1. The terms and conditions of the service of the employees of the Board, disciplinary action against its officers and servants, matters relating to grant of leave, and retirement of such employees.
2. Pension or provident fund or both for the benefit of the officers and other employees of the Board.
3. The admission of IT institutions to the privilege of recognition and with-drawl of recognition.
4. A general scheme of studies, including the total number of subjects to be taught and the duration of courses.
5. All other matters requires under any of the provisions of this Act to be prescribed by regulations.

**6-A Executive Committee.- There shall be an Executive Committee comprising of,-**

- |     |                                   |          |
|-----|-----------------------------------|----------|
| i)  | Chief Secretary                   | Chairman |
| ii) | Additional Chief Secretary (Dev.) | Member   |

iii)	Secretary Finance	Member
iv)	Secretary Information Technology	Member
v)	Director General Information Technology Board	Member/ Secretary

6. **6-B Function of the Executive Committee.-** The Executive Committee shall be competent,-

- (a) to ensure that the Information Communication Technology initiatives in AJ&K region are in line with Pakistan's Digital Policy 2018 and suggest the institutional adjustment in public sector departments for the development of a progressive digital ecosystem in AJK;
- (b) to identify and recommend the Information Communication Technology related projects according to policy parameters of the Information Technology Board for the Annual Development Plan;
- (c) to ensure the implementation of the decisions taken by the Board in letter and spirit;
- (d) to ensure all measures for allocation of adequate financial resources and post project implementation success/ sustainability of the initiatives; and
- (e) to suggest/accept the desired changes in scope of any project required to meet the end objectives of a project

**7- Delegation of Powers:** (1) The Board may delegate to any person any of its powers, duties and Functions.

(2) The Director General may delegate any of his powers, assigned to him to any officer of the Board.

**8. Officers of the Board:** The following shall be the officers of the Board.

1. Director General
2. Four Directors
3. Such other officers appointed by the Board.

**9. Director General:**

1. The Government shall appoint a Director General of the Board, whose terms and conditions of the service shall be such as may be prescribed by the Government.
2. The Director General shall be the executive head of the Board.
3. The Director General shall perform such functions as may be assigned to him by the Board.

**10. Employees of the Board:** The Board may employ such advisors, consultants and employees in its Services as may be necessary for the efficient performance of its functions in such manner and on such terms and conditions as may be prescribed by the Board.

**11. Technology Board Fund:**

1. There shall be a fund to be known as the Technology Board fund, which may vest in the Board and to which shall be credited all moneys as may prescribed by rules.
2. The fund shall be kept in such custody and shall be utilized and regulated in such manner as may be prescribed by rules.
3. The Government may provide grant in aid the board for the secretariat and other necessary and incidental expenses.

**12. Budget, Auditing & Accounts:** The budget of the Board shall be approved and its accounts shall be maintained and audited in such manner as may be prescribed by the rules.

**13. Removal of Difficulties:** If any difficulty arises in giving effect to any provision of this Act, the Government may make an order as may be necessary for removing such difficulty.

**14. Repeal:** The Azad Jammu & Kashmir Information Technology Board Ordinance 2001, (Ordinance LXVIII of 2001) is here by repealed