

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD**

Dated: the 28th December, 2001

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

(ACT XXVI of 2001)

**AN
Act**

to provide for the establishment of the Azad Jammu and 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 and commencement :-** (1) The Act may be called the Azad Jammu & Kashmir Information Technology Board Act, 2001.
(2) It shall come into force at once.
- 2. Definitions.-** In this Act, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them, that is to say:
 - (a) "Board" means the Azad Jammu & Kashmir Information Technology Board;
 - (b) "Chairman" means the Chairman of the Board;
 - (c) "Vice-Chairman" means the Vice-Chairman of the Board;

- (d) “Director General” means the Director General of the Board;
- (e) “Director” means the Director of the Board;
- (f) “IT Professional” means a person qualified in computer subject from a recognized university or IT institution of repute; and
- (g) “IT Institution” means a recognized college or any other institution that teaches computer subject.

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 the Board:¹ [“The Board shall consist of the following Chairman and members, namely:-

¹ Sec. 4 subs. /amended two times. The original extract of sec. 4 is reproduced as under:-

“(1) The Board shall consist of the following members, namely:-

- (i) The President : Chairman
- (ii) The Chief Secretary : Vice-Chairman
- (iii) The Additional Chief Secretary (Development) : Member
- (iv) The Secretary Finance : Member
- (v) The Secretary Services : Member
- (vi) The Director General : Member/
Secretary
- (vii) Four Directors, (nominated by the Government). : Member

i	Minister Information Technology	Chairman
ii	Se Secretary Information Technology	Vice-Chairman

- (viii) One IT Professional, nominated by the Vice-Chancellor of the Azad Jammu and Kashmir University. Member”

A. Subst. by the Azad Jammu & Kashmir Information Technology Board (Amdt.) Act, 2004 (Act IX of 2004) dt. 30.12.2004 as under:-

“(1) The Board shall consist of the following members, namely:-

i	The President	Chairman
ii	The Chief Secretary	Vice Chairman
iii	The Additional Chief Secretary (Development)	Member
iv	The Secretary to the President	Member
v	The Secretary Finance	Member
vi	The Secretary Information Technology	Member / Secretary
vii	The Director General	
viii	The Secretary Education	Member
ix	The Secretary Industries	Member
x	The President Azad Jammu & Kashmir Chamber of Commerce & Industries	Member
xi	One IT Professional Proposed by the Govt	Member
xii	Four Directors (nominated) by the Govt	Member
xiii	One It Professional, nominated by the Vice Chancellor Azad Jammu & Kashmir University.”	Member

B. Subst. by the Azad Jammu & Kashmir Information Technology Board (Amdt.) Act, 2011 (Act VI of 2011) dt. 22.12.2001.

iii	Senior Additional Secretary Finance (B-20)	Member
iv	Chief Information Technology, Planning and Development Department	Member
v	Director Public Instructions (Schools), Secondary	Member
vi	Director Public Instructions (Colleges)	Member
vii	Director General Information Technology Board	Secretary/ Member
viii	An information Technology Expert coopted with the permission of the Chairman”]	Member

5. Function of the Board.- The following shall be the functions of the Board:-

- (a) to act as a Regulatory, Advisory and Monitoring Body for all IT initiatives in AJK;
- (b) to issue Licenses for IT related activities;
- (c) to provide opportunities for investment in the field of Information Technology;
- (d) to prepare plan in accordance with approved policy relating to IT and implementation thereof;
- (e) to monitor the progress of continuing projects, plan to risk containment actions;
- (f) to supervise the functions of IT Teachers Training institutes;

- (g) to ensure continuous review of the IT curricula of schools, colleges, Universities, IT training institutes and Teachers Training Institutes.
- (h) ¹["to ensure financial sanction of the Technical Board Fund per approved policy plan for smooth operation of the Board."]

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

Provided that the Board shall not propose draft of regulations effecting the constitution to 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:-

- (i) the term and conditions of the service of the employees of the Board, disciplinary action against its officers and servants, matters relating to grant leave, and retirement of such employees;
- (ii) pension or provident fund or both for the benefit of the officers and other employees of the Board;
- (iii) the admission of IT institution to the privilege of recognition and the withdrawal of recognition;
- (iv) a general scheme of studies, including the total number of subjects to be taught and the duration of courses; and

¹ Added by the AJ&K Information Technology Board (Amdt.) Act, 2004 (Act IX of 2004) dt. 30.12.2004.

- (v) all other matters required under any of the provisions of this Act to be prescribed by regulations.

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:-

- (i) Director General;
- (ii) Four Directors; and
- (iii) 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 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 Board.

11. Technology Board Fund.- (1) There shall be a fund to be known as the Technology Board, which may vest in the Board and to which shall be credited all moneys as may be 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 to the Board for its Secretariat and other necessary and incidental expenses.

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

Sd/-(Irshad Ahmed Qureshi)
Deputy Secretary