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PART I

Acts, Ordinances, President's Orders and Regulations

GILGIT-BALTISTAN ASSEMBLY SECRETARIAT

Gilgit, the 21st June, 2024

THE GILGIT-BALTISTAN ESTABLISHMENT OF INFORMATION TECHNOLOGY BOARD ACT, 2024

(ACT NO. IV OF 2024)

AN

ACT

To provide for the establishment of the Gilgit-Baltistan Information Technology Board for private sector.

No. Admin-1(4)/2020.—WHEREAS, it is expedient to provide for the establishment of the Gilgit-Baltistan Information Technology Board for promotion, planning, execution, supervision, evaluation and Regulation of Information and Communication Technology, Information and Communication Technology enabled services and education for public and private sectors of Gilgit-Baltistan and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:

Price: Rs. 20.00

[8551 (2024)/Ex. Gaz.]

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1. **Short title, extent and commencement.**—(1) This Act may be called the Gilgit- Baltistan Establishment of Information Technology Board Bill, 2024.

(2) It shall extend to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context, the following expressions shall have the meanings hereby respectively assigned to them, that is to Say,—

(a) **"Board"** means the Gilgit- Baltistan Information Technology Board established under section 3;

(b) **"Chairperson"** means the Chairperson of the Board;

(c) **"Managing Director"** means the Managing Director of the Board;

(d) **"Government"** means the Government of the Gilgit-Baltistan;

(e) **"Member"** means a Member of the Board including the Chairperson;

(f) **"Prescribed"** means prescribed by rules or regulations made under this Act;

(g) **"Regulation"** means regulations made under this Act;

(h) **"Rules"** mean rules made under this Act; and

(i) **"Section"** means a section of this Act.

(j) **"Fees and Charges"** means all fees and charges authorized by Government and prescribed to be received by the Board to be deposited in its Fund.

3. **Establishment of the Board.**—(1) As soon as may be after the commencement of this Act, Government shall by notification establish, in accordance with the provisions of this Act, a Board to be called the Gilgit-Baltistan Information Technology Board.

(2) Board shall be a body corporate, having a perpetual succession and a common seal, with powers, subject to the provision of this Act, to acquire, hold

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and dispose of property, both movable and immovable in its name, and shall by its name sue and be sued.

(3) The head office of the Board shall be at Gilgit.

(4) Board may establish its regional offices at such other places, as it may deem necessary.

3A. **Status of the Projects of Information Technology Department and its employees.**—On commencement of the Gilgit-Baltistan Information Technology Board Act 2024;

(i) Upon the establishment of Gilgit-Baltistan Information Technology Board the existing project employees of the Information Technology Department Gilgit-Baltistan shall be given the option either to be retained in GB IT board as per rules and regulations of the Board to be made under this Act or the employees who have completed one year continuous service as project employee in the Information Technology Department Gilgit-Baltistan may be regularized in accordance with the law.

(ii) All the moveable and immovable assets and liabilities including furniture, fixture, equipment, vehicles, record, data etc. of the Projects of Information Technology shall rest with IT Department GB.

4. **Composition of the Board.**—(1) The Board shall consist of,—

(a) Minister/Advisor for Information Technology, Gilgit-Baltistan;	*Chairperson*
(b) Two Members of GB Assembly one each from Treasury and Opposition Benches to be nominated by the Speaker GB Assembly;	*Member*
(c) Chief Secretary to Government;	*Member*
(d) Additional Chief Secretary to Government Planning and Development Department;	*Member*
(e) Secretary to Government, Information Technology Department;	*Member*
(f) Secretary to Government, Finance Department	*Member*
(g) Managing Director; and	*Member/ Secretary of the Board*

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(h) not more than four persons having experience in information technology sector as the Government may, by notification in the official Gazette, nominate from private sector and public sector autonomous bodies/organizations.	*Member*

(2) Save as hereinafter provided, the members mentioned at clause (h) of sub-section (1), shall hold office for a term of three years from the date of his/her nomination and may be eligible for re-nomination for such further period or periods not exceeding three years at any one time as Government may deem fit.

(3) A member mentioned at clause (h) of sub-section (1), may at any time resign from his membership by writing under his hand addressed to Government, but shall continue to perform his function until his resignation has been accepted.

(4) A vacancy caused by resignation under sub-section (3) or any other reason shall be filled by the nomination of any another person qualified to fill such vacancy.

(5) Government may at any time terminate the nomination of any member mentioned at clause (h) of sub-section (1), without assigning any cogent reasons.

(6) No act, proceeding, decision or order of the Board shall be invalid merely by reason of any vacancy or defect in the constitution of the Board.

(7) The members at clause (h) of sub-section (1), shall be entitled to an amount of rupees fifteen thousand as honoraria for attending a meeting of the Board.

5. **Dis-qualification of the Member of Board.**—(1) No Member, or Managing Director, shall be nominated or appointed or continue as a member, if he,—

(a) has at any time been convicted of an offence involving moral turpitude; or

(b) has been adjudicated an insolvent by a competent court; or

(c) is of un-sound mind and has been so declared by a competent court; or

(d) is a minor; or

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(e) has been dis-qualified for employment in, or dismissed from service of, any Provincial or Federal Government, or any organization controlled by such government; or

(f) has been dismissed from service of any organization in the private sector on account of fraud or theft; or

(g) is held by Government, on a reference received from the Secretary of the Board, to be guilty of misconduct or abstaining from attending the meetings of the Board without leave.

6. **Meetings of the Board.**—(1) The meetings of the Board shall be regulated in accordance with the procedure as may be prescribed by rules/ regulations.

(2) Meetings of the Board shall be called by its Chairperson on such date and at such place as he may deem fit.

(3) Each meeting of the Board shall be presided over by the Chairperson.

(4) Seven members shall constitute the quorum for a meeting of the Board.

7. **Powers and functions of the Board.**—(1) Subject to the provisions of this Act and rules made there under, the Board shall exercise such powers, as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the fore-going sub- section, the Board shall,—

(a) Prepare plans and implement schemes for the promotion of Information Technology, Call Centers and Information Technology enabled services and education in public and private sector;

(b) Undertake research and study on the state of the Information Technology sector and propose strategies for fast track and sustainable development of the Gilgit-Baltistan Information Technology Industry including software and services, Information Technology enabled services, and hardware in both export and domestic markets;

(c) Act as a one-stop shop to cater to all the needs of an Information Technology company for setting up or facilitating its Information Technology business ventures in Gilgit-Baltistan. To act as a bridge between the private Information Technology companies;

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(d) Supervise, evaluate and lead telecom regulators, operators and services providers for provision of wide range of high quality, efficient, cost effective and competitive information and communication technology services throughout the Gilgit-Baltistan, in order to reduce broad-band band-width tariffs, improve access, protect customer rights and interests and regulate arrangements with the service providers of sharing their revenue with the Board, derived from provision of services in the Gilgit-Baltistan;

(e) Plan, develop and establish Software Technology Parks, Technology Cities for Information and Communication Technology and Electronic manufacturing and Information Technology Parks, Special Technology Zones in the Gilgit-Baltistan;

(f) Determine human capital requirements of the Information Technology Industry and work to address these needs in collaboration with other entities;

(g) Develop and execute a marketing plan to help local software companies to reach potential clients abroad, attract and facilitate foreign software firms to establish their software development facilities in Gilgit-Baltistan;

(h) Arrange the participation of Regional Information Technology Industry in domestic and international Information Technology events;

(i) Provide match-making facilities for foreign delegates and investors;

(j) Establish a web portal for customers, investors and companies and prepare and disseminate marketing collateral;

(k) Develop capability of private sector by assisting them in acquiring quality, security and other certifications;

(l) Take initiatives for the development of hardware and software industry including knowledge based enterprise; and

(m) Sanction individual schemes, including revision of sanctioned schemes, in terms of scope;

(n) Finance, promote train and develop the human resource and entrepreneurs of the Gilgit-Baltistan in the field of information and communication technology, within Pakistan as well as abroad;

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(o) Launch Research and Development Programs and up-gradation of its infrastructure;

(p) Monitor and evaluate the outcome and results of Information and Communication Technology projects initiated by government in the Gilgit-Baltistan and provide policy guidelines to Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government, Research and Development institutions for their restructuring and enhancements of Information and Communication Technology activities;

(q) Advice and regulate Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government on the introduction and usage of Information and Communication technology;

(r) Promote usage of Information and Communication Technology by awarding scholarships, awards, certificates, holding of conferences, expos, seminars, workshops, in-service training and acquiring higher education;

(s) Plan, execute, monitor, evaluate and regulate computerization, automation and all information and Communication Technology related initiatives, activities and projects in Government departments, Government organizations, semi-autonomous and autonomous agencies under the administrative control of Government; initiation of plans to implement E-Governance in GB in collaboration with private sector.

(t) Plan, execute, monitor, evaluate and regulate electronic governance and mobile governance of Government departments;

(u) Promote, establish, monitor, evaluate and regulate electronic commerce, electronic payments, electronic payment gateways, and electronic payment service providers in the Gilgit-Baltistan;

(v) Creating an enabling environment and provision of access to finance opportunities to IT Startups including soft loans, establish venture capital fund, angel investment fund, crowd sourcing fund, private equity fund or any other variant of fund, for financing, investing and holding equity share in technology startup businesses;

(w) Enter into Concession Contract under the Public Private Partnership Act of Government of Gilgit Baltistan for promoting public private partnership;

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(x) Establish academia industry linkages; and

(y) Ensure that the shares of the Gilgit-Baltistan in all Federal Information and Communication Technology related services, including autonomous bodies and corporations established by or under the control of Federal Government such as Universal Service Fund, National Information and Communication Technology Research and Development Fund etc., shall be secured.

(z) Development schemes/ projects through ADP or FSDP will be planed, executed, evaluated and monitored by Secretary Information Technology/ PAO on the recommendation or with the assistance of management of board (Managing Director and his team) or through such mechanism as may be prescribed by the Board.

8. **Managing Director of the Board.**—(1) The Managing Director shall be appointed by the Board on the recommendation of a Search and Scrutiny Committee to be constituted by the Board, on such salary and terms and conditions as may be prescribed.

(2) The Managing Director shall be the Chief Executive Officer of the Board.

(3) The Managing Director shall exercise such powers and perform such functions, as may be assigned to him by the Board.

(3A) The Managing Director shall be a person of eminence in the field of Information Technology holding domicile of Gilgit-Baltistan with at least 10 years relevant experience.

(4) The Managing Director shall hold office for a term of three years and shall be eligible for re-appointment for such further term or terms, not exceeding five years at any one time, of another term, as the Board may deem fit.

(5) The Managing Director may resign his office by writing under his hand addressed to Board but the resignation shall take effect on its acceptance by Board.

(6) If the Managing Director is removed from his office, resigns or dies before the completion of his tenure, the Board may appoint any Director of the Board to perform, temporarily, the functions of the Managing Director, until such time another person is appointed as the Managing Director; and

(7) The Search and Scrutiny Committee, under sub-section (1), shall comprise of five members, who shall be members of the Board, with majority of member nominated under clause (h) of sub-section (1) of section (4).

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(8) The Search and Scrutiny Committee, shall seek applications through public advertisement, and recommend to the Board, a candidate with the highest score on the merit list for appointment as Managing Director.

(9) For the first time, till appointment of Managing Director, Secretary Information Technology will act as Managing Director and will cease to act as Managing Director on entering office of newly appointed Managing Director by the Board.

9. **Appointment of Officers and staff of the Board.**—(1) To assist the Managing Director in the performance of his functions, the Board shall appoint not more than five Directors on such terms and conditions as may be determined by the Board.

(2) Each Director shall be the head of respective functional organ of the Board, who shall report and responsible to the Managing Director.

(3) The Board may appoint such other Officers, servants, experts and consultants, as it may deem necessary, for the efficient performance of its functions on such terms and conditions as it deem fit.

(4) On requirement basis, the Managing Director may appoint such officers, servants, experts or consultants, as he may deem fit, on prior approval of Board as per prescribed procedure and on terms and conditions which may be determined by the Board.

(5) A person appointed by the Board, under sub-section (1) and (3) of Section 9, shall on satisfactory completion of probation, be considered for confirmation in service with effect from initial appointment on the terms and conditions to be determined. However such confirmation will be sought from the Board

10. **Delegation of powers.**—The Board may, by general or special order, delegate to the Managing Director, Directors or any Officer of the Board any of its powers or functions under this Act subject to such conditions as it may deem fit.

11. **Fund.**—(1) There shall be established a Fund to be vested in the Board, which shall be utilized by the Board to meet all such costs and charges incurred in connection with its functions and affairs.

(2) Government shall initially allocate an appropriate amount for the establishment of the Fund. However, the fund may be reviewed on yearly basis.

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(3) The Fund shall consist of:

(a) Grant from Government;

(b) Financial assistance extended to the Board by any local or foreign Government or Agency through Government;

(c) Revenue and other receivables of the Board from any source and of any kind;

(d) Donations and endowment.

(e) All fees, rates, rents of properties and charges received by the board under this Act.

(f) All moneys received by the Board from the disposal of lands, buildings and other properties movable and immovable.

(g) Proceeds from investments.

(h) All other sums receivable by the Board.

(4) The Board may keep in current account of any scheduled bank or Karakuram Cooperative Bank Limited (KCBL) sums as may be prescribed any amount in excess of the said amount shall be invested as per investment policy of the Government or in such manner as may be determined by the Government.

12. **Rates and fees.**—(1) With the previous approval of the Government adequate funds may be raised by the Board from time to time to meet the cost of its schemes and projects by imposing rates, fees and other charges to be defined in Rules/Regulations.

(2) The rates, fees and other charges shall be such as to provide sufficient revenues:

(a) to cover the operating expenditure including taxes, if any and interest to provide adequate maintenance.

(b) to cover repayment of loans.

(c) to finance the normal year to year extension of any other such schemes and to provide a reasonable portion of cost of future major expansion of such schemes and projects.

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13. **Budget.**—The Managing Director shall, in respect of each financial year, submit for approval of the Board, by such date and in such manner as may be prescribed, a statement showing the estimated receipts, the current and development expenditures and the sums required from Government.

14. **Maintenance of Accounts and Audit.**—(1) The Managing Director shall maintain complete and accurate books of accounts and prepare periodical financial statements in such form as may be prescribed by rules and regulations.

(2) Financial statements prepared by the Managing Director shall include an Annual Receipts and Expenditure Account and a Balance Sheet which shall be caused to the Board and to be audited by Auditor General of Gilgit-Baltistan.

(3) The Board may, in addition to the audit under sub-section (2), cause its accounts to be audited by any other external auditor.

15. **Submission of Annual Report.**—(1) The Managing Director shall prepare and submit to Board, as soon as possible after the end of every financial year, but not later than three months after the 30th of June of that year, a report on the conduct of Board affairs, relating to preceding year.

(2) The Board shall, if so required by Government, furnish any document under its control to Government.

16. **Employees of the Board deemed to be Public Servants.**—Subject to the provisions of this Act, Managing Director and all other Officers and employees appointed for carrying out the purposes of this Act, shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

17. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against the Board, its Chairperson, Members, Managing Director, Directors, Officers, experts or consultants or any other employee of the Board in respect of anything in good faith done or intended to be done under this Act.

18. **Power to make rules.**—Subject to the provisions of this Act Government may make rules for carrying out the purposes of this Act.

19. **Power to make regulations.**—Subject to the provision of this Act and the rules made there under, the Board may make regulations, as may be necessary, for carrying out the purposes of this Act.

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20. **Removal of difficulties.**—If any difficulty arises in giving effect to any provision of this Act, the Government may, in consultation with the Board, make an order, not inconsistent with this Act, for the removal of the said difficulty..

NAZIR AHMAD,
Speaker.
Gilgit-Baltistan Assembly.

SYED MEHDI SHAH,
Governor.
Gilgit-Baltistan.

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