

[AS PASSED BY THE NATIONAL ASSEMBLY]

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BILL

to provide for establishment of National Information Technology Board

WHEREAS it is expedient to provide for establishment of National Information Technology Board for e-governance across the country in line with the vision and policy of the Federal Government to serve the public in more effective and efficient manner through due advisories and consultancies and provision of e-governance software applications to Federal Ministries and Divisions including their attached departments, sub-ordinate offices and autonomous bodies so as to focus on cross-cutting e-governance applications and initiatives that can be replicated across multiple public organizations for better government to government and government to citizens services and communication, and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:

1. **Short title, extent and commencement.**-(1) This Act shall be called the National Information Technology Board Act, 2022.

(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,—

(a) **“Board” or “NITB”** means the National Information Technology Board constituted under section 3;

- (b) **"certification"** means confirmation or approval of quality of software or application for the purposes of e-governance, in line with recommendations of lead Cyber and Information Technology security setup, department or organization designated by Federal Government;
- (c) **"Chairman"** means Chairman of the Board;
- (d) **"Chief Executive Officer" or "CEO"** means the Chief Executive Officer of the Board appointed under this Act;
- (e) **"data"** means information collected, collated, stored, hosted and used for the purposes of e-governance, in line with any laws in force from time to time by the Federal Government;
- (f) **"division concerned"** means the division to which business of this Act stands allocated;
- (g) **"erstwhile NITB"** means the National Information Technology Board previously constituted *vide* Notification No. 6(13)/2004-Dev, dated the 11th August, 2014 which before commencement of this Act was an attached department of the Ministry of Information Technology and Telecommunication;
- (h) **"Fund"** means the NITB Fund created under this Act;
- (i) **"IT"** means information technology;
- (j) **"member"** means member of the Board and includes the Chairman;
- (k) **"prescribed"** means prescribed by rules or regulations made under this Act;
- (l) **"regulations"** means the regulations made under this Act;
- (m) **"rules"** means the rules made under this Act; and

- (n) **“standardization”** means technical parameters conformed by the Board for the purposes of the e-governance to maximize compatibility, interoperability, quality and reusability in line with recommendations of lead cyber and IT security setup, department or organization designated by the Federal Government.

3. Establishment of the Board.- (1) As soon as may be but not later than thirty days of the commencement of this Act, the Federal Government shall, by notification in the official Gazette, establish a Board to be known as National Information Technology Board for carrying out the purposes of this Act.

(2) The Board shall be a body corporate having perpetual succession and a common seal, with administrative and financial powers, subject to the provisions of this Act to enter into agreements and contracts, acquire, hold and dispose of property, both movable and immovable and to sue and to be sued.

(3) The headquarters of the Board shall be at Islamabad and it may set up offices at such place or places, with the prior approval of the Federal Government, as it may deem appropriate throughout Pakistan.

(4) The Board shall consist of the Chairman and Members.

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

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| (a) Federal Minister of the division concerned | <i>Chairman</i> |
| (b) Secretary of the division concerned | <i>Member ex-officio</i> |
| (c) Secretary, Finance Division | <i>Member ex-officio</i> |
| (d) Secretary of the division to which business of science and technology stands allocated | <i>Member ex-officio</i> |

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| (e) | Chief Executive Officer of Board | <i>Member ex-officio</i> |
| (f) | Member IT of the division to which business of IT stands allocated | <i>Member ex-officio</i> |
| (g) | Director General (Technical), Inter-Services Intelligence | <i>Member ex-officio</i> |
| (h) | Secretary, National Telecommunication and Information Technology Security Board | <i>Member ex-officio</i> |
| (i) | any expert from public or private sector as may be co-opted with approval of the Board. | <i>Co-opted members</i> |

(2) The CEO shall be *ex-officio* secretary of the Board.

(3) The business of the Board shall be conducted as may be prescribed by regulations.

(4) In absence of the Chairman, a member designated by the Chairman shall preside over the Board's meetings.

5. Appointment of CEO.- (1) The CEO shall be appointed by the Federal Government, on recommendation of the Board, for a term of three years extendable for a similar term or terms, in such manner and on such terms and conditions as may be prescribed by rules:

Provided that the CEO appointed prior to commencement of this Act shall be deemed to have been appointed under this Act.

(2) The CEO shall be an eminent IT professional of known integrity, competence and expertise in handling IT development projects.

(3) The CEO may resign from his office by giving one month notice in writing under his own hand, addressed to the Federal Government.

(4) The CEO shall be answerable to the Board for all administrative, financial and technical matters of the Board. The Board may delegate such administrative and financial powers to the CEO for carrying out day to day affairs of the Board as it deems necessary.

6. Meetings of the Board.- (1) The Chairman or, in his absence, the member designated by the Chairman for the purpose shall preside at a meeting of the Board.

(2) One half of the total members shall constitute a quorum for meetings of the Board requiring a decision by the Board.

(3) The decisions of the Board shall be taken by majority of its members present and in case of a tie, the member presiding a meeting shall have a casting vote.

7. Powers of the Board.- The Board shall exercise all powers as shall enable it to effectively perform its functions specified in section 8. In particular and without prejudice to the generality of the foregoing power, the Board shall-

- (a) prescribe regulations, including regulations for exercising its powers and performance of its functions;
- (b) enter into contracts, agreements and Memorandum of Understanding (MoUs);
- (c) acquire, lease, encumber, dispose of, exchange, vest or otherwise deal with