

Bill No. 33 of 2024

THE COMMISSION FOR REGULATION AND DEVELOPMENT
OF INFORMATION TECHNOLOGY INDUSTRY
BILL, 2024

By

SHRI C. N. ANNADURAI, M.P.

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BILL

to provide for the setting up of a Commission to regulate and promote the development of Information Technology industry in the country and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Commission for Regulation and Development of Information Technology Industry Act, 2024.

Short title and commencement.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) "appropriate Government" means in the case of a State, the government of that State and in all other cases, the Central Government.	
	(b) "Commission" means the Commission for Regulation and Development of Information Technology Industry established under section 3; and	5
	(c) "prescribed" means prescribed by rules made under this Act.	
Establishment of Commission for Regulation and Development of Information Technology industry.	3.(1) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall by notification in the official gazette, establish a Commission to be known as the Commission for Regulation and Development of Information Technology Industry to regulate and expedite growth of information technology Sector in the country.	10
	(2) The Commission shall consist of a Chairperson and four other members to be appointed by the Central Government having such qualifications as may be prescribed.	
	(3) The Commission shall have such number of officers and staff as may be required for the efficient functioning of the Commission.	15
	(4) The conditions of service, salaries and allowances of Chairperson, members, officers and staff of the Commission shall be such as may be prescribed.	
Functions of the Commission.	4. The Commission shall,—	
	(i) take appropriate steps to set up information technology parks in cities with population of more than one million and in cities having potential for development of information technology parks;	20
	(ii) recommend to the Central Government regarding concessions or incentives to be given to the Information Technology industry for the promotion of export of hardware and software; and	
	(iii) such other functions as may be assigned to it by the Central Government, from time to time.	25
Appropriate government to provide facilities.	5. The appropriate Government shall provide all assistance to the Commission in making available land free of cost infrastructural facilities including electricity, water and roads for setting up Information Technology parks in the cities as mentioned under section 4.	30
Formulation of National Policy on setting up of Information Technology Parks.	6. (1) The Central Government shall, as soon as possible, but in no case later than six months from the commencement of this Act, by notification in the official Gazette, formulate a national policy on setting up of information technology parks.	
	(2) The policy formulated under sub-section (1) shall be reviewed at least once in every three years or earlier, if such review is deemed necessary by the Central Government.	35
Central Government to provide funds.	7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds for the implementation of the provisions of the Act.	
Act not in derogation of other law.	8. The provisions of this Act shall be in addition to and not in derogation of any other law for the time in force.	40
Power to remove difficulty.	9. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:	

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

10. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to make rules.

5 (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session, or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of 10 no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Information technology industry is one of the fastest growing industries of the country. There is tremendous potential for further growth of this industry. What is needed is the formulation of a proper policy and assistance from the Government. If these are put in place, there is no doubt that our country will rank number one in terms of export of software and hardware.

At present, there is no clear policy for the development of information technology in the country. The Government does not give any assistance to the companies working in this field. Several foreign companies are willing to set up their offices in our country but due to lack of required infrastructure they prefer to stay away. As a result these companies go to other countries who offer better infrastructure. This industry can prove to be a major source of revenue for the Government and also provide immense employment opportunities to our people but so far the Government has not done much to tap the huge growth potential of Information Technology industry.

Therefore, it is proposed that a National Commission on Information Technology be set up to regulate and promote the development of information technology industry in the country. It is also proposed that a national policy on information technology be formulated.

Hence this Bill.

NEW DELHI;

C.N. ANNADURAI

July 3, 2024.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of a Information Technology Commission for Regulation and Development of Information Technology Industry. It also provides for the composition of the Commission and salaries and allowances of the Chairperson and members of the Commission. Clause 4 provides that the Commission shall set up information technology parks in cities with population of one million or more. Clause 5 provides that the appropriate Government shall provide all assistance to the Commission in setting up of information technology parks. Clause 7 provides for the Central Government to provide adequate funds. The expenditure relating to States shall be borne out of the Consolidated Funds of the respective States. However, the expenditure in respect of Union territories shall be borne out of the Consolidated Fund of India. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees ten thousand crore will be involved.

A non-recurring expenditure of about rupees five thousand crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri C.N. Annadurai, M.P.)