

Powers of the Information Commission.

- (1)** The Information Commission shall have all powers, direct or incidental, as are necessary to undertake its functions as provided for in this Act, including full legal personality, and the power to acquire, hold and dispose of property.
- (1)** The Information Commission shall also have the power to conduct inquiries, in relation to either a complaint or other matters connected with the proper implementation of this Act, and when conducting such an inquiry, the Information Commission shall have the powers of a Civil Court under Code of Civil Procedure (CPC), 1908 in respect of the following matters:
 - (a)** Summoning and enforcing the attendance of witnesses and compelling them to give oral or written evidence under oath;
 - (b)** Requiring public bodies and to produce documents or things;
 - (c)** Inspect the premises of public bodies; and
 - (d)** Examining and inspecting information.
- (3)** When deciding a complaint, the Information Commission shall have the following powers:
 - (a)** To order a public body to disclose information to a requester or to take such other reasonable measures as it may deem necessary to compensate a requesters for any failure to respect the provisions of this Act;
 - (b)** To impose a daily fine of up to Rs. 250 per day, up to a maximum of Rs. 25,000, on any official who has acted willfully to obstruct any activity which is required to be undertaken by this Act, including with a view to preventing or delaying the disclosure of information to a requester; and
 - (c)** To require a public body to take such general measures as may be required to address systematic failures to respect the provisions of this Act, including by appointing a [Public Information Officer], by conducting training for its employees, by improving its record management, by publishing information on a proactive basis and/or by preparing and publishing an annual report.
- (4)¹** A decision of the Information Commission under sub-section (3) shall, if it has not been appealed against within 30 days, be registered with the [Court of District and Sessions Judge of the concerned district] and any failure to respect the decision shall be dealt with in the same way as any contempt of court.

1 In sub-section (4) of section 26, the word "court" has been substituted with the words "court of District and Sessions Judge of the concerned district" vide Khyber Pakhtunkhwa Act No. XXIV of 2015.