



**In the Pakistan Information Commission, Islamabad**  
**Appeal No 1991-06/22**

**Ali Abbas Khan**

**(Appellant)**

Vs.

**Federal Investigation Agency**

**(Respondent)**

**ORDER**

**Date:** September 19, 2022

Zahid Abdullah: Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated June 17, 2022 to the Commission, stating that he submitted an information request to the Deputy Director FIA, Cyber Crime Wing, Islamabad on May 09, 2022 under the Right of Access to Information Act 2017 but did not receive the requested information from the public body.

2. The information sought by the Appellant is as follows:

*“ Ali Abbas Khan am a law-abiding citizen, belonging to a reputable family, and living with my parents. I am a highly educated person and therefore have camod respect, good reps, honor amongst family members, relatives, friends, colleagues and in society*

*My wife Sanam Khan has filed multiple applications again me in FTA Cyber Crime of wing Islamabad (enquiry no 660/2021). The Marriage between us it still intact and the pending case in family court in Islamabad.*

*You are requested to provide the following information under Right to Informal 2017 (Section 3, section 13) and PECA Act 2016 (section 36)*

- 1. Certified information about the total number of applications filed by Sun Khan*
- 2. Certified copies of all the applications submitted by my wife Sanam Khan against me.*
- 3. Certified copies of all documents provided by Sanam Khan to FIA COR*
- 4. Certified copies of all documents in case of further proceedings before FTA CCRC office between parties.*
- 5. Certified copy of the warrant for their raid on 14-Dec-2021, Tuesday.*
- 6. Certified copy of the forensics report of mobile device Redmi Note It Model M2101K66 bearing IMEI 864496059841 465 and IMEI 2 56449609541473*
- 7. Certified copy of the forensics report of HP laptop Pavilion DM4-1050E Serial CNU0282959*
- 8. Certified copy of the forensics report of mobile device Samsung Mini Model No GT \$5570 having IMEI 356794040028472.”*

## **B. Proceedings**

3. The record on the file shows that hearing on the instant Appeal was fixed for September 15, 2022 vide letter dated August 29, 2022. The Respondent was represented by Abbab Arshad Saeed, DD/Law FIA Cyber Crime. He maintained that the as the enquiry was still in process, therefore, the requested information/records could not be provided.

## **C. Issues**

4. The instant appeal has brought to the fore the following issues:  
Has the Respondent provided all the information to the Appellant permissible under the Right of Access to Information Act, 2017, henceforth referred to as the Act, 2017?

## **D Discussion and commission's views on relevant issues:**

5. This commission concurs with the Respondent, FIA that the requested information/records pertain to an on-going Enquiry and as such cannot be provided to the Appellant at this stage.
6. This commission also holds that the Appellant has the right of access to the copy of the search warrant in case the Respondent, FIA raided his home as alleged by the Appellant. If no raid took place, the Respondent, FIA is bound to state that as per record available, no raid was conducted by the Respondent, FIA.

## **E. Order**

7. The Appeal is partially allowed. The Respondent is directed to provide the Appellant copy of the search warrant, if it conducted raid at his home, if not, state in writing that no such raid was conducted by the Respondent, at the earliest but not later than 7 working days of the receipt of this Order, with intimation to this office.
8. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:

September 20, 2022

This order consists of 4 (four) pages, each page has been read and signed.