

IN THE PAKISTAN INFORMATION COMMISSION ISLAMABAD

Appeal No. 2113-08/2022

Mumtaz Hussain

Vs

National Database and Registration Authority

Fawad Malik: Information Commissioner

**A. APPEAL**

1. Mr. Mumtaz Hussain filed an application under the Right of Access to Information Act, 2017. Through his application dated 06.07.2022 addressed to the Chairman, National Database and Registration Authority, Islamabad he has requested the information pertaining to Nikkahnama dated 13.06.2013 solemnised between Mst. Saman Mushtaque holding identity card no. 37406-0122656-8 issued on 12.02.2019 with Muhammad Asif holding identity card no. 37406-65956700-1, registered at Union Council Sirae Kala, Taxila, Rawalpindi.
2. Feeling aggrieved for the non-provision of requested information within the time frame provided under the Act, he has filed an appeal before Pakistan Commission on Access to Information, Islamabad.

**B. PROCEEDINGS**

3. The Notice of the Commission is replied by the Public Information Officer, NADRA vide letter dated 02.09.2022 to the following effect:

*“The query reference to Appeal No. 2113-08/2022 has again been resurfaced as was put forward against Appeal No. 1311-09/21. At that the appellant was duly informed date September 21, 2021, and now again he is being informed that the required information involved the court proceedings into the case. Since it is sub-judice issue matter, he is hereby requested to provide court decision on which NADRA would proceed or let the court decide the matter.”*

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### **C. COMMISSION'S VIEW**

4. It is pointed out by the public body that earlier this Commission decided the same query filed by the appellant through appeal no. 1311-09-2021 titled “ Mumtaz Hussain vs National Database and Registration Authority” vide order dated 11-01-2022. The appeal no. 1311-09-2021 was not allowed and closed with the following observations which may be considered integral part of this appeal:
  - a. “The issues raised by the appellant in his application cannot be resolved by the NADRA authorities rather they are bound to implement the orders of the court of law. The alleged issues can be decided by the civil court after the recording of the evidence and the matter is pending adjudication for the resolve. Since, the matter is *sub judice* before the court of competent jurisdiction the appeal in hand is therefore premature.
  - b. The resolve of the application in issue is not in the domain of the NADRA authorities therefore neither the application is decided nor there exist the requested record with the respondent organization. The application as well as the appeal are misconceived and cannot proceed any further before the Commission.”
5. It is noticed that the appellant has not disclosed the fact about the filing of the earlier appeal. The seekers of information under the Act are expected not to conceal the facts in their appeal before the Commission or application before the public body, as the case may be.

### **D. ORDER.**

The appeal is not allowed and closed.

Mohammad Azam  
Chief Information Commissioner

Fawad Malik  
Information Commissioner

Announced on: September 27, 2022

This order consists of 02 (two) pages, each page has been read and signed