



WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT  
CLOSURE FINDINGS

Complaint No	: WMS/KHI-0001355-2023
Date of Registration	: 15.02.2023
Name & Address of the Complainant	: Mr. Haider Ali, Quarter No.5, "Q" Admin Branch, Near Liaquat Barraks, District South, Karachi. (Cell No.0345-8922684)
Name of the Agency complained against	: Higher Education Commission (HEC).
Name & Designation of the Investigating Officer, Station	: Syed Anwar Haider, Sr. Advisor, Regional Office, Karachi.
Brief Subject	: Complaint of maladministration on account of alleged delay in attestation of his daughter's degree by Agency.
Date when IO asked for report from Agency	: 15.02.2023
Date of Receipt of Agency's report in WMS	: 24.02.2023
Number & Dates of Hearing	: Nos: (5) Dates: 22.02.2023, 01.03.2023, 15.03.2023 and 21.03.2023
Name and Designation Agency's representative	: Mr. Javed Ahmed Memon, Director, HEC Mr. Satram Das, Assistant Director, HEC Dr. Muhammad Ali, V.C., PIMSAT

WAFAQI MOHTASIB (OMBUDSMAN)  
APPROVED  
03 MAY 2023  
ISLAMABAD

The Headquarter -5 Corp, Karachi forwarded a complaint of their employee Mr. Haider Ali, who has complained of maladministration on account of alleged delay in attestation of his daughter's degree by HEC. The complaint of the complainant in Urdu language which is reproduced as under:-

مؤد بہانہ گزارا ہے کہ میں حیدر علی ولد نعمو درخواست گزار ہوں۔ میری بیٹی شبانہ حیدر جس نے انٹرنیشنل میں سن 2012 میں پرنسٹن یونیورسٹی میں BS-IT میں نمبریری داخلہ لیا تھا۔ جناب عالی انٹر کے تاخیر رزلٹ میں میری بیٹی فیل ہو گئی تھی۔ جسکی وجہ سے اگے پڑھائی روک دی گئی۔ اس کے بعد بیٹی نے 2015 میں انٹرنیشنل کی۔ پھر ہم نے پرنسٹن یونیورسٹی میں 15-09-01 کو دوبارہ داخلے کے لیے گئے تو ہمیں دوبارہ داخلہ دیا گیا۔ جسکا نمبر AICM212019 تھا۔ لیکن پرانے ایڈمیشن کا نمبر AICE212001 تھا۔ پرنسٹن یونیورسٹی نے ہمیں نئے ایڈمیشن کے بجائے پرانے ایڈمیشن کے نمبر پر رکھا۔ 2015 میں نیا ایڈمیشن نمبر لاث کرنے کے بعد بھی ہمیں پرانے ایڈمیشن نمبر 2012 میں شویا گیا۔ جسکی وجہ سے HEC کراچی سے ہماری ڈگری کی تصدیق نہیں ہو رہی اور HEC میں ہمارا کوئی ریکارڈ نہیں ہے۔ نہ تو 2012 کا اور نہ ہی 2015 کا کراچی HEC ہماری درخواست لینے کے لیے بھی تیار نہیں ہے۔ اور نہ ہی پرنسٹن یونیورسٹی ہماری درخواست لینے اور سننے کے لیے تیار ہے۔ حالانکہ بیٹی کو میسج بھیجا کر کے پرنسٹن یونیورسٹی کی طرف سے اسٹام پیپر پر لکھوا کر لے لیا جاتا ہے کہ آپ کو ڈگری دے دیتے ہیں۔ لیکن آپ نے ہمارے خلاف HEC نہیں جانا نہ ہی اس ڈگری کی HEC سے تصدیق کرانا۔ بیٹی سے اسٹام پیپر پر لکھوا کر لے لیا گیا ہے۔ جو کہ بہت بڑا فراڈ ہے۔ ڈگری بھی 9 سال کی دے رہے ہیں۔ حالانکہ 4 سال کی ہوتی ہے۔ جناب کی رہنمائی کے لیے تمام ڈاکومنٹس کی کاپیاں درخواست کے منسلک ہیں۔ براہ مہربانی میری بیٹی کی تعلیمی سرٹیفکیٹ HEC سے تصدیق کروا دیں جو ہمیں کروا دیں۔ فدوی اور اسکے بچے تاحیات آپ کے بلند اقبال کیلئے دعا گو رہیں گے۔

2. The matter was referred to the HEC as well as PIMSAT. Both organization submitted their response. Relevant portion of the HEC report dated 24.02.2023 on the first comments is reproduced as under:-

During the scrutiny of the documents, it has been observed that complainant's daughter has a degree of BS (IT) issued b Preston Institute of Management Science and Technology (PMSAT), Karachi which is currently stopped by the HEC.

Further, it is informed that as per policy, attestation of degree(s) and transcript (s) issued by PIMSAT is being processed after getting verification of concerned institute provided to HEC, Islamabad.

Moreover, the name Ms. Shabana Haider is not available in the approved list, the complainant has been informed accordingly earlier to contract PIMSAT for insertion of her name and other particulars in the approved list."

3. The HEC submitted their final comments on 20.03.2023. Relevant portion is reproduced as under:-

"During the scrutiny of the documents, it has been observed that the complainant's daughter has a degree of BS(IT) issued by Preston Institute of Management Science and Technology (PIMST) Karachi which is currently stopped by the HEC.

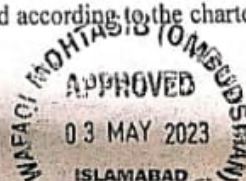
Further, it is informed that as per policy, attestation of degree(s) and transcript(s) issued by PIMSAT is being processed after getting verification and endorsement of particulars of degree holder from the approved list of graduates of concerned institute provided to HEC Islamabad.

Moreover, as the name of Ms. Shabana Haider is not available in the approved list, the complainant's degree cannot be attested as her particulars are not enlisted in the approved list. As the matter, has attained finality by the Supreme Court of Pakistan vide CPLA 2411-L/2019 titled Choudary Munawar Ahmad Vs Chairman Higher Education Commission and the same cannot be impugned at any other forum in Pakistan. Therefore, in the light of the foregoing the instant complaint be dismissed for want of jurisdiction which review petition before Honorable Supreme Court of Pakistan.

It is also pertinent to incorporate here that, to subvert or touch the merits of the case already decided by the Supreme Court of Pakistan attracts the doctrine of Res Judicata and if the same is assailed before any other forum, the same tantamount to contempt of the Apex Court."

4. During the discussion in the hearing held on 15.03.2023, Mr. Satram Das Meghani, Assistant Director, HEC stated that registration of the PIMSAT has been recalled by HEC, hence HEC is not obliged to attest degree issued by the PIMSAT till their registration is restored by HEC. However, the representative of HEC could not furnish copy of any such notification/communication declaring recalling of registration of the PIMSAT by HEC till the final hearing. Further, the Vice Chancellor of PIMSAT vehemently opposed the statement of Assistant Director of HEC and stated that HEC has stopped new admission of students by PIMSAT which did not mean recalling of registration of PIMSAT by HEC.

5. The representative of the HEC in their supplementary comments dated 20.03.2023 has quoted a case No.CPLA 2411-L/2019 titled Choudary Munawar Ahmed Vs Chairman Higher Education Commission decided by the Honorable Supreme Court of Pakistan. The matter pertained to refusing attestation of degrees issued to the students who were enrolled in unauthorized campuses of PIMSAT on the plea that those campuses were not authorized according to the charter of PIMSAT policy issued by the Government or the HEC.



Continue...next page

The PIMSAT filed their comments on 10.03.2023. Relevant portion of the report is reproduced as under:-

"Preston Institute of Management Science & Technology, Karachi (PIMSAT) through Ordinance No.XXVI of 201 issued by the Governor Sindh and recognized by Higher Education Commission & Pakistan Engineering Council. PIMSAT was established to foster academic excellence and is seriously committed to improve the quality of technical and business education in Pakistan.

The Preston Institute was awarded ISO 2009 award and Pakistan Engineering council has also accredited tis various engineering programs.

In the past many universities and institutions had opened campuses outside their chartered jurisdiction, The then management of PIMSAT had opened its campus in Lahore and after the directions of HEC that campus was closed by the then management.

The aggrieved students of PIMSAT Lahore campus approached the Honorable Lahore High Court and Honorable Supreme Court of Pakistan. Honorable Supreme Court of Pakistan, declared PIMSAT, Karachi main campus is the legitimate campus and can perform its all functions reported in PLD 2021 Supreme Court 745 vide judgement in CP 2411 of 2019.

The HEC has illegally banned the admissions and all its operations of PIMSAT main campus Karachi as admitted by the HEC vide letter No.5-1/HEC/RCK/Law/2023 dated 24.02.2023, it is clear cut violation of the orders of Honorable Chief Justice of Pakistan.

From time to time PIMSAT, Karachi requested to the concerned quarters of the HEC for lifting of ban on admissions.

It is further submitted that Higher Education Commission action regarding putting ban on admissions is also unjustified, hence illegal as under section (10) of the higher education commission ordinance 2002 no such power has been assigned.

In the past some officials visited the premises of PIMSAT and asked the junior clerk to provide the record of successful candidates. During that point of time the names of the students who were under-going in the academic programs and not yet appeared in the final exams were not included in the list of successful candidates. On the other hand, physical demanding a list of a particular of an institution against the justice and fair play. And there are number of private universities are functioning in the country and HEC is not demanding the successful candidate list.

In the light of above mention submission, it respectfully submitted that HEC may kindly be directed to attest degree of aggrieved student (Ms. Shabana Haider) and banned imposed by the HEC on admission of PIMSAT may kindly be listed."

8. During the final hearing, Mr. Javed Ali Memon, Director, HEC submitted a copy of final notice issued by HEC to PIMSAT which is reproduced as under:-

With reference to your letter No. PIMSAT/Khi-C/Rector-6 dated May 9, 2017 on the subject cited above. It is informed that as per the recommendations of Inspection Committee the compliance report along with documentary evidences was required to be submitted by the PIMSAT, Karachi by 15<sup>th</sup> May, 2017 which is still pending and the competent authority has not acceded to the justification stated in the above referred letter.

It is therefore, finally advised to submit the compliance report within forty-five (45) days period from the date of issuance of this letter failing which the admissions of PIMSAT, Karachi would be stopped without any further notice and wide circulation through press and electronic media shall be made.

This issues with the approval of the competent authority."

5/14

WAFIQ MOHTASIB (O) HEC  
APPROVED  
03 MAY 2023  
ISLAMABAD

Continue...next page

9. The Vice Chancellor, PIMSAT stated that in compliance of above orders of HEC the PIMSAT submitted required report. The Vice Chancellor of PIMSAT also raised the issue that the cases before the Honorable Supreme Court in the above CPLA pertained to complainants relating to so called unauthorized campuses of PIMSAT in Province of Punjab and there is no mention in the order of the court about the campuses of PIMSAT in the Province of Sindh.

10. The concluding para of the judgement of the Honorable Supreme Court of Pakistan as referred by both parties is reproduced as under:-

*"We consider that the maintenance of uniform standards of education and the effective monitoring of such standards and curriculum by the HEC is essential for safeguarding the future of education of the youth of our country. In this respect, the Court endorses all lawful acts taken by the HEC and directs the Provincial Government as well as the Federal Government to render their fullest cooperation in enforcing such measures and standards."*

11. The Honorable Supreme Court in their above orders has referred the matter to the Federal as well as Provincial Governments. The Vice Chancellor of PIMSAT pointed out that due to delay in resolving the issue by the Federal and Provincial Governments as ordered by the Honorable Supreme Court, a large number of students (approximately 10000) who had obtained degrees from campuses other than the principal campuses of PIMSAT and other such private sector institutions are facing the similar conditions and are deprived of their genuine interest, and unable to pursue further education or seek employment which is a great national loss. The V.C. of PIMSAT requested that Federal as well as Provincial Governments may be asked to immediately take up the matter for proper resolution as already ordered by the Honorable Supreme Court of Pakistan so that not only the concerned students but the institutions who had developed state of art infrastructure and hired faculty are also prevented from unnecessary loss, and become functional.

12. The case was thoroughly discussed with the concerned parties. Initially the complaint pertains to denial of attestation of degrees issued by PIMSAT to the complainant's daughter by the HEC, but in their comments dated 24.02.2023 the HEC has advised the complainant "to contact PIMSAT for insertion of her name and other particulars in the approved list, which reveals that upon compliance the above advice of HEC, the HEC will consider attestation of degree. The Vice Chancellor of PIMSAT stated they will issue necessary amendment in respect of insertion of particulars of the daughter of the complainant in the approved list of successful candidates of PIMSAT main campuses already submitted to HEC for resolving the grievance of the daughter of the complainant.

13. Apart from the case of the complainant and keeping in view the interest of a large number of students whose degrees are not being attested by HEC on the plea that they were enrolled and sought education from unauthorized campuses of such private sector universities/institutions, the Federal Ministry of Education and Professional Training is advised that for implementation of the orders of Hon'ble Supreme Court as reproduced in para 10 of this <sup>Finding</sup> they may take further necessary action in consultation with all stake holders, i.e. the Federal Government and Provincial Government and concerned private sector universities and institutions in the interest of resolving the fate of a large number of youth qualified from unauthorized campuses of such private sector universities and institutions.

14. In view of above, the case is closed in terms of Regulation 22(1)(z) of Wafaqi Mohtasib (Investigation and Disposal of Complaints) Regulations, 2023.

(EJAZ AHMAD QURESHI)  
WAFAQI MOHTASIB (OMBUDSMAN)

APPROVED  
03 MAY 2023  
ISLAMABAD