



FEDERAL OMBUDSMAN

**WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT**  
**REVISED FINDINGS**

Complaint No : WMS-HQR/0005929/23  
Date of Registration : 03.04.2023  
Name & Address of the Complainant : Dr. Muhammad Ali (Rector), PIMSAT 177/2IEP Building  
Shahrah-E-Faisal Distt Karachi  
Name of the Agency complained against : **Higher Education Commission**  
Name & Designation of the Investigating Officer, Station : Raana Seerat, Sr. Advisor, H.O. Islamabad  
Brief Subject : Mal-administration in refusal to allow admissions in PIMSAT by HEC.  
In attendance : Mr. Hakim Ali Talpur, Director (A&A), HEC.  
Mr. Tariq Hassan, Law Officer, HEC Islamabad.  
Date of Findings in Original Complaint : 22.06.2023  
Date of Registration of Review Petition by Complainant/Agency : 01.08.2023  
Number & Date of Hearing : 22.08.2023  
Name & Designation of Officers processing the Review Petition : Justice (R) Muhammad Raza Khan, Senior Advisor  
Raja Akhlaq Hussain, Advisor.



The complainant Dr. Muhammad Ali, Rector Preston Institute of Management Science and Technology (PIMSAT), Karachi stated that the PIMSAT was established through a charter issued by the Government of Sindh vide Ordinance No. XXVI of 2001 dated 27.07.2001. In the year 2017, PIMSAT constructed a state of the arts campus at Karachi after the advice of HEC and now the infrastructure was ready to start academic programs. In order to impart education at the new building, the HEC was requested to visit the premises and remove the caution from its website "banned" on new admissions. The Secretary, Ministry of Federal Education and Professional Trainings also advised the HEC officials to visit PIMSAT and allow start of new admissions to the students but the HEC did not permit, hence this complaint.

2. Mr. Saim Pervaiz, AD, HEC appeared as the representative of the Agency. The complainant also attended the hearing. The case was discussed in detail. Representative of the HEC furnished report that PIMSAT, Karachi is a chartered institution in private sector and as per its Ordinance No. XXVI of 2001, the Institution is allowed to impart education to the extent of Karachi only. However, the Institution has operated through illegal campuses across the country against the guidelines of HEC. Accordingly, degrees verification of PIMSAT was stopped. However, on the basis of data received, the attestation process of legitimate students/graduates of principal seat i.e. Karachi has been restored. Further, the petition regarding recognition of graduates who earned their degrees by studying at unlawful campuses (other than Karachi) was dismissed by the Lahore High Court. Thereafter, the petitioners filed a Civil Petition in the Supreme Court of Pakistan vide C.P No. 2411-L/2019 titled Chaudhary Munawar Ahmad, etc. versus HEC, which was also dismissed. Furthermore, an inquiry against Chairman PIMSAT, Lahore, Principal PIMSAT Lahore, Management of PIMSAT Lahore and Karachi and others was in process in the office of NAB, Lahore. As such request for resumption of fresh admissions at PIMSAT, Karachi cannot be entertained at the moment.

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3. The complainant Dr. Muhammad Ali in his rejoinder stated that HEC mixed up the facts of the matter as the complaint was for allowing the PIMSAT, Karachi to restart academic process and to make the fresh admissions. Dragging the issue of purported illegal acts on part of the PIMSAT, Lahore and mixing it up with the instant case was against the decisions of the Lahore High Court and the Supreme Court of Pakistan as neither the PIMSAT, Karachi was arrayed in the said case nor was NAB, Lahore conducted any inquiry against PIMSAT at Karachi. Thus, imposition of ban on admissions at PIMSAT at Karachi by the HEC is illegal.

4. Mr. Syed Ali Jaffari furnished report that the PIMSAT has committed fraud with more than 23,000 students by issuing unauthorized degrees. Consequently, the HEC has decided to stop admissions of Main Campus to safeguard the students. After the hearing proceedings and perusal of record, it was concluded that HEC was not justified to give caution on its website i.e "banning on new admissions by PIMSAT at Karachi" in the garb of illegal establishment of Lahore campus of PIMSAT. Hence, the case was referred to the Chairman, HEC under Regulation 23(1) (z) of the Wafaqi Mohtasib (Investigation and Disposal of Complaints) Regulations, 2013, to initiate the process of visiting the premises of PIMSAT at Karachi followed by allowing new admissions to the students subject to fulfilling the required codal formalities by the latter.

#### REQUEST FOR RECONSIDERATION

5. The HEC filed a review petition and reiterated its earlier stance and inter alia added lack of jurisdiction of Wafaqi Mohtasib to entertain the instant complaint; the complaint is barred by time; and issuance of unauthorized degrees by PIMSAT, Karachi caused fraud with more than 24000 students. Hence, Findings are liable to be set aside.

6. The complainant filed a rejoinder on the review petition and stated that HEC has raised no fresh ground for review of the Findings dated 22.06.2023.

#### HEARING PROCEEDINGS

7. At the hearing proceedings, the HEC's main focus was that the PIMSAT, Karachi had established its campus at Lahore in violation of the Ordinance XXVI of 2001 and thus committed fraud with more than 24000 students, therefore, PIMSAT, Karachi has rightly been banned to continue education activities in future. The representative of the HEC further informed that the matter is also with NAB due to committing fraud by PIMSAT, Karachi. He also agitated the issues of lack of jurisdiction of Wafaqi Mohtasib in the matter besides the complaint is barred by time. As against this, the complainant took the stance that an huge amount of more than one billion rupees has been spent on construction of state of art campus at Karachi on the direction of the HEC. He further stated that Board of Governors of PIMSAT, Karachi had nothing to do with the establishment of PIMSAT at Lahore as has been observed by Lahore High Court. He further stated that the HEC was repeatedly asked to redress grievance of PIMSAT, Karachi but to no avail. Hence, the complaint is not barred by time. He also pointed out that the case with the NAB is not against the PIMSAT Karachi. He concluded that since there is no justification to continue ban on education activities at PIMSAT, Karachi, therefore, the review petition may be rejected.



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**REVISED FINDINGS**

8. The crux of the matter is that issue of PIMSAT, Lahore came up before the Lahore High Court in Writ Petition No.872 of 2017. The Court had appointed a Committee which submitted its report. The relevant extract of report of the Committee in regard to PIMSAT, Karachi, reproduced in the Judgement of Lahore High Court, is as follows:

*"In view of the above facts, this Committee has unanimously concluded that the Lahore establishment has no nexus whatsoever with the PIMSAT at Karachi and just one Officer of the Institute i.e the Chairman was running his private establishment under the garb of Lahore campus of the PIMSAT Karachi and he managed, in connivance with some other officers of the PIMSAT Karachi, the issuance of transcripts and degrees of the students of the alleged Lahore campus."*

9. The Court also observed that there was nothing on record that the Board of Governors, PIMSAT, Karachi ever discussed agenda item and approved any mechanism for the establishment of sub campus at Lahore. The said quoted report of the Committee and the observations of the Court lead to the conclusion that Board of Governors, PIMSAT, Karachi had nothing to do with PIMSAT campus at Lahore except the acts and omissions of some of the officers of PIMSAT Karachi. The HEC also could not point out any role of Board of Governors, PIMSAT, Karachi in operating PIMSAT campus at Lahore. Against this backdrop, the act of the HEC in banning education activities at PIMSAT, Karachi in the garb of illegal establishment of PIMSAT campus at Lahore amounts to maladministration on its part.

10. On the issue of jurisdiction of this Office, since in the instant case, maladministration on the part of HEC is proved, therefore, this Office has got the jurisdiction to entertain the instant complaint to address such maladministration. On the point of limitation, the complainant produced sufficient correspondence on the part of PIMSAT Karachi and the Ministry of Federal Education and Professional Trainings repeatedly asking the HEC till 2<sup>nd</sup> February, 2023 to redress the grievance of the Institution but with no result. Therefore, the complaint filed on 03.04.2023 was well within time.

11. As far as pendency of case with the NAB is concerned, again the same is against some officers of PIMSAT at Lahore and Karachi, therefore, such case has nothing to do with the Board of Governors of PIMSAT, Karachi who has general supervision and control of the affairs of the Institution under the Ordinance No.XXVI of 2001.

**FINAL RECOMMENDATIONS FOR IMPLEMENTATION**

12. In view of the preceding paras 8-11, the review petition filed by the Agency is rejected. The Findings dated 22.06.2023 are upheld. Compliance be reported within 30 days of the receipt of these Revised Findings.

(EJAZ AHMAD QURESHI)  
WAFAQI MOHTASIB (OMBUDSMAN)

