

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA PESHAWAR**

Service Appeal No.126/2024

Amjad Ali Khan S/O Noor Habib Jan R/O Shalkandi, Tehsil Munda, District Dir Lower. Certified Teacher BPS-15, GHSS Munda, District Dir Lower.

(Appellant)

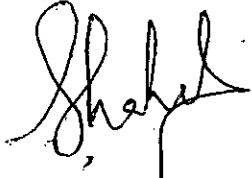
Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar, and others.

(Respondents)

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Deponent

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
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Service Appeal No.126/2024

Amjad Ali Khan S/O Noor Habib Jan R/O Shalkandi, Tehsil Munda, District Dir Lower. Certified Teacher BPS-15, GHSS Munda, District Dir Lower.  
(Appellant)

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar, and others.  
(Respondents)

**JOINT PARA WISE REPLY ON BEHALF OF RESPONDENT No. 1&3.**

Respectfully sheweth:

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 13876  
Dated 01-07-24

**PRELIMINARY OBJECTIONS**

1. That the Appellant is not the "aggrieved" person with the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974.
2. That the Appellant has got no cause of action/locus standi to file this service appeal because the Appellant did not come on merit.
3. That the Appellant has not come to this Honorable court with clean hands rather than the instant service appeal is mainly based on malafide intentions just to put pressure on the respondent department for illegal promotion.
4. That the Appellant is estopped by his own conduct.
5. That the instant service appeal suffers from laches, hence not maintainable in the present form.
6. That the service appeal in hand is badly barred by the relevant provision of Law/Rules/Policy in Field.
7. That the appellant educational credentials pertain to record, as well as need verification from the quarter concerned.
8. That the ADE degree of the appellant which was required as per policy/ advertisement was obtained from Al-Khair University, while the said university is banned by the Higher Education Commission of Pakistan. As well as the Peshawar High Court Peshawar has also declared the degree/ diplomas obtained from Al-Khair University, not valid for the purpose of employment in any Government departments/ institution.
9. That after rejection / non consideration of the Departmental selection committee, the appellant filed a writ petition No. 280-M/2016, which was decided in limine vide judgment dated 06/02/2017. The respondents feeling aggrieved from the judgment ibid, filed a CPLA bearing No.151-P/2017.However, the appellant again approached Peshawar High Court Peshawar for implementation of the judgment dated 06/02/2017 by filing OF C.O.C No.36-M/2017 in W.P 280-M/2017, which was dismissed by the Peshawar High Court Peshawar with a consolidated judgment dated 20-03-2018. Later on, again concealing the facts from the Honorable Peshawar High Court Peshawar filed another C.O.C No.405-P/2018 for compliance of the judgment. To avoid further consequences the appellant was appointed as Certified Teacher BPS-15 conditionally till the decision of the August Supreme Court of Pakistan with effect from 05-11-2018 to 05-11-2019. However, time by time conditional extension as well as regularization has also been given to the appellant.

10. That the appellant was appointed conditionally vide appointment order dated 09-11-2018, thus prayer of the appellant for regularization and back benefits w.e.f. 05-06-2016 is illegal, because at that time he was not in service.

**ON FACTS**

- 1) Para -1 of the facts pertains to record, needs no comments.
- 2) Para -2 of the facts pertains to record; however, the appellant has obtained the associate degree in education from Al-Khair University, which is banned by the Higher Education Commission of Pakistan. Furthermore, the Honorable Peshawar High Court Peshawar in its judgment dated 20-03-2018, has declared that the degree/ diplomas obtained from Al-Khair University, are not valid for the purpose of seeking employment in any government departments/ institution.  
**(Copy of the judgment dated 20-03-2018 of the Honorable Peshawar High Court Peshawar is attached as "A")**
- 3) Para -3 of the facts is correct to the extent that the respondent No.3 had advertised different cadre teaching posts including the posts of C.T for which the criteria was BA/B.Sc. or any equivalent university along with C.T Certificate OR two years associate degree in education from any recognized university or 18 months diploma in education. The appellant was not eligible to apply for the post ibid as he was having the degree of Associate Degree in Education from Al-Khair University, which is not recognized. That's why, the appellant was not considered for appointment by the Departmental Selection Committee. (Copy of the recruitment rules 2014 is attached as "B", Copy of the advertisement is attached as "C", Copy of the DSC Minutes attached as "D", Copy of the appointment order is attached as "E")
- 4) Para-4 of the facts is incorrect, hence denied. The appellant was not eligible for the said post. As discussed in the para-3 of the facts above.
- 5) Para -5 of the facts may be considered as Para-3 of the facts above.
- 6) Para-6 of the facts is also correct, and further stated that the appellant requested to consider/count the marks of LLB equivalent to M.A, Thus by accepting the request of the appellant, he was kept deferred for provision of the equivalency certificate within 15 days. Although the appellant submitted the said equivalency certificate within time, but mean while Higher Education Commission issued a notification that the degree / diplomas issued from Al-Khair University are illegal and not valid as the said university is banned by the Higher Education Commission of Pakistan. That's why he was not considered for appointment as C.T. (Copy of the notification of HEC regarding Al-Khair University is attached as "F")
- 7) Para-7 of the facts is incorrect; details have been submitted in the foregoing Para's.
- 8) Para-8 is incorrect. Hence denied, That the appellant has concealed the facts from the Honorable Peshawar High Court Mingora Bench i.e. actually he has obtained his degree of ADE from Al-Khair University Swat Campus under Registration No AUSWT(ADE)4230-2012 and Roll No 723 which is not recognized by the Higher Education Commission of Pakistan, as well as declared illegal by the honourable Peshawar High Court in its judgement dated 20/3/2018 at Para No 15.
- 9) Para-9 of the facts is correct, that the appellant was appointed conditionally till the decision of the August Supreme Court of Pakistan vide order dated 09-11-2018.

10) Para-10 of the facts is incorrect and misleading hence denied. The appellant was regularized w.e.f. 09-11-2018 vide regularization order dated 15-12-2022.

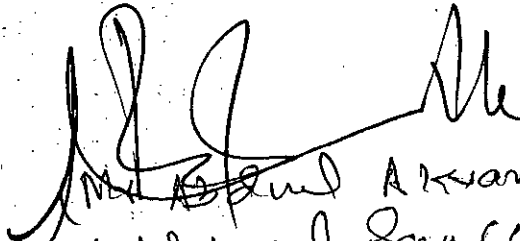
11) Para-11 of the facts may be considered as Para-6 of the facts above.

12) Para-12 of the facts needs no comments.


**GROUNDS**

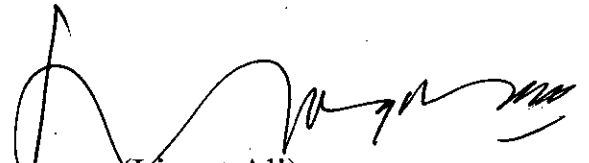
- A. In correct and not admitted. The stand of the Appellant is without any moral and legal justification on the grounds that the appellant has been treated as per law and policies' fact the appellant is neither entitled nor eligible for regularization w.e.f 05-06-2016, as he was appointed conditionally vide order dated 09-11-2018.
- B. Incorrect hence denied. Detail has been submitted in the facts above.
- C. Incorrect hence denied. Detail has been submitted in the facts above.
- D. Incorrect hence denied. Detail has been submitted in the facts above.
- E. Legal, however, the respondents also seek permission to additional grounds/case laws during arguments on the date fixed.

It is, therefore, humbly prayed that on acceptance of the above submission, the instant time barred writ petition may very graciously be dismissed in favor of the answering respondents with cost.

  
 Additional Secy (4), BSEED  
 on behalf of  
 (Masood Ahmad)

**Secretary**  
 Elementary and Secondary Education Department  
 Govt of Khyber Pakhtunkhwa Peshawar  
 Respondent No. 1

  
 Director  
 Elementary and Secondary Education  
 Peshawar Khyber Pakhtunkhwa Peshawar  
 Respondent No. 2

  
 District Education Officer  
 (Male) Dir Upper  
 Respondent No. 3

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA PESHAWAR**

Service Appeal No.126/2024.

Amjad Ali Khan S/O Noor Habib Jan R/O Shalkandi, Tehsil Munda, District Dir Lower. Certified Teacher BPS-15, GHSS Munda, District Dir Lower.

(Appellant)

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar, and others.

(Respondents)

**Affidavit**

I, Liaqat Ali, DEO(M) Dir Lower hereby solemnly affirm and declare that contents of the accompanying para wise reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court. *The answering respondents have neither been placed ex-parte nor their defense is struck off.*



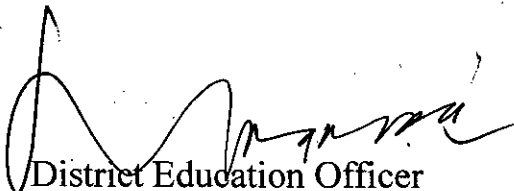
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Deponent

Liaqat Ali

**AUTHORITY LETTER**

I, Liaqat Ali, District Education Officer Male Dir Lower, do hereby authorized Mr. Mr. Muhammad Shahab o/o the DEO (M) Dir Lower to submit the comments /reply in Service Appeal No.126/2024, Title: Amjad Ali Khan v/s Government of Kp and others, hence an authority letter is hereby issued in favor of the above-named office.

  
District Education Officer  
(Male) Dir Lower  
Respondent No. 3

*Judgment.*  
**BEFORE PESHAWAR HIGH COURT,**  
**PESHAWAR.**

Judicial Department.

Writ Petition 470-M of 2016.



Faiz ur Rehman.....Petitioner.

Vs

Director Elementary & Secondary Education, Khyber Pakhtunkhwa & others.....Respondents.

Date of hearing.....20<sup>th</sup> March, 2018.....

Petitioner(s) by *Khawaja Gulshah-uddin - Advocate.*

Respondent(s) by *Mrs Mansoor Tamiz, Nabeemud Ali Jadaam, 9 -  
Naveed Karim, Barrister-at-Law. Javed Siddiqui.  
Noman Arshad  
Jon. A.B.U.*

**WAQAR AHMAD SETH, J:** - Through this single

judgment we intend to decide the instant writ petition as well as connected writ petitions bearing No. 355, 392, 456, 471, 472, 617, 683 & 698-M/2016, COC No. 35-M/2017 in WP No. 379-M/2016 & COC No. 36-M/2017 in WP No. 280-M/2016, 69, 190, 195, 216, 239, 240, 243, 282, 294, 295, 310, 346, 368, 372, 406, 494 & 697-M/2017, 1088, 1317, 1318, 1473, 2138, 2147, 2148, 2169, 2215, 2321, 3914, 4533, 4640 &

attested

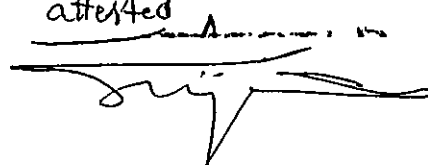
2766-P/2017, as all are the outcomes of Al-Khair University, AJ&K.

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2. In essence the case of petitioner is that, pursuance to the advertisement for the post of CT, DM, PET, AT, TT & PST, petitioner being eligible & fit qualified and after test was placed at serial No.3 of the merit list for GPS Borshat Kuzkana for the post of PST with 108.15 marks but the official respondents in total violation of the law / rules have appointed private respondents, having degrees from Al-Khair University, AJ&K, which are illegal / unlawful and hasn't been verified, hence the instant writ petition.

WP No. 355-M/2016.

Petitioner of the instant case, applied for the post of PST and after codal formalities secured 84.89% marks and was placed at serial No. 39. That some candidates did not appear and petitioner was placed at 28 of merit position, but respondents in utter violation of rules have appointed respondents No. 6 & 7 having degrees from Al-Khair University, hence the instant writ petition.

attested  




WP No. 471 & 472-M/2016.

Petitioners of the instant writ petition applied for the post of PST and after NTS declared successful but the official respondents in total violation of the law / rules have appointed private respondents, possessing fake and fabricated degrees from Al-Khair University, AJ&K, which hasn't been verified.

WP No. 1088 & 1317-P/2017.

Petitioners of the instant writ petition applied for the advertised posts of CT etc and after test through NTS, secured meritorious position but respondents have refused appointment on the ground of verification of degrees, so obtained by the petitioners from Al-Khair University, hence the instant writ petition.

WP No. 392-M/2016.

Petitioners of the instant petition applied for the advertised post of CT and PST. Petitioners No.1 to 3 applied for CT while petitioners No.4 to 6 applied for PST and have secured meritorious position, but vide impugned appointment orders dated 17.3.2016 & 25.3.2016; petitioners have not been selected despite their merit position on the ground of possessing degree from Al-Khair University, Swat Campus, hence the

attested



WP No. 683-M/2016.

Petitioner applied for the post of PST and secured 85.40 marks in the schools applied for, but vide impugned appointment order dated 13.4.2016, petitioner was refused appointment on the ground of degree obtained from Al-Khair University, Muzaffarabad, hence the instant writ petition.

COC No. 35 & 36-M/2017 in WP No. 379 & 280-M/2016.

Through this contempt petition, petitioner's wants initiation of contempt proceedings against respondents for flouting the judgment of this Court dated 6.2.2017.

WP No. 190-M/2017.

Petitioner of the instant writ petition applied for the post of PST through NTS and got 7<sup>th</sup> position in the merit list. On 24.2.2017 interview was conducted and petitioner was placed at 13<sup>th</sup> position by respondents and as such deprived from appointment as petitioner obtained his Master's degree from Al-Khair, University, Bhimber, hence the instant writ petition.

WP No. 216-M/2017.

Petitioners of the instant writ petition applied for the posts, so advertised by the respondents and after going through NTS, they were declared successful, but were differed

attested



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appointment for want of verification of their degrees, which have been obtained from Al-Khair University.

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WP No. 195-M/2017.

Petitioners of the instant writ petition applied for the advertised post of PST and after test through NTS, declared successful, but were excluded from on the pretext of having BS & ADE degrees from Al-Khair University, hence the instant writ petition.

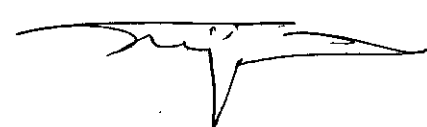
WP No. 2321-P/2017.

Petitioner of the instant petition, applied for the post of SST and declared by the NTS authorities, but respondents have refused appointments on the ground of having B.Ed from Al-Khair University, hence the instant writ petition.

WP No. 3914-P/2017.

Petitioners of this writ petition have obtained their respective degrees from Al-Khair University and on the basis of same, most of the petitioners are serving in different departments / education department. That petitioners have applied to respondents No.1 to 4 for attestation of their testimonials, but they blatantly refused on the pretext of obtaining degrees from Al-Khair University, hence the instant

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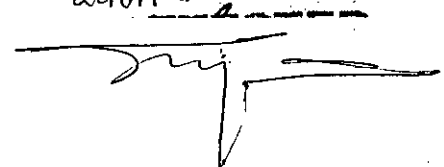
all schools including GPS Nimogram and after going through the NTS, secured meritorious position, however petitioner was shown to have applied for four schools for which he submitted application for correction, but of no avail and on issuing the impugned appointment notification, petitioner was deprived from appointment with the remarks that the Associate Degree in Education (ADE) of petitioner is attained from Al-Khair University, hence the instant writ petition.

WP No. 346, 406 & 494-M/2017,

Petitioners of the instant writ petition have applied for the advertised post of PST, CT and SST and after going through the test conducted by NTS, declared successful but their appointment orders have been withheld by the respondents on the plea of verification of their ADE, so obtained from Al-Khair University, hence the instant writ petition.

WP No. 1318, 1473, 2138, 2147, 2148, 2169 & 2215-P/2017,

Petitioners of the instant petitions applied for the advertised posts and after getting meritorious marks, their appointment orders were with held by respondents on the plea of verification of degree from Al-Khair, University, hence the writ petitions.

attested  


WP No. 4533 & 4690-P/2017.

Petitioner applied for the post of PST and declared successful by NTS, and secured 108.05 marks, but was deferred by respondent No.3 on the ground of B.A/M.A degree from Al-Khair University, hence the instant writ petition.

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WP No. 243 & 282-M of 2017.

Petitioner of the instant case applied for the advertised post of PST in Districts Shangla / Swat and after going through NTS, secured meritorious position, but respondents have excluded the marks of MA on the plea of Al-Khair University and thereby appointed private respondents, hence the instant writ petition.

WP No. 294 & 295-M/2017.

Petitioners of the instant petition applied for the advertised post of Arabic Teacher / Qaria and after conducting test by NTS authorities stood 1<sup>st</sup> & 3<sup>rd</sup> of the merit list of Arabic Teacher / Qaria, but were deferred appointment by respondents on the plea of BA degree from Al-Khair University, hence the instant writ petition.

WP No. 310-M/2017.

Petitioner of the instant case applied for the post of PST

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WP No. 69-M/2017, 456 & 698-M/2016.

Petitioners of the quoted writ petitions applied for the advertised posts of PST / DM / CT and after securing meritorious position, got appointed as such and thereafter they took over the charge of the posts and joined their duties, and since then till date petitioners have performed their duties, but on 27.8.2015 / 22.11.2016 / 26.7.2016, their appointment orders were withdrawn, hence the instant writ petitions.

2014

WP No. 239, 240, 368 & 372-M/2017.

Petitioners of the instant writ petitions in pursuance to the advertisement applied for their respective posts and after codal formalities declared successful and appointed as such and since their appointment till date they are performing the duties, but respondents have withheld their salaries and refused to extend their tenure of contract on the basis of verification of degrees, so obtained by them from Al-Khair University, vide impugned orders dated 15.5.2017 & 18.5.2017 in WP No. 372 & 368-M/2017, respective, hence the instant writ petitions.

WP No. 4640-P/2017, 617-M/2016 & 697-M/2017.

Grievance of the petitioners of the instant writ petitions are that, they have rendered spotless and unblemished services

attested



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respondents are denying the same on the pretext of having degrees from Al-Khair University, hence the instant writ petition.

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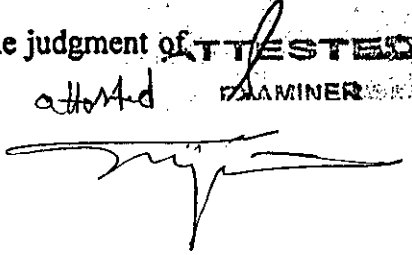
COC No. 577-P of 2017 in WP No. 2766-P/2017.

Through the contempt petition in hand, petitioners wants initiation of contempt proceedings against respondents for flouting the judgment of this Court whereby they were directed that if the certificates / degrees of the petitioners from Al-Khair University have not been obtained in between the period from 30.4.2009 to 16.10.2011, then the same shall be considered as valid for all intents and purposes by the respondents, hence the petition.

3. We have heard learned counsel for the parties and available record gone through.

4. The controversy involved in all the writ petitions is that the degrees, diplomas and certificates obtained from Al-Khair University, AJ&K, its campuses in Pakistan and the affiliated institutions, with the said university, are valid & recognized for the purpose of obtaining job / employment in any of the Government institution or not. In order to dilate upon

the issue it would be imperative to go through the judgment of **ATTESTED**  
attested EXAMINER



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Mehmood versus Mian Imran Masood and others" reported in PLD-2010 SC-1089, it has been held as under:-

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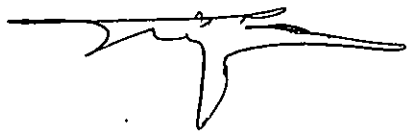
**(a) Representation of the People Act (LXXXV of 1976)—**

**—S. 99(cc)—Bachelor's degree—Recognition—Higher Education Commission, role of—Scope—Degree which is not recognized by Higher Education Commission is worthless like a piece of paper and such degree cannot be equated to that of a "Degree" because every degree is subject to recognition which provides sanctity to a degree—Degree which is not recognized by Higher Education Commission cannot be declared as a valid "degree"—Words "Bachelor's degree" as used in section 99(cc) Representation of the People Act, 1976, means a degree which is valid one and recognized by Higher Education Commission—Question of recognition does fall within the jurisdictional domain of Higher Education Commission—Validation of a degree depends upon its recognition—Higher Education Commission is not an alien entity in such like matters."**

5. In the above cited judgment the apex Court also dilated upon the role of Higher Education Commission, established under the Ordinance, 2002 in terms that "Powers and functions of Higher Education Commission—Scope—Higher Education Commission may determine equivalence and recognition of degrees, diplomas and certificates awarded not only by institutions within the country but, as well as the institutions functioning abroad," and as such the parameters, powers and functions of the Higher Education Commission, in this background are narrated below;

6. The Commission has been established under the Higher Education Commission Ordinance, 2002 (hereinafter

attested:





referred to as the "Ordinance of 2002"). The said legislative enactment was published in the official gazette on 11.09.2002. Section 2(h) defines "Institutions" as meaning any university or other degree awarding institution that offers higher education or is involved in research and development activities. "Degree Awarding Institution" is defined in section 2(e) as meaning an institution imparting higher education and awarding a degree of its own. Likewise, "University" is defined in section 2(m) as meaning a university established or incorporated under any law for the time being in force. The Commission has been established under section 4 and its composition is provided under section 6. Section 10 describes the functions and powers of the Commission. Thy powers vested in the Commission are expansive and, inter alia, include the formulation of policies, guiding principles and priorities for higher education institutions for the promotion of the socio-economic development of the country. It also includes the evaluation of the performance of institutions and prescribing the conditions under which institutions, including those that are not part of the State educational system, may be opened and operated. Clause (d) of subsection (1) of section 10 is relevant in the facts and

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attested



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explicitly empowers the Commission to determine the equivalence and recognition of degrees, diplomas and certificates awarded by institutions within the country and abroad. Likewise, clause (p) empowers the Commission, as a regulator, to develop guidelines and facilitate the implementation of a system of evaluation of the performance of faculty members and institutions. Clause (x) vests the jurisdiction in the Commission to collect information and statistics on higher education and institutions as it may deem fit and may cause it to be published. Lastly, clause (y) empowers the Commission to perform other such functions consistent with the provisions of this Ordinance as may be prescribed or as may be incidental or consequential to the discharging of the functions described in section 10. Accreditation of institutions offering higher education is also an important function entrusted to be performed by the Commission.

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7. The Ordinance of 2002, when read as a whole, unambiguously shows that the legislature has intended to establish the Commission as the exclusive regulatory authority relating to higher education and the educational institutions which offer programs relating thereto. The powers vested in the

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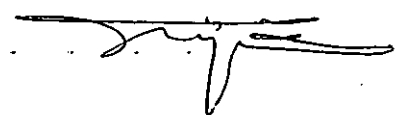
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COMMISSIONER  
PROVINCIAL HIGH COMMISSION

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Pakistan. It is important to note that the legislative enactments under which institutions are established are subject to the regulatory framework contemplated under the Ordinance of 2002. There is no force in the argument that since the statute or charter which has established an institution has explicitly empowered it to open campuses or grant affiliations, therefore, provisions of the Ordinance of 2002 will not be attracted. The charter or statute which creates a juridical person does not render the latter immune or exempt it from the regulatory regime which is contemplated under the Ordinance of 2002. The latter enactment has established a regulatory authority and has equipped it with expansive powers and jurisdiction to achieve the objects and purposes for promulgation thereof. The Commission is the sole and exclusive regulatory authority of higher education, the institutions established under any law and all matters related therewith. No institution can claim to have unfettered power on the basis of the statute or law which has created it to open campuses or grant affiliations. The statutes which establish juridical or statutory persons are subservient to

attested



abroad can lawfully open campuses or grant affiliations to other educational institutions without the express approval of the Commission. The latter is the sole regulatory body to evaluate the institutions and monitor their performance so as to ensure that quality education is offered to the public. The Commission, therefore, has been mandated to make certain that the educational institutions offering higher education meet the prescribed guidelines and criteria. The object and purpose is obviously to guarantee quality education.

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8. Record suggests that Al-Khair University is a chartered university and is established through an Act passed by the Assembly of State of Azad Jammu & Kashmir on 9<sup>th</sup> May 1994 vide Act XXVIII of 1994 and according to its section 1(2), it extends to the whole of Azad Jammu and Kashmir and according to Chapter -2 para-4 the university shall be opened to all persons of either sex of whatever religion, race, creed, colour of domicile, who are academically qualified for admission to the courses of study offered by the university and no such person shall be denied the privilege on the ground only of sex, religion, creed, race, class, colour or domicile. In attached



fledged university in all respect with the powers to admit and examine internal and external students and to confer or award degrees, diplomas, certificates and other academic distinctions on and to the persons, who have passed its examination under prescribed condition. Section-5 (IV) of the Act further says that to affiliate itself or associate with other institutions of the Azad Jammu and Kashmir, Pakistan or any other country and to establish campuses offices / campuses, faculties in Azad Jammu & Kashmir, Pakistan or abroad. In the comments so filed by Al-Khair University / respondent No.7, in the instant writ petition no document whatsoever has been enclosed showing that the campuses at Pakistan of Al-Khair University, AJ&K or its affiliated institutions is given recognition, affiliation by the concerned, as per law of the land nor anything is on record showing that the degrees, diplomas or certificates issued by the Al-Khair University AJ&K to the students at different institutions at Pakistan and specially Khyber Pakhtunkhwa have been verified, validated or recognized by the Competent Authority i.e Higher Education Commission or for that matter Authorities under the University authority under Act of 2016.

9. Record is further suggestive that initially Al-Khair

*attested*

**ATTESTED**  
**EXAMINER**



Commission vide its letter dated 16.3.2009 to stop all new admission in its academic program immediately and no degree issued by Al-Khair University would be recognized by the Commission of any student admitted into any program after 30<sup>th</sup> April, 2009 in campuses / affiliated institution in Pakistan but subsequently, Higher Education Commission in its letter dated 17.10.2011, allowed Al-Khair University to launch degree program in the departments of Management Sciences, Computer Sciences, Pakistan Studies, Islamic Studies, Education and Urdu. The subsequent letter dated 17.10.2011 reads as under:-

**SUBJECT: INSPECTION OF AL-KHAIR UNIVERSITY  
BHIMBER, AJ&K.**

Dear Sir,

With reference to your letter No. AU-1(7)GA/2010 dated 19<sup>th</sup> September, 2011 and on the recommendation of the Inspection Committee the competent authority has been pleased to allow the Al Khair University, Bhimber to launch degree programs in the Department of Management Sciences, Computer Sciences, Pakistan Studies, Islamic Studies, Education and Urdu subject to availability of required faculty with the following terms and conditions;

1. On campus operation at Bhimber is allowed.
2. No campuses in AJ&K and Pakistan shall be allowed.
3. No affiliation in AJ&K and Pakistan shall be permitted.
4. The university will be required to submit on judicial paper duly notarized and registered in Court of law they will operate only on campus at Bhimber.
5. University will not initiate any legal proceedings against the HEC

attached



10. The above quoted letter would clearly show that only operation at Bhimber campus was allowed and specifically no other campus in AJ&K and Pakistan was allowed to operate, impart education or issue the degrees / certificates. In addition to this even affiliation in AJ&K and Pakistan was not permitted. There is another letter dated 18.10.2012 issued by the Higher Education Commission, which reads as under:-

**Subject: VERIFICATION OF B.ED. DEGREES ISSUED BY AL-KHAIR UNIVERSITY.**

"With reference to your letter No. ST/SZ/35769/2012 dated 17.10.2012 on the subject cited above. It is to inform that the Al-Khair University, Bhimber, AJ&K is a chartered university in private sector. The Higher Education Commission does not recognize the degrees of the studies admitted during the period of 30.4.2009 to 16.10.2011. However, the degrees / transcripts issued by the Al-Khair University through its main campus from the date of its enactment in 1994 and onward (except of the above said period) are validated / recognized by the higher Education Commission."

11. Yet another letter dated 24.9.2014 was addressed to the Al-Khair University by the Higher Education Commission, whereby University was allowed to offer admissions only at its Bhimber campus. Respondent No.7 / Al-Khair university have enclosed No Objection Certificate dated 21.8.1997 issued by Government of Khyber Pakhtunkhwa Education Department which reads "The Government of Khyber

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*Territorial Jurisdiction of NWFP now Khyber Pakhtunkhwa.*

The said no objection certificate issued by the Education Department under no circumstances could be termed as affiliation or recognition of the AJ&K Al-Khair University in the Province of Khyber Pakhtunkhwa, as well. Alongwith the comments of respondent No.7, they have not enclosed other document showing that their campuses are affiliated institutions and recognized, validated by the Higher Education Commission.

12. We have before us CM No. 1442-M/2017 an application for submission of documents by HEC / respondent No.6, alongwith documents 63 in numbers, which are dated 16.10.2017 with the subject of verification status of DMCs by Higher Education Commission, these verifications are by name and clearly shows the words that "*HEC does not attest degrees / DMCs of those students who studied in un recognized / illegal colleges / campuses of Al-Khair University AJ&K*". We have before us the guidelines for the establishment of a new university or an institution of Higher Education and according to which following procedure is supposed to be adopted for the

*h.* particular number

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**Rule 2.2 reads Completion of legal formalities.**

**2.2.1.** *The first step in connection with the establishment of a new university or an institution of higher education is the fulfillment of legal formalities and registration by the sponsoring body under the relevant regulations of the Companies Ordinance Societies Registration Act / Trust Act as a Foundation / Society or a Trust constituted. This formality is not required in case the institution is desired to be established in the public sector.*

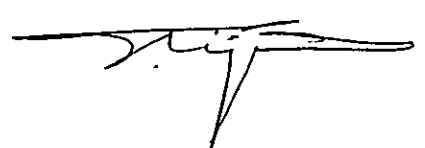
**2.3. Submission of feasibility report.**

**2.3.1.** *Following the completion of preliminary legal requirements, the authorized representative of the sponsors / shall submit a comprehensive feasibility report in accordance with the General Institutional Requirements Proforma (Form PU-01) along with a non-refundable bank draft / pay order of Rs. 20000/- In the name of the Higher education Commission as a fee for the evaluation of the feasibility report. An application shall be considered only when the fee is credited to the account of the HEC and the agency has fulfilled all the formalities. The application shall be made to the Chairman, HEC alongwith five copies of the Feasibility Report including the soft copy.*

**2.4. Scrutiny.**

**2.4.1.** *On the basis of the documents submitted by an institution, the HEC will determine whether or not there is a prima facie case for further consideration the application. The applicant institution will be informed accordingly. If the commission finds that there is a prima facie case for further consideration, the feasibility report shall be thoroughly scrutinized by a panel appointed by the HEC. The panel will assess the application and may ask for additional information or recommended the case for preliminary inspection of the institution.*

**2.5 Site inspection.**

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inspection of the institution for physical verification of the infrastructure and available facilities with evidence and for satisfying itself and that the institution has the ability and capacity to run the academic programs. An inspection fee of Rs. 30000/- shall be charge which will be payable in advance through a non refundable bank draft / pay order in the name of the HEC by the institution concerned. The visit will require meeting with administrators, teaching staff, students and support services staff. A visit to the library and other learning resources will also be conducted.

## **2.6 Recommendation for grant of charter.**

2.6.1. The Inspection Committee will report its findings to the HEC. In case of satisfactory report of inspection, the draft charter based on the model charter of the HEC as contained in this document will be vetted by the HEC. After consideration of the draft charter vis-à-vis provisions of FU, 2002, the HEC will recommended the case for grant of Charter to the Federal Government or the Provincial Government, as the case may be.

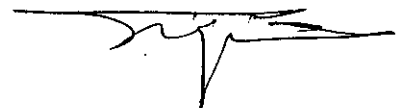
## **2.7 Grant of charter.**

2.7.1. Charter will be granted subject to the jurisdiction by the parliament / president of Pakistan or a provincial assembly / governor of a province, as the case may be.

## **3.1 Criteria and requirements for the establishment of a new university or an institution of higher Education.**

3.1. Institutions normally apply to the concerned Government where they are situated. In case the institution is located in the federal territory, the application shall be made to the HEC. In case an institution is based in a provincial territory, the application shall be addressed to the concerned Provincial Education Department. The Chancellors, Committee in its first meeting held on May 11, 2004 necessitated that each Provincial Government will follow the Cabinet Criteria for evaluation and grant of charter. In case of

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3.2.1. The organizational, legal, financial and other related formalities and requirements, including the submission of a feasibility reports are outlined in the general institutional requirements proforma and space norms as a Forms PU-01 and PU-02 and P1-02. These guidelines pertain to registration, availability of infrastructure and adequate financial resources, proposed program of study, development of academic program, teaching staff, admission criteria, fee structure, quality assurance mechanism, student supervision, assessment and examination etc. The main points of the criteria and requirements are highlighted for information of the entrepreneurs.

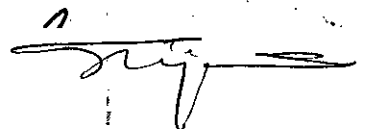
**4.2. Legal and procedural.**

- i). That the sponsoring body should be a Society / Trust or a Foundation registered / constituted under the relevant regulations of Companies ordinance / Trust Act / Societies Regulations Act. This shall not be required in case the institution is in the public sector;
- ii). A copy of the registration deed alongwith a Memorandum of association will be supplied to examine the objectives and criteria of the members. A brief profile of each member of management should also be provided.
- iii). That the sponsoring body / institution shall apply to the HEC and submit 5 copies of the feasibility report / corporate plan including the soft copy keeping in view the General Institutional Requirements Proforma as per Form PU-01.

**4.3 Institutional and academic.**

- i.
- ii.
- iii.
- iv.
- v.
- vi.
- vii.
- viii.
- ix.

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xvi. That permission granted shall be restricted to a specified place and a particular course / degree. No sub campus, branch or outpost shall be established or franchised without the prior approval, of the HEC.


4.6 Monitoring.

- i.
- ii.
- iii.
- iv.
- v.

vi. The HEC would be the competent authority to grant accreditation, validate course and syllable of the university / institution, which shall be subject to quality standards set by the HEC. The accreditation will be withdrawn if found that the institution is unable to satisfactorily demarcate its ability and commitment to achieve and maintain national academic standards.

vii. The university / institute shall be liable to provide to the representatives of the HEC, the Pakistan Engineering Council, Pakistan Medical and Dental Council or such similar relevant organization for visitation to enable them to verify that the university institute is maintain appropriate academic standards.

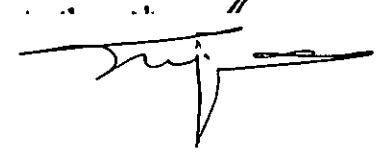
13. After evaluating the above parameters and requirements according of the law of the land, the main campus of the University of Al-Khair, which is at Bhimber AJ&K is the only campus verified and recognize, the degrees / diplomas / certificates for the purpose of getting jobs in Pakistan. The HEC of Pakistan is the regulator of said university. According to the comments of the respondent No.6, the HEC, when it came to the notice of the HEC that Al-Khair University have extended

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to other institutions besides opening franchised campuses, record suggests that all these have been done without obtaining approval / NOCs from the HEC and as such these institutions have no legal authority to impart education. According to the comments so filed by respondent No.6, all these institutions and affiliated campuses are with poor quality of teaching, weak assessment and evaluation system, non declaration of results and award of low quality of education, which has become a regular feature and never been addressed by the sponsors of the university despite warned in the past.

14. The higher Education Commission being regulator of Higher Education sector in Pakistan in both public and private sectors under sub-section (f) of section 10 of the Ordinance, 2002 have the authority to recommend chartered to award degrees. The Al-Khair university failed to remove the deficiencies after which Higher Education Commission vide its letter dated 20.5.2016 once again stop further intake of students, even at Bhimber campus, in its Ms / M.Phil / PhD Program from fall 2016. We have before us number of notices / press clipping attached with the comments of respondent No.6,

wherein the HEC time and again

*attached*  


University situated at Bhimber with effect from fall 2016, onwards. Learned counsel for respondent No.6 produced letter dated 26.2.2018, issued by Higher Education Commission, which reads as under:-

**Subject: VERIFICATION OF DETAILED MARKS  
CERTIFICATE OF ILLEGAL COLLEGES OF AL-KHAIR IN THE KPK.**

"It is informed that Al-Khair University, AJ&K, in total violation of its own law has extended its operations for and wide in Pakistan and AJ&K by opening franchised campuses and illegal affiliated institutions. Complaints about Al-Khair University regarding poor quality of teaching, weak assessment and evaluation system, non declaration of results and award of low quality degrees etc. became a regular feature and never been redressed by sponsors of the University despite repeated reminders. The reports have also been received regarding sale of degrees. In this backdrop, the Higher Education Commission has banned the academic operations of the Al-Khair University with effect from Fall-2016 and suspended its degree attestation. It is worth mentioning here that all the writ petitions filed in this regard by Al-Khair University have been dismissed by the Honourable Islamabad High Court.

2. Further, as per Federal Cabinet Criteria Guidelines, 2002, the private sector institutions / universities are not empowered to affiliate institutions, whereas the university has violated its own charter provisions as well as criteria of this Commission. Moreover, following illegal colleges of Al-Khair University (AJK) were established at Khyber Pakhtunkhwa (Khyber Pakhtunkhwa) which were not permitted by HEC and are illegally operated:-

- i. Daggar Education College, Buner.
- ii. Absan Postgraduate College, Kohat.
- iii. Hitech Degree College Peshawar.
- iv. College of Global Technologies, Swat.
- v. Jinnah Institute of IT & Management Sciences, DI Khan.
- vi. IER, Peshawar.
- vii. Institute of Education and Research, Swabi.
- viii. Institute of Education and Research, Kohat.
- ix. College of Business Administration Abbottabad.
- x. Iqra Institute of Management, Education, Computer Science, DI Khan.
- xi. Institute of Education and Research, Karak.
- xii. Institute of Education and Research, Peshawar.
- xiii. College of Management & Engineering, Peshawar.

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[Signature]

Hence, based on such gross irregularities and on the recent judgment passed by the Honorable Islamabad High Court in the writ petition No. 2523 of 2016, any affiliation granted by Al-Khair University (AJK) to an educational institution or opening of its campuses without permission of this Commission would remain illegal unless approved by the HEC. The students enrolled in such college / programs cannot claim a right that their degrees be verified and an ICA is also pending in Islamabad High Court, Islamabad against IHC judgment dated 22.6.2017. This issues with the approval of the Competent Authority.

15. The Colleges / Institutions quoted above have been declared illegal, as they operated without the permission of Higher Education Commission whereas record suggests that most of the degrees / diplomas and certificates so obtained by the petitioners are under registration No. AUSWT i.e. College of Global Technologies, Swat, AUDIK i.e. Iqra Institute DI Khan, AUBN i.e. Daggar Education College Buner, AUP (E) Institute of Education & Research Peshawar, AUDI i.e Jinnah Institute of Information Technology & Management Sciences, DI Khan, AUPHT i.e. Peshawar (Hitch Degree College Peshawar), AUAPG (K) Ahsan Post Graduate College Kohat, which have been declared illegal by the Commission and as such unless and until the Higher Education Commission, does not recognize / verify, the same would remain illegal. The HEC is the sole regularity body to evaluate the higher educational institution and to monitor their performance so as to ensure the

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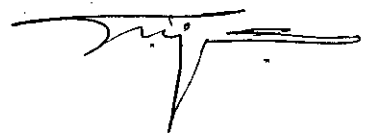


by the law to make certain things as indicated in above paragraphs.

16. In addition to this we have before us the comments of Higher Education Regularity Authority HERA, and the submission of learned AAG in this behalf, which says that HERA issued public notices which were circulated in all daily newspapers regarding the mandatory registration of the private educational institutions in Khyber Pakhtunkhwa, despite of that Al-Khair University Campus and its affiliated colleges failed to get registration. According to the Khyber Pakhtunkhwa, Higher Education Regularity Authority Ordinance 2001, section-2(m) & 6 (1) "*Registration with authority is mandatory under the law*" till date any of the campus or affiliated institution in Khyber Pakhtunkhwa has not even requested for registration with HERA.

17. Before parting with the judgment it is also observed that the lawful competent authorities have not performed their duties in accordance with the law and due to their negligence the respondent No.7 has committed the offence of cheating the public at large as defined under section-9(ix) of

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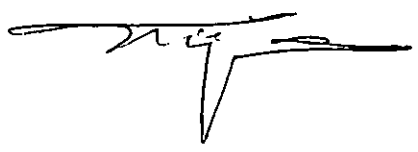


respondent No.7 and their affiliated institutions are entitled to claim their expenses as well as damages, in this respect, as well.

18. In view of the above it is held that the degrees, diplomas and certificates obtained from the Al-Khair University AJ&K Campuses and affiliated institutions at Khyber Pakhtunkhwa are illegal, unverified and unrecognized and as such the same are not valid for the purpose of seeking employment in any of the Government Department / Institution,

~~however, all those who have been appointed and are still in service on the basis of said degrees etc are given two years time to get the equivalent qualification from any recognized institution. The degrees / diploma / certificates obtained from~~

institutions like under registration No. AUMD i.e. College of Professional Studies Muzzafarabad AJ&K, AUR i.e. College of Global Technologies Rawalpindi, AUMZ i.e. Al-Khair University Muzzafarabad AJ&K, College of Computer & Management Sciences Muzzafarabad, AUPR i.e. College of Education Palandri AJ&K, AUKOT i.e. College of Professional Studies Kotli, AJ&K, AUMC Al-Khair University Main Campus & AUR (TT) (CS) (IT) i.e. Rawalpindi (College of Global Technologies Rawalpindi) are referred to Higher

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one month. If the above said institutions /campuses are also not recognized one, their degrees / diplomas are also held not entitled for the purpose of getting jobs in Pakistan, thus the instant writ petition as well as connected writ petitions bearing No. 355, 471 & 472-M of 2016 are disposed of, while rest of the writ petitions including contempt petitions are dismissed, with no order as to cost.

Announced.  
20<sup>th</sup> March, 2018.

*[Signature]*

JUDGE

*[Signature]*  
JUDGE

Tariq Jan. DB, Mr. Justice Waqar Ahmad Seth & Justice Ms. Musarat Hissail.

CERTIFIED TO BE TRUE COPY  
Peshawar Bench  
Authorized Under Article 6.7 of  
The Qanun-e-Litigation Ordinance 1984  
27 MAR 2018

ND ..... 15887  
Date of Presentation of Application ..... 27/3/18  
No of Pages ..... 27 P  
Copying Fee .....  
Urgent Fee .....  
*attached*

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**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
DIR LOWER**

**MINUTES OF THE MEETING HELD ON 03.03.2016 AT THE OFFICE OF THE DISTRICT  
EDUCATION OFFICER DIR LOWER AT TIMERGARA.**

1. A meeting of the Departmental Selection Committee was held on 03.03.2016 under the Chairmanship of the District Education Officer Male Dir Lower in his office at 09:00 AM in connection with recruitment against various advertised vacant CT, AT, TT, DM, PET and Qari posts in Education Department District Dir Lower. The following attended the meeting:
  1. Prof. Muhammad Uzair Ali District Education Officer Male Dir Lower.
  2. Representative of the Directorate.
  3. Mr. Ali Hajder ADO Secondary Establishment Local Office Dir Lower.
  4. Mr. Muhammad Islam ADO Primary Local Office Dir Lower.
  5. Mr. Wajihuddin ADO Physical Local Office Dir Lower.
  6. Mr. Nowshad Khan Suptt: Establishment Local Office Dir Lower.
  7. Mr. Muhammad Safir D/A CT and DM Local office.
  8. Mr. Mukhtiar Ahmad D/A AT, TT and Qari Local Office.
  9. Mr. Safiuddin D/A PET Local Office.
2. The meeting started with the recitation from the Holy Qura'an. The chair welcomed the participants and thanked them for their timely attendance. The Committee was informed that these posts were advertised "Through NTS" and that 28.08.2015 was fixed as the last date for submission of application forms.
3. The original Academic and Professional documents of the candidates were thoroughly checked with the NTS merit lists by various scrutiny committees constituted for this purpose and thus the merit lists for various teaching posts were set after appropriately editing the result as per the academic and professional testimonials of the candidates.
4. Merit lists so prepared were duly reported in the newspapers and social media and displayed in the Office with the instructions for the candidates to submit their objections/appeals, if any. Some appeals of minor nature were received and disposed off well in time.
5. The Committee was informed that interviews for the mentioned post were conducted as per schedule duly notified through newspapers on the 19<sup>th</sup> and 20<sup>th</sup> February 2016.
6. The Departmental Selection Committee expressed satisfaction over the work of the scrutiny committees, checked each and every file of the short listed candidates as per merit order and noted the following points.
  - a. That all the posts were to be filled on Ad hoc school based criteria as per the advertisement.
  - b. That all the candidates were duly informed through Press Media to submit original and photocopy of their documents for checking.
  - c. That as the advertised posts at the secondary level for various categories were less than 50 each, therefore, the Committee was unable to implement 2% disable quota. However, as per 3% minority quota one minority CT post could have been reserved for minority had there been any NTS minority applicant available.
  - d. That the Deeni Asnad required for AT, TT and Qari posts were examined as per the prevailing policy and rules issued by the Government.
  - e. That some refusals/options either through written or telephonic messages were received which were accepted by the DSC.
  - f. The Committee also approved that further postings may be made as per policy, merit order, eligibility and availability of any of the advertised vacant posts in case a recommended/appointed candidate/s did not take charge of his/their post/s.
  - g. The DSC also recommended that the list of the recommended candidates may once more be displayed for a day or two and issues be resolved if still any before issuing appointment orders.
  - h. The Committee also recommended age relaxation, if any, for those on merit.
  - i. As per Merit Lists for various posts the following recommendations were unanimously agreed upon by the Committee for appointment on forty (40) CT, Twelve (12) AT, seven (7) TT, ten (10) Qaris, four (4) PETs and ten (10) DMs.

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CS CamScanner

**A. Certified Teachers (CT) BPS.15**

S.#	Name of candidate	Father's Name	D/O Birth	Score	Remarks
1.	MAJID ULLAH	FAZAL MANAN	12/04/1987	139.97	Recommended at GHSS Zaimdara
	AMJAD ALI KHAN			136.09	Already PST. Not interested. Hence not considered.
2.	TASHEEN ULLAH	RIAZUL HAQ	17/05/1993	134.67	Recommended at Hayaserai
	MUHAMMAD AASIM			134.45	Already on SST. Not interested. Hence not considered.
3.	AHMAD ZAIB	SULTAN ZEB	20/04/1986	134.09	Recommended at GMS Tangi Khadazal
	HAMID ULLAH			134.03	Already on SST. Not interested. Hence not considered.
4.	SANA ULLAH	ABDUL QAYUM KHAN	01/01/1991	133.15	Recommended at GHSS Manyal
5.	SHER HAYAT KHAN	ABDUL HAMID KHAN	10/11/1985	132.31	Recommended at GHS Maskinl
6.	IFTIKHAR ULLAH	RIAZUL HAQ	05/09/1988	131.19	Recommended at GHSS Manyal
	AMIN UR RAHMAN			130.66	Already on IT post at GHSS Rabat. Hence not considered.
7.	IQBAL KHAN	MUHAMMAD ZAMAN KHAN	11/01/1979	130.32	Recommended at GCMHS Timergara
	AMJAD ALI KHAN			121.39	LLB Pending for MA equivalency (15 days for provision). Hence deferred.
8.	ABDUL GHAFOOR	HAMESH GUL	31/05/1991	129.06	Recommended at GHSS Luqman Banda
9.	ABDULLAH	FATEH MUN KHAN	07/02/1990	128.84	Recommended at GHSS Ouch
10.	RAB NAWAZ	GHULAM HUSSAIN	28/07/1991	128.38	Recommended at GMS Khadang
11.	NAEEM ULLAH	BUNIR KHAN	20/08/1991	128.33	Recommended at GMS Kando Machla
12.	SADEEQ ULLAH	MUHAMMAD AMIN SHAH	12/2/1992	128.13	Recommended at GHS Malakand
13.	ABASIN BARYAL	SAID BAHADAR	21/05/1989	128.12	Recommended at GHSS Sia Warighar
14.	IMAD UD DIN	ABDUR RAHIM	08/03/1982	127.94	Recommended at GHSS Manyal
15.	IBRAHIM SHAH	MUHAMMAD AZIZ KHAN	01/01/1988	127.93	Recommended at GHSS Khall
16.	MUHAMMAD HUMAYUN	SIRAJUL HAQ	01/05/1991	127.84	Recommended at GHS Dalgram
17.	MURAD ALI	NOOR MUHAMMAD	02/03/1990	127.29	Recommended at GHS Shalkandi
18.	FAZAL HAKEEM	ABDUS SALAM	10/03/1987	127.21	Recommended at GMS Godar
	JAVID IQBAL	JEHAN SHER KHAN		127.13	IMU DCMA. Not interested Hence not considered.
19.	JEHAN SHER KHAN	ABDUL HAQ	13/04/1991	127.11	Recommended at GHS Shorshing
	HAFEEZ UR RAHMAN			126.89	Not Eligible
20.	SAMMAM PASHA	SHAD MUHAMMAD KHAN	10/05/1986	126.55	Recommended at GHS Mian Kalay
21.	SHAFIQ AHMAD	FARIDOOON KHAN	02/05/1986	126.12	Recommended at GHS Chinarkot
22.	MUHAMMAD BASHIR	MUHAMMAD KHAN	09/12/1986	125.32	Recommended at GHS Gumbat Banda
23.	FAZAL HAKIM	FAZAL RAHMAN	20/01/1986	125.29	Recommended at GMS Kakas
24.	MOHAMMAD SHUAIB	KHAN MUHAMMAD	20/04/1992	124.94	Recommended at GMS Bin Shahi
25.	WASIM UL BARI	OBAIDUL BARI	01/03/1985	124.88	Recommended at GMS Nawagal Asbahr.
	KHAUD HUSSAIN			124.73	Already CT at GHS Mirgam Bala. Hence not considered.
	IJAZ AHMAD			124.7	Already on PST at GHS Kotigram Colony. Hence not considered.
26.	KIFAYAT ULLAH	MUSAFAR KHAN	25/02/1987	124.56	Recommended at GHS Chinarkot
27.	BAKHT ZUD DIN	MAJID KHAN	10/06/1989	124.49	Recommended at GMS Bin Shahi
28.	MUJAHID FAROOQ SADIQI	MUHAMMAD NAEEM	27/02/1990	124.33	Recommended GHS Laram

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29.	MIAN RAHMAN	MIAN GUL	02/06/1983	124.06	Recommended at GHS Sia Warghar
30.	FIDA ULLAH	ZAKIRULLAH	13/02/1987	124.02	Recommended at GHS Adam Dheri
	GOHAR AYUB KHAN			123.87	Not Eligible
31.	MUHAMMAD HAYAT	SADAR HAYAT	01/01/1988	123.81	Recommended at GHS Chnarkot
32.	TARIQ KAMAL	ZARAB KHAN	05/04/1989	123.75	Recommended at GMS Khwas
	ASAD ZAMAN KHAN			123.69	Telephonically Not Interested and absent in Interview, Hence not considered.
33.	IMRAN KHAN	SALEH MUHAAMAD	20/03/1992	123.65	Recommended at GMS Undesa
34.	ASIF KHAN	SARDARAZ KHAN	13/01/1991	123.3	Recommended at GHSS Mayar Jandol
35.	MUHAMMAD SAJID	MUHAMMAD NAGIN	01/12/1990	123.21	Recommended at GHS Shorshing
36.	AHMAD SHAH	SARFARAZ KHAN	06/01/1987	123.2	Recommended at GHS Bandai Maldan
	FAZL ULLAH			123.02	Non_availability of Post
	SAEED UL HAQ			122.43	Non_availability of Post
	JALAL UDDIN			122.39	Non_availability of Post
	SADAQAT SHAH			122.35	Non_availability of Post
37.	MUHAMMAD AKBAR	BANARAS KHAN	01/02/1985	122.3	Recommended at GMS Razagram
	TAWSEEF KHAN			121.99	Non_availability of Post
	RIZWAN ULLAH			121.93	Non_availability of Post
	MUHAMMAD AFZAL			121.83	Non_availability of Post
	HAFIZ ULLAH			121.8	Non_availability of Post
	MUHAMMAD HUSSAIN			121.76	Non_availability of Post
38.	ZARIF KHAN	MUHAJAREEN KHAN	15/01/1978	121.59	Recommended at GHSS Luqman Banda
	KAMRAN AHMAD			121.49	Non_availability of Post
	IFTIKHAR UD DIN			121.24	Non_availability of Post
	IMRAN KHAN			121.2	Non_availability of Post
	ASIF ALI			120.83	Non_availability of Post
	MUHAMMAD MUHTASHAM			120.82	Non_availability of Post
	AURANG ZEB KHAN			120.63	Non_availability of Post
39.	HAI MUHAMMAD KHAN	FAQIR KHAN	02/02/1983	120.56	Recommended at GHS Lalbook

**B. Drawing Masters (DM) BPS.15**

S. #	Name of candidate	Father's Name	D/O Birth	Score	Remarks
	MUHAMMAD IMRAN			121.75	Deferred. DM certificate/diploma to be first verified.
	ABDUL BASIT			113.51	Deferred. DM certificate/diploma to be first verified.
	HAI MUHAMMAD KHAN			107.83	Deferred DM certificate/diploma to be first verified.
	LATIF UR RAHMAN			107.48	Deferred DM certificate/diploma to be first verified.
	IQBAL KHAN			107.23	Already TT at Kamal khel Tall. Hence not considered.
1	BAKHT NAZIR KHAN	MUHAMMAD ZAMIN	02/02/1981	105.73	Recommended at GMS Undesa
2	MUBARAK DIN	MUHAMMAD SHARIFULLAH	10/08/1986	102.31	Recommended at GHS Shalknai

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*[Signature]*

	SUBHAN ULLAH			102.13	Deferred. DM certificate/diploma to be first verified.
3	ALAM AZIZ	HAYAT KHAN	12/03/1980	101.68	Recommended at GMS Bin Shahi
4	MOHAMMAD ISHAQ	HAZRAT MULA	03/02/1981	100.12	Recommended at GMS Khwas
5	MUHAMMAD AYAZ	GHULAM RASOOL	09/02/1987	99.58	Recommended at GMS Tangi Sadbarkaly

**C. Physical Education Teachers (PET) BPS.15**

S. #	Name of candidate	Father's Name	D/O Birth	Score	Remarks
1	ASIF IQBAL	Inayatul Haq	04/03/1987	125.23	Recommended at GMS Sherkhani
2	IRSHAD AHMAD	Rashid Ahmad	16/04/1984	121.82	Recommended at GMS Bin Shahi
	NAZAR GUL			115.5	JOP after due date & absent. Hence not considered.
	AZIZ ULLAH JAN			115.5	Already CT at GMS Nawagai. Hence not considered.
3	AKBAR HUSSAIN	Said Mula Khan	10/04/1991	107.11	Recommended at GMS Dara Sher Khani
4	SHAFI ULLAH	Saeed Gul	05/02/1984	107.0	Recommended at GMS Takatak

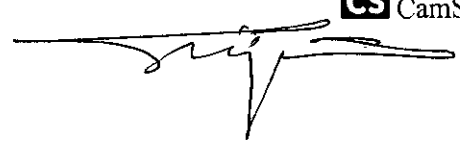
**D. Arabic Teachers (AT) BPS.15**

S. #	Name of candidate	Father's Name	D/O Birth	Score	Remarks
	FARHAD ALI				Opted Qari. Not interested. Hence not considered.
1	INAMUL HAQ	NIAMATULLAH	27/02/1991	121.6	Recommended at GMS Undesa
2	AKBAR ALI	ABDUL KABIR KHAN	10/01/1983	120.68	Recommended at GHS Utala
	MUHAMMAD IMRAN KHAN	KHAN BADSHAH	01/04/1984		Deferred Result declaration awaited for confirmation. (15 days for provision)
3	MUHEBULLAH	MOLVI MAHMOOD MUFTI	01/02/1989	118.24	Recommended at GMS Khadang
4	MUHAMMAD RAFIQ	HAZRAT YOUSAF	15/03/1984	117.94	Recommended at GMS Mulyano Banda
5	FAZAL ELLAHI	NAWSHER KHAN	20/03/1984	117.32	Recommended at GHS Darmal Bala
6	YOUSAF KHAN	ARIFULLAH KHAN	15/04/1988	116.73	Recommended at GMS Shati
7	MATI UR RAHMAN	MUKARRAM SAID	18/01/1988	115.73	Recommended at GMS Bin Shahi
8	SAJID MAHMOOD	HAZRAT MAHMOOD	22/06/1988	115.05	Recommended at GHS Dapoor
9	HASSAN KHAN	HAZRAT SAID	16/08/1981	114.66	Recommended at GHS Malakand
10	TARIQ MAHMOOD	TAJ MUHAMMAD	06/10/1981	114.62	Recommended at GMS Gudar
	MUHAMMAD IIAZ				Non availability of post
	UBAID ULLAH ABID	MOLVI MUHAMMAD ILYAS	01/01/1984		Deferred. MS result declaration date to be verified (15 days for provision).

**E. Theology Teachers (TT) BPS.15**

S. #	Name of candidate	Father's Name	D/O Birth	Score	Remarks
1	MUKARAM KHAN	MUZAFFAR KHAN	24/04/1988	147.89	Recommended at GHS Sangolai
2	ABDUR RAHMAN	ABDUL HAKIM	02/09/1986	140.24	Recommended at GHSS Lal Qila
	MASUOOD AHMAD			135.79	Already TT at Garband. Not interested. Hence not considered.
	FARHAD ALI			135.64	Opted Qari. Not interested. Hence not considered.
	SAMIUR RAHMAN			135.62	Already TT at GHS Toormang. Not interested. Hence not considered.
	MUHAMMAD IMRAN KHAN			134.89	Opted AT. (Waiting for result confirmation AT). Hence not considered.

attested



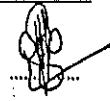

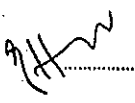
3	IBAD UR REHMAN	HABIBUR RAHMAN	01/04/1990	134.7	Recommended at GHS Takwara Skhekhan
4	SHAKIL UR RAHMAN	KHALILUR RAHMAN	15/03/1986	134.15	Recommended at GHSS Tawda China
	IKRAM UL HAQ			133.48	Already TT at GHS Shekawal, Hence not considered.
5	ZAKI ULLAH	SHAH RAWAN	22/11/1989	133.37	Recommended at GHS Takwara
6	MUHAMMAD IKRAM	MUHAMMAD YOUSAF	01/08/1976	133.11	Recommended at GHS Badin
7	NAEEM UR REHMAN	HABIB AJAMI	05/02/1986	133.06	Recommended at GMS Khadang

**F.Qari Teachers BPS.12**

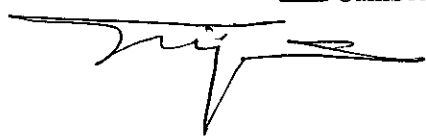
S. #	Name of candidate	Father's Name	DOB	Score	Remarks
	MUMTAZ ULLAH			160.44	Not Eligible
1	RAHAT KHAN	BAKHT ZAMAN	01/03/1990	150.61	Recommended at GCMHS Timergara
2	FARHAD ALI	ABDUL HAQ	02/04/1988	150.18	Recommended at GHS Badwan
3	MUHAMMAD ISRAR KHAN	AMIR MUHAMMAD KHAN	03/06/1988	148.98	Recommended at GCMHS Timergara
	MOHAMMAD RIAZ KHAN			148.84	Not Interested. Sec: In Local Govt. Hence not considered.
4	TAHIR KHAN	SAKHI GUL	28/02/1989	148.77	Recommended at GHSS Tawda China
5	SAJJAD AHMAD	MUHAMMAD RASOOL KHAN	12/01/1991	148.07	Recommended GHS Shalknal
6	SHAKIR ULLAH	SAKHI JAN	29/02/1987	147.81	Recommended at GHS Gumbat Banda
7	MAJID MAHMOOD	FAZAL MAHMOOD	27/03/1988	147.68	Recommended GHSS Mayar
8	AZIZ ULLAH	MUHAMMAD JAN	16/02/1987	147.41	Recommended at GHS Hajl Abad
	FARMAN ULLAH			147.01	Not Eligible
	LIAQUAT ALI			146.59	Already Qari. Hence not considered.
9	ABDUL WAHID	HAMESH GUL	08/02/1986	145.9	Recommended at GHS Safarai
	NOOR ZAMIN KHAN			145.83	Not Eligible
	MATI UR RAHMAN			145.55	Opted AT. Hence not considered.
10	ALI AKBAR	MUHAMMAD FAROOQ	03/03/1990	145.32	Recommended at GHS Darmal Bala

The meeting ended with vote of thanks from and to the chair.  
The following are the District Selection Committee's Members.

District selection Committee.

S.#	Name of officer Designation	SIGNATURE
1.	Prof. Muhammad Uzair Ali District Education Officer (M) Swat	Chairman 
2.	Representative of the Directorate. E&SE Peshawar.	Member 
3.	Mr. Ali Haider ADO Secondary Establishment Local Office.	Member 

attested





4. Mr. Muhammad Islam  
DO Primary Local Office.

Member




5. Mr. Wajihuddin/ADO Physical  
Local office

Member



6. Mr. Nowshad Khan  
Suptt: Secy. Establishment-local office

Member



7. Mr. Muhammad Safir.  
D/A Local Office.

Member



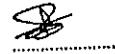
8. Mr. Mukhtiar Ahmad  
D/A Local Office.

Member

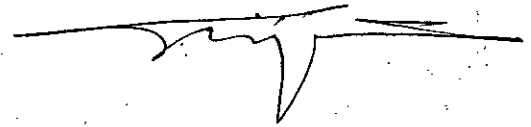


9. Mr. Safiuddin  
D/A Local Office.

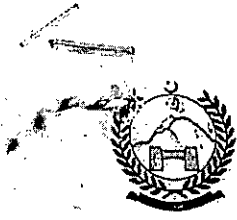
Member



attested



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**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
DIR LOWER**

**MINUTES OF THE DSC MEETING HELD ON 03.05.2016 AT THE OFFICE OF THE DISTRICT  
EDUCATION OFFICER DIR LOWERTIMERGARA FOR SUBSTITUTE APPOINTMENT.**

- a. In continuation of the previous DSC dated: 03/03/2016 a follow up meeting of the Departmental Selection Committee was held on 03.05.2016 under the Chairmanship of the District Education Officer Male Dir Lower in his office at 09:00AM in connection with substitute recruitment against left over CT, AT, TT, DM and Qari posts either deferred in the first DSC or left vacant by candidates recommended through the first DSC dated: 03/03/2016. It is to be noted that all these posts had been advertised "Through NTS" and that 28.08.2015 had been fixed as the last date for submission of application forms.
- b. The following attended the meeting:
1. Prof. Muhammad Uzair Ali District Education Officer Male Dir Lower.
  2. Representative of the Directorate.
  3. Mr. Muhammad Riaz DDEO Local Office Dir Lower.
  4. Mr. Ali Haider ADO Secondary Local Office Dir Lower.
  5. Mr. Nowshad Khan Suptt: Establishment Local Office Dir Lower.
  6. Mr. Muhammad Safir D/A CT and DM Local office.
  7. Mr. Mukhtiar Ahmad D/A AT, TT and Qari Local Office.
- c. The meeting started with the recitation from the Holy Qura'an. The chair welcomed the participants and thanked them for their timely attendance. After that the agenda of the meeting was placed before the Committee for selection of suitable candidates as per the merit order, and rules and policy formulated for such recruitment.
- d. In adjunct to the recommendations of the first/previous DSC the Committee further added that the inter se seniority of all these ad hoc appointees recruited as per the same advertisement shall be determined as per the merit order irrespective of the date of taking over charge, if ever regularized.
- e. The original Academic and Professional documents of the candidates at the top of the waiting lists were once again checked with the NTS merit lists as per the policy in vogue for the following items.

**Item No.1 CTs BPS-15**

The Committee noted that three candidates namely Sanaullah, Abdul Ghafoor and Imad-ud-Din in the previous CT appointment order No.3936-4011/CT/Appointment/Ad hoc/NTS dated: 05/03/2016 at serial Nos.4, 8 and 14 respectively did not take charge of the posts (hence, created post availability for Fazlullah scoring 123.02, Saeed ul Haq scoring 122.43 and Jalal Uddin scoring 122.39 in succession) while Amjad Ali Khan had been deferred previously for want of producing individual equivalency from HEC. Though Amjad Ali Khan obtained equivalency from HEC for his LLB but due to his ADE from Al Khair his case was once again deferred as the Committee suggested pre-recommendation verification from HEC of his Al Khair ADE. For the rest of the three (3) left over posts three top of the waiting lists were recommended by the Committee for the adjustment of whom the Committee recommended re-adjustment of Mr. Majid Ali at serial No.1, Mr. Sher Hayat at Serial No.5, Ifikhar Ullah at serial No.6, Abbas Baryal at serial No. 13 and Fazal Hakim at serial No.23 on one of their another opted stations respectively appointed through the aforementioned order.

**Item No.2 DMs BPS-15**

The Committee could recommend only one candidate Mr. Waqas Ahmad Khan scoring 99.15 and top of the waiting list against one of the seven left over DM posts. Status quo for the already deferred cases/candidates was kept maintained as the previous observation was still intact besides also being sub-judice. The noted Alam Aziz and Muhammad Ishaq at serial Nos. 3 & 4 in previous DM appointment order vide Endrst: No.4012-4028/DM/Appointment/Ad hoc/NTS dated: 05/03/2015 did not take charge of the posts they were offered.

**Item No.3 ATs BPS-15**

As Hassan Khan serial No.9 and Tariq Mahmood serial No.10 did not accept posts offered to them vide order No.4039-4065/AT/Appointment/Ad hoc/NTS dated: 05/03/2016 therefore three other covering candidates on top of the merit order in waiting list were recommended by the Committee, however, in this regard the Committee had to re-adjusted Fazal Ilahi serial No.5 and Sajid Mahmood serial No.8 in the aforementioned appointment order on another of their respective opted stations to create post availability for the covering candidates. The deferred cases in respect of Muhammad Imran Khan and Ubaid Ullah Abd were withdrawn as per verification of their documents by a probe committee specifically constituted for this purpose.

**Item No.4 TTs BPS-15**

In the category of TT only one post had been left over due to non-acceptance of post by Ibad ur Rehman offered to him vide order No.4066-4085/TT/Appointment/Ad hoc/NTS dated: 05/03/2016 at serial No.03. Candidate on top of the waiting list was therefore recommended on it by the Committee.

*attested*

## Item No. 5 Qaris BPS-12

Sajjad Ahmad serial No.5 and Abdul Wahid serial No.9 did not accept the appointment offer extended to them vide order No.4086-4111/Qari/Appointment/Ad hoc/NTS dated 05/03/2016 so covering candidates on top of the waiting list were recommended which necessitated re-adjustment of Tahir Khan serial No.4 and Azizullah serial No.8 in the aforementioned appointment order on another of their respective opted stations to create post availability for the covering candidates.

f. Following are the unanimously agreed upon recommendations of the Committee for substitute recruitment and necessary re-adjustment in various categories.

## A. Certified Teachers (CT) BPS.15

S.No	Name	Father's Name	D.O.B	Score	Remarks-I	Remarks-II
1	MAJID ULLAH	Fazal Manan	12.04.1987	139.97	Appointed at GHSS Zaimdara	Re-adjusted at GHS Luqman Banda
2	SANA ULLAH	ABDUL Qayum Khan	01.01.1991	133.15	Appointed at GHSS Maniyal	Did not take over charge
3	SHER HAYAT KHAN	Abdul Hamid Khan	10.11.1985	132.31	Appointed at GHSS Maskini	Re-adjusted at GHSS Maniyal
4	IFTIKHAR ULLAH	Riazul Haq	05.09.1988	131.19	Appointed at GHSS Maniyal	Re-adjusted at GHSS Zaimdara
5	AMJAD ALI KHAN	Noor Habib Jan	20/05/1983	129.63	Pre-recommendation verification of ADE Alkhair from HEC	Deferred. Status quo maintained
6	ABDUL GHAFUOR	Hamesh Gul	31/05/1991	129.06	Appointed at GHS Luqman Banda	Did not take over charge
7	ABASIN BARYAL	SAID BAHADAR	21/05/1989	128.12	Appointed at GHS Sia Warghar	Re-adjusted at GHSS Maniyal
8	IMAD UD DIN	Abdur Rahim	08/03/1982	127.94	Appointed at GHSS Manlual	Did not take over charge
9	FAZAL HAKIM	Fazal Rahman	20.01.1986	125.29	Appointed at GMS Kakas	Re-adjusted at GHSS Maniyal
10	FAZL ULLAH	Syed Barkhurdar Bacha	01/05/1985	123.02	Recommended at GHS Maskini	Availability created
11	SAEED UL HAQ	Ghani Khan	16/05/1989 16.4.1989	122.43	Recommended at GHS Kakas Maskini	Availability created
12	JALAL UDDIN	Habib Ullah	02/02/1990	122.39	Recommended at GHS Sia warghar	Availability created

## B. Drawing Masters (DM) BPS.15

S.No	Name	Father's Name	D.O.B	Score	Remarks-I	Remarks-II
1	MUHAMMAD IMRAN	Bahadar Said	12/04/1988	121.75	Deferred	Status Quo
2	ABDUL BASIT	Noor Hakim	10/01/1983	113.51	Deferred	Status Quo
3	HAJ MUHAMMAD KHAN	Faqlr Muhammad	02/02/1983	107.83	Deferred	Status Quo
4	LATIF UR RAHMAN	Aziz Ur Rahman	12/04/1976	107.48	Deferred	Status Quo
5	SUBHAN ULLAH	Rahim Gul	12/01/1987	102.31	Deferred	Status Quo
6	ALAM AZIZ	Hakim Khan	12/03/1980	102.13	Appointed at Bin Shahi	Sub Judice. Charge not taken
7	MOHAMMAD ISHAQ	Hazrat Mula	03/02/1981	100.12	Appointed at GMS Khawas	did not take over charge
8	WAQAS AHMED KHAN	MOHAMMAD SARIR KHAN	15/04/1989	99.15	Recommended at GMS Khadand	Availability created

## D. Arabic Teachers(AT) BPS.15

S.No	Name	Father's Name	D.O.B	Score	Remarks-I	Remarks-II
1	MUHAMMAD IMRAN KHAN	Khan Badshah	01/04/1984	118.89	Verified & Recommended at GMS Dara Sher Khanal	Deferment withdrawn
2	FAZAL ELLAHI	Nawsher Khan	20/03/1984	117.32	Appointed at GHS Darmal Bala	Re-adjusted at GMS Goddar
3	SAJID MAHMOOD	Hazrat Mahmood	22/06/1988	115.05	Appointed at GHS Dapoor Balo Khan	Re-adjusted at GHS Darmal Bala
4	HASSAN KHAN	Hazrat Said	16/08/1981	114.66	Appointed at Malakand	Did not take over charge
5	TARIQ	Taj	06/10/1981	114.62	Appointed at GMS Goddar	Did not take over

attested

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6	MAHMOOD MUHAMMAD IJAZ	Muhammad Abdul Habib	16/03/1988	114.5	Recommended at GHS Malakand	charge Availability created
7	UBAID ULLAH ABID	Molvi Muhammad Ilyas	01/01/1984	114.47	Verified & Recommended at GMS Korshung	Deferment withdrawn
8	FAZAL RAHMAN	Khair Ur Rahman	10/03/1981	114.22	Recommended at GHS Dapoor Balu Khan.	Availability created




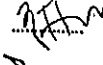



**E. Theology Teachers (TT) BPS.15**

S.No	Name	Father's Name	D.O.B	Score	Remarks-I	Remarks-II
1	IBAD UR REHMAN	HabibUr Rahman	01/04/1990	134.7	Appointed at GHS Takwara Sheikhan	Did not take over charge
2	ABDUS SALAM SADIQ	Muhammad Tahir	10/03/1985	130.15	Recommended at GHS Takwara Sheikhan	Availability created

**F. Qari Teachers BPS.12**

S.No	Name	Father's Name	D.O.B	Score	Remarks-I	Remarks-II
1	TAHIR KHAN	SakhilGul	28/02/1989	148.77	Appointed at GHSS Tawda China	Re-adjusted at GHS Safaral
2	SAJJAD AHMAD	Mhammad Rasool Khan	12/01/1991	148.00	Appointed at GHS Shalkani	Did not take over charge
3	AZIZ ULLAH	Muhammad Jan	16/02/1987	147.41	Appointed at GHS Haji Abad	Re-adjusted at Shalkani
4	ABDUL WAHID	Hamesh Gul	08/02/1986	145.9	Appointed at GHS Safaral	Did not take over charge
5	NAVEED UR REHMAN	Ghani Rahman	20/07/1991	145.25	Recommended at GHS Haji Abad	Availability created
6	MUHAMMAD YAQOOB KHAN	Muhammad Iqbal	25/01/1988	144.17	Recommended at GHS Tawda China	Availability created

The meeting ended with vote of thanks from and to the chair.  
 The following are the members of the District Selection Committee.  
**District Selection Committee.**

Name & Designation	SIGNATURE
1. Prof. Muhammad Uzair Ali District Education Officer (M) Swat	Chairman 
2. Representative of the Directorate. E&SE Peshawar.	Member 
3. Muhammad Riaz DDEO Local Office.	Member 
4. Mr. Ali Haider ADO Secondary Establishment Local Office.	Member 
5. Mr. Nawshad Khan Suptt. Establishment Local Office.	Member 
6. Mr. Muhammad Safir S/C Estb: Local office	Member 
7. Mr. Mukhtiar Ahmad J/C Estb: Local office	Member 

attested



# HIGHER EDUCATION COMMISSION

H-9, ISLAMABAD, PAKISTAN Website: www.hec.gov.pk

Prof. Dr. Atta-ur-Rahman, FRS

Nisran-i-Himroz, Iqbal-i-Himroz, Sitara-i-Himroz, Tamgha-i-Himroz  
Ph.D. (Cambridge), Sc.D. (Cambridge)  
UNESCO Science Laureate

CHAIRMAN (Status: FEDERAL MINISTER)  
& ADVISER TO PRIME MINISTER ON SCIENCE & TECHNOLOGY

No. 16-24/HEC/A&A/2007 /15  
May 26, 2007

Subject: OPERATION OF AL-KHAIR UNIVERSITY, MIRPUR AND MOHI-UD-DIN ISLAMIC UNIVERSITY, NERIAN SHARIF, AJ&K

My dear *President*

السلام عليكم ورحمة الله وبركاته

You would recall that AJ&K Government had granted Charters to Al-Khair University, Mirpur and Mohiuddin Islamic University, Nerian Sharif in the private sector. Both the universities were established with the objective to impart quality education. Unfortunately, the Al-Khair University has neither developed the requisite infrastructure nor appointed faculty at the desired level, while the Mohiuddin Islamic University has got reasonable infrastructure at the main campus but the faculty is much below the level of a university. Furthermore, the two universities are focusing on operations in other provinces, in violation of relevant laws.

The Chancellors' Committee headed by the President of Pakistan, in its 1<sup>st</sup> and 2<sup>nd</sup> meetings, decided that the private sector universities/institutions must satisfy all the requirements of Cabinet Criteria by June 30, 2008, failing which their Charters will be withdrawn and status will be relegated to the level of affiliated colleges (copy enclosed).

Physical inspection of the Al-Khair University, Mirpur has revealed that this university, has not constructed its own campus in AJ&K so far, while the Mohiuddin Islamic University, Nerian Sharif has built its campus, but is lagging behind in satisfying the other academic requirements. As such both the universities are imparting low quality education and are of sub-standard.

In view of above, I take this opportunity to seek your personal attention for corrective measures and for issuance of directive asking:

- 1) Al-Khair University to establish its full-fledged campus in AJ&K and meet all other criteria requirements by June 30, 2008; and
- 2) The sponsors of both universities should refrain from extending operations beyond territorial limits of AJ&K unless prior permission has been obtained from the concerned provincial governments and the public sector affirming universities and close down all presently illegal operations.

Email: chairman@hec.gov.pk Ph: +92-51-9290129-30, Fax: +92-51-9290128

C-T-C

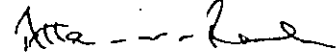
*[Signature]* attested  
*[Signature]*

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It may also kindly be brought to the notice of these universities that degrees of students to be admitted after 30<sup>th</sup> June, 2007, in colleges affiliated unlawfully by them and for the subjects for which infrastructure is not available at the main campus, will not be validated/recognized by the Higher Education Commission.

With warm regards,

Yours sincerely,



Prof. Dr. Atta-ur-Rahman, FRS

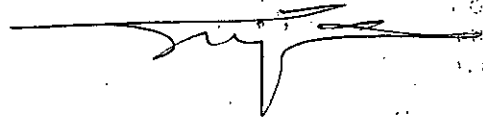
Raja Zulqarnain Khan,  
President,  
The State of Azad Jammu & Kashmir,  
President's House,  
Muzaffarabad

PL

C.C. to :

The Secretary, Education Department, Government of AJ&K

attested



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HIGHER EDUCATION COMMISSION

H-9, ISLAMABAD, PAKISTAN, Website: <http://www.hec.gov.pk>

**Prof. Dr. Riaz Hussain Qureshi**  
Ph.D (Univ. of Wales, U.K.)  
Pride of Performance  
Former Vice-Chancellor  
University of Agriculture, Faisalabad  
Adviser (QA & LI)

No. 16-08A-HEC/A&N/2009/1900  
May 16, 2009

**Subject: AFFAIRS OF AL-KHAIR UNIVERSITY, MIRPUR**

My dear

As you are aware, the Al-Khair University, AJ&K was established under AJ&K Assembly Act 1994 and Section 1 (2) of its law specifically provides that academic jurisdiction of the university would be in the territorial limits of AJ&K. The law of university did carry a provision for opening of its campuses in Pakistan and abroad, but in doing so, the university was required to seek permission from concerned provincial government and public sector universities. However, in total violation of relevant laws/norms, the university extended its operations far and wide in Pakistan in the name of opening franchised campuses and affiliated institutions.

The University in defiance of decisions of the Federal Cabinet and Chancellors' Committee, having the President AJ&K as member, has not built its own campus anywhere in the territory of AJ&K. The university has not appointed regular/full time faculty as required by Cabinet Criteria, yet has been issuing degrees in professional fields like Architecture, Engineering, Law, Homeopathy and B-Tech etc. As such, the Al-Khair University remained a source of mushrooming substandard/low quality education causing irreparable loss to the society; particularly the student community.

Various dimensions of performance of Al-Khair University, AJ&K were considered in depth in the 18<sup>th</sup> meeting of Management Board of the Commission held on March 31, 2009, whereby it was decided that:

- 1). The Al-Khair University must stop all new admissions into its academic programs immediately. No degree issued by Al-Khair University would be recognized by the Commission for any student admitted into any program after April 30, 2009 in campuses/affiliated institutions in Pakistan.
- 2). A Special Committee be constituted to attend to issues of plight of students currently enrolled in the university with respect to quality, professional accreditation and recognition.

www.hec.gov.pk Ph: 92 51 4444078, Fax: 92 51 8258744, Mobile: 0300-5071003

C-FC

attested



HIGHER EDUCATION  
Sector H-9, Islamabad P  
URL:

ON

Deputy Director

Accreditation & Attestation

No. 1608/HEC/A&K/2011/907  
October 17, 2011

The Registrar,  
Al-Khair University,  
Al-Jawad Plaza, IJP Road,  
Opposite I-8, Grid Station,  
Islamabad.

Subject: INSPECTION OF AL-KHAIR UNIVERSITY, BHIMBER, AJ&K

Dear Sir,

With reference to your letter No.AU-1(7)GA/2010 dated 19<sup>th</sup> September, 2011 and on the recommendation of the Inspection Committee the competent authority has been pleased to allow the Al Khair University, Bhimber to launch degree programmes in the Departments of Management Sciences, Computer Sciences, Pakistan Studies, Islamic Studies, Education and Urdu subject to availability of required faculty with the following terms and conditions:

- On campus operation at Bhimber is allowed.
- No campuses in AJ&K and Pakistan shall be allowed.
- No affiliation in AJ&K and Pakistan shall be permitted
- The University will be required to submit on judicial paper duly notarized and registered in Court of Law they will operate only on campus at Bhimber.
- University will not initiate any legal proceedings against the HEC in AJ&K and Pakistan.

This issues with the approval of Competent Authority.

Yours Sincerely,

*(Signature)*  
o/c. (Tahir Farooq)

CC:

- Prof. Dr. Habib-ur-Rehman, Vice-Chancellor, Mirpur University of Science and Technology, Mirpur (AJ&K).
- Raja Muhammad Razaque, Additional Secretary Presidential Affairs, President Secretariat, Government of AJ&K, Muzaffarabad.
- Mr. Muhammad Javed Khan, Advisor (Acad), HEC., Islamabad.

C-T-C attested  
*(Signature)*





HIGHER EDUCATION COMMISSION

Sector H-9, Islamabad Ph: 9040900-0911 Fax No. 90400902  
URL: www.hec.gov.pk

Director General  
Accreditation & Attestation

No. 16-08/HEC/A&A/2010/85  
January 30, 2012

Dr. A. Q. Ansari.

Al-Khair University,  
Al-Jawad Plaza, IJP Road,  
Opp. I-8 Grid Station,  
Islamabad

Subject: OPERATION OF AL-KHAIR UNIVERSITY, BHIMBER.

Dear Sir,

This is with reference to advertisement floated by the Al-Khair University, AJ&K in the National Press regarding admission in different disciplines for Spring Semester, 2012, which is against the commitment and in deviation of the university charter. Therefore, you are requested to implement the decision of the Commission with in 10 days from the date of issuance of this letter and a comprehensive report in this regard may also be furnished:

1. Float a corrigendum in the same Newspapers withdrawing the said advertisement.
2. Restrict to on-campus programmes at B.S., M.A. and M.Sc. level involving 14 years education and refrain from launching of MS and Ph.D. programmes till guidelines provided by the Commission are fulfilled and approved.
3. Refrain from offering education through Distance Mode of Education as there is no provision for the same in the charter of Al-Khair University.
4. Courses leading to Matriculation and Intermediate must not be offered.

Failing which the degree awarded by the University under this mode of education will not be validated and Higher Education Commission will also float a Parent Alert in the National Press for information of general public and student in particular.

*[Signature]*  
(Sada Hussain)

Copy to:

- i) The Vice Chancellor, University of AJ&K, Muzaffarabad. in its capacity as Chairperson of Inspection Committee.
- ii) Secretary Education, Government of AJ&K, Muzaffarabad.
- iii) Secretary to the Presidential Affairs, President Secretariat, Muzaffarabad.

C-T-C attested

*[Signature]*



# HIGHER EDUCATION COMMISSION

**Director General**  
(Accreditation and Attestation)

No. 16(08)/A&A/Acc/HEC-2017/1075  
August 31, 2018

**Subject: Graduates of Al-Khair University AJ&K**

Reference your letter No. AU-1(17)GA-2017 dated June 07, 2017 on the subject cited above. Keeping in view the best public interest as well as suffering of graduates of Al-Khair University, AJ&K; Competent Authority has taken the following decisions with regard to graduates of Al-Khair University, AJ&K.

- i. Degrees of all students enrolled up to April 30, 2009 including the graduates studied at affiliated colleges/campuses will be recognized by HEC subject to fulfillment of all codal formalities and in line with rules and regulations. Moreover, degrees of students enrolled and studied after October 17, 2011 at main campus Bhimber, AJ&K will also be recognized. The recognition of professional degrees (L.L.B/ DHMS/ BHMS/ B Architecture/ BSc Engineering/ BE Electrical etc.) will be subject to registration by relevant professional accreditation councils.
- ii. No degree of students enrolled during the ban period will be recognized i.e. April 30, 2009 - October 17, 2011.
- iii. However, students enrolled & studied after October 17, 2011 at affiliated colleges/campuses of Al-Khair University AJ&K other than main campus Bhimber in violation of directions of this Commission would be required to appear in a comprehensive test for recognition of their awards. Each such student would be given only one (01) opportunity to appear in test and obtain 50% marks in the comprehensive test for verification of his/her degree failing which their degrees will not be recognized. All the expenditure on the conduct of test would be borne by Al-Khair University, AJ&K. Also, university shall reimburse one time fee/expenses incurred to all such students who were enrolled & studied after October 17, 2011 at affiliated colleges/campuses of Al-Khair University, AJ&K other than main campus at Bhimber as the University violated this Commission's directives and the students have suffered in terms of loss of time and mental agony.
- iv. Degrees of all MS/M.Phil & Ph.D programs would not be recognized by HEC as the University was clearly directed vide letter No. 16-08/HEC/A&A/2010/85 dated January 30, 2012 to refrain from launching any MS/M.Phil & PhD programs. The University will reimburse three times fee/expenses incurred to all these students as they have suffered a lot. These students would also be entitled to claim any other damages from the University for the wastage of their precious time and money.
- v. All those graduates of Al-Khair University, AJ&K whose degrees would not be recognized by the Commission; the University would be liable to reimburse three times fee/expenses incurred to all such students. They would also be entitled to claim any other damages from the University for the wastage of their precious time and money.

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H-9, ISLAMABAD, PAKISTAN. Telephone: +92-51-90400000, <http://www.hec.gov.pk>

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vi. Admissions/fresh intake of Al-Khair University, AJ&K shall continue to be banned/closed (effective from Fall-2016) as already communicated vide letter No. 16-08/HEC/A&A/2014/519 dated May 20, 2016.

2. However, attestation & verification as per above decision would only be resumed on the basis of data of 75,894 graduates already submitted by Al-Khair University, AJ&K vide letter No. AU-1(17)GA-2017 dated June 07, 2017. In case of any discrepancy in data, further disciplinary action would be taken against the University. It would be solely the responsibility of Al-Khair University, AJ&K to confirm the genuineness of previous academic credentials and maintenance and availability of all record of Al-Khair University, AJ&K students including Admission/Registration form, tabulation sheets, award lists, and gazette notifications. Further, the University would also enter its data into Pakistan Qualification Register (PQR) prior to attestation of degrees of its graduates as per above decision and submit 6 copies of data of 75,894 graduates as already submitted by Al-Khair University, AJ&K vide letter No. AU-1(17)GA-2017 dated June 07, 2017 to HEC latest by September 10, 2018.

3. Modalities for conduct of Comprehensive examination for students who enrolled & studied after October 17, 2011 at affiliated colleges/campuses of Al-Khair University, AJ&K other than main campus at Bhimber will be communicated soon by HEC to the University:

4. These decisions have been taken due to the fact that the students were suffering since long due to the actions of the Al-Khair University. However, in the interest of students, the university is hereby advised to abide by all the directions and policies of HEC mentioned above in true letter and spirit.

5. This issues with the approval of the Competent Authority.

**The Vice-Chancellor.**

Al-Khair University,  
Haji Muhammad Yousaf Road,  
Near Pindi Jhunja, Bhimber, AJ&K.

(Tahir Abbas Zaidi)

**Copy for information:**

- i. The Secretary, to President/Chancellor, Azad Jammu & Kashmir, Muzaffarabad.
- ii. Secretary, Higher Education Department, Government of AJ&K, Muzaffarabad.
- iii. The Advisor, Quality Assurance Agency, HEC, Islamabad.
- iv. The Director General, HEC Regional Centre, , Airport Road, Quetta.
- v. The Director General, Academics Division, HEC, Islamabad.
- vi. The Director General, HEC Regional Centre, Phase-V, Hayatabad, Peshawar.
- vii. The Consultant, Quality Assurance Division, HEC, Islamabad.
- viii. ES to Chairman, Higher Education Commission, Islamabad.
- ix. ES to Executive Director, Higher Education Commission, Islamabad.
- x. The Director, HEC Regional Centre, Shahzad Khalil Avenue, National Stadium Road Gulshan Town, Karachi.
- xi. The Director (Attestation & Equivalence), HEC Head Office, Islamabad.
- xii. The Director, HEC Regional Centre, 55-B/2, Gulberg-III, Lahore.
- xiii. The Deputy Director, (Foreign Equivalence), HEC Head Office, Islamabad.
- xiv. The Deputy Director, (Local Equivalence), HEC Head Office, Islamabad.
- xv. The Deputy Director, (Attestation), HEC Head Office, Islamabad.

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Serial No. 539

# AL-KHAIR UNIVERSITY (AJK)



## DETAILED MARKS CERTIFICATE

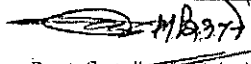
Certified that Mr./Mrs. AMJAD ALI KHAN Son/Daughter of NOOR HABIB JANRegistration No. AUSWT(ADE)4230-2012 Roll No. 723has passed the Associate Degree in Education (ADE) Examination held in October, 2014 from this University.

The Marks %, Letter Grade, Grade Point and Grade Point Average obtained by him/her are mentioned below:

Semester	Code No.	TITLE OF COURSES	Cr.	Mks %	L.G.	N.G.	G.P.A	Remarks
I	EDU-101	Functional English-I	3	79	B	3.16	3.2	Promoted
	EDU-102	Islamic Studies	2	76	B	3.04		
	EDU-103	Child Development	3	81	A	3.24		
	EDU-104	Urdu	3	82	A	3.28		
	EDU-105	General Science	3	81	A	3.24		
	EDU-106	General Methods of Teaching	3	78	B	3.12		
II	EDU-201	Communication Skills	3	80	A	3.20	3.3	Promoted
	EDU-202	Computer Literacy	3	83	A	3.32		
	EDU-203	Classroom Management	3	81	A	3.24		
	EDU-204	General Mathematics	3	79	B	3.16		
	EDU-205	Pakistan Studies	2	83	A	3.32		
	EDU-206	Methods of Teaching Islamic Studies	3	85	A	3.40		
III	EDU-301	Teaching Literacy Skills	3	83	A	3.32	3.4	Promoted
	EDU-302	Art Crafts and Calligraphy	3	83	A	3.32		
	EDU-303	Teaching of Urdu	3	87	A	3.48		
	EDU-304	Teaching of General Science	3	81	A	3.24		
	EDU-305	ICT in Education	2	89	A	3.56		
	EDU-306	Teaching Practice - I	3	80	A	3.20		
IV	EDU-401	Classroom Assessment	3	83	A	3.32	3.3	Passed
	EDU-402	Teaching of English	3	76	B	3.04		
	EDU-403	Teaching of Mathematics	3	78	B	3.12		
	EDU-404	School, Community and Teacher	3	87	A	3.48		
	EDU-405	Teaching of Social Studies	2	78	B	3.12		
	EDU-406	Teaching Practice - II	3	88	A	3.52		
Total:			68	82	A	3.28		


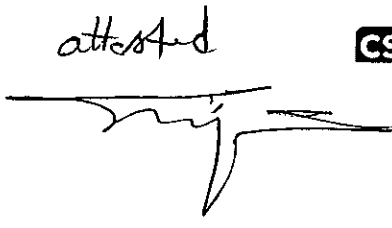
Bhimber, the 22nd November, 2014

Checked by: Verified by: 

  
Deputy Controller of Examinations  
for  
Controller of Examinations

P.T.O.

Name: Amjad Ali Khan  
S/o: Noor Habib Jan  
CNIC - 15304-6713907-5

By: Attested by Self   
attested 

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JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT)

WP No. 1094-P/2016

JUDGMENT.

Date of hearing: 12.5.2016

Petitioners: (Muhammad Ishtiaq and others) by Mr. Muhammad Isa Khan Khalil, Advocate.

Respondents: (District Education Officer (Male) E&SE, Nowshera and others) by M/s Mujahid Ali Khan AAG, Sajeed Khan Afridi & Rahmanullah, Advocates.

WAQAR AHMAD SETH, J:- Muhammad

*Ishtiaq and others, petitioners herein, through the instant constitutional petition, seeks issuance of an appropriate writ with the following prayer:-*

*"In view of the foregoing, it is, therefore, prayed that on acceptance of this petition, this Hon'ble Court may be pleased to issue an appropriate writ thereby:*

- i. to declare the impugned action/conduct of the respondents by refusing appointments to the petitioners as illegal, without lawful authority and of no legal effect;*
- ii. to direct the respondents to issue appointment letters/orders to the petitioners against the posts for which they have qualified and allow them to resume duty in their respective UCs/places; and*

ATTESTED  
EXAMINER  
Peshawar High Court  
21 MAY 2016

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iii. to grant any other remedy to which the petitioners are found fit in law, justice and equity"

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2. Through C.M Nos. 958-P & 962-P/2016, learned counsel seek impleadment of applicants as respondent in the main writ petition on the ground of being necessary party, which are allowed and the office is directed to incorporate their names in the part of respondents with red ink.

3. In essence, case of the petitioners is that respondents No.1 & 2 advertised certain posts including the post of PST & CT through separate advertisement and being eligible, they applied for the posts of PST and CT and after qualifying NTS test, they were placed at top of the merits of their respective Union Councils but were refused appointment orders on the ground that Associate Degree in Education/BA/Master issued to them by the Al-Khair University prior to fall 2014 being not validated/recognized, against which, they have preferred representation along with judgment of this Court passed in Writ Petition No. 1286-P/2015 before.

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Respondent No.4 but no heed was paid although Higher Education Commission had granted validation to the degrees issued before 2011 and in the year, 2015, candidates were appointed in District Nowshera on the basis of degrees issued by the said University, hence, the instant Writ petition.

4. Respondents No.1 & 2 filed comments wherein besides other legal and factual objections, it is stated that according to Higher Education Commission, Al-Khair University is restricted for MS/M.Phil/P.hd admission and can only offer for admission upto Master level at its Bhimber Campus AJK from fall 2014 onward and the degrees earlier obtained are not recognized.

5. Arguments heard and record perused.

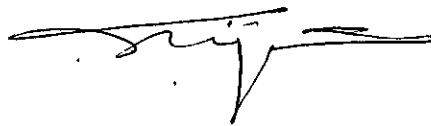
6. Admittedly Petitioners are the holder of Associate Degree in Education (ADE) which is a prerequisite for the post of PST & CT. All the petitioners have obtained the said degree from the Al-Khair University, prior to fall 2014, and were refused to contest on the plea that the degrees, so obtained from the Al-

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Khair University, are not recognized by the Higher Education Commission.

7. According to the Higher Education Commission Website, Al-Khair University was recognized up to Master Level at its Bhimer Campus, AJK, from fall 2014, onward and any degree of Master level including ADE obtained prior to that, is not recognizable. We have before us the advertisement in this respect made by the Higher Education Commission, annexed with the comments wherein it has been advertised "do not take admission in no-recognized Universities /Institutions" and list of recognized Universities/Institutions and non recognized universities/institutions list were published/advertised for the general public. According to the Higher Education Commission, the University from where the petitioners obtained their ADE qualification is restricted from MS/M.Phil/Ph.D Admission/Programs and can only offer admission upto Master level at Bhimer Campus AJK from fall 2014 and petitioners failed to produce any

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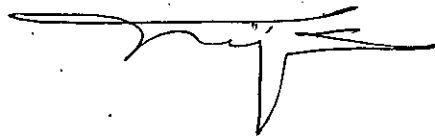
Documents showing that prior to fall 2014 their universities had the permission to give course/degrees to the candidates.

8. In Addition to above on 16<sup>th</sup> May, 2009 the Higher Education Commission addressed a letter with the subject "Affairs of Al-Khair University, Mirpur" in which various dimensions of performance of Al-Khair university AJK were considered in the 18<sup>th</sup> meeting of the Management Board of the commission held in March, 2009 and it was decide that:-

1. The Al-Khair University must all new admissions into its academic programs Immediately. No degree Issued by Al-Khair university would be recognized by the commission for any student admitted into any programs prior admitted into any programs prior to April, 30, 2009, In campuses/affiliated Instituted in Pakistan.

2. A Special committed be constituted to attend to issues of plight of students currently enrolled in the university with respect to quality, professional accreditation and recognition.

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9. The newly added respondents placed on record copy of letter dated 13<sup>th</sup> April, 2015 of Higher Education Commission addressed to Director General (Acad) wherein under the subject "clearance about the guidance about ADE from Al-Khair University AJK" stating there in " this is to inform you that as per HEC program, before launch of any Associate Degree the University is required to get itself registered with HEC for Introduction of Associate Degree program in any discipline. As per record Al-Khair university did not register itself to offer Associate Degree in Education". Petitioners are relying on the judgment of this Court delivered in Writ Petition No. 1286-P of 2015 dated 26.10.2015, but the same is not applicable to the present case as in that case the Bachelor degree issued by Al-Khair university, after 2008 was discussed in reference to letter dated 5<sup>th</sup> November, 2013 & 17<sup>th</sup> January 2014 of HEC, whereas in the instant case, the

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Qualification of Master level i.e Associate Degree in Education  
is under consideration.

10. For the reasons recorded herein above this writ petition  
being devoid of any substance in hereby dismissed.

ANNOUNCED

Dated 12.05.2016

JUDGE

JUDGE

attested

