

IN THE SUPREME COURT OF PAKISTAN

(Original/Appellate Jurisdiction)

Present:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ

Mr. Justice Ijaz Ahmed Chaudhry

Mr. Justice Sh. Azmat Saeed

C.M.A NO.3470/2013 IN C.M.A. NO.1536/2013

IN CIVIL APPEAL No191-L & 409 OF 2010.

*(Action taken on News Clipping dated
4.6.2013, published in Daily Jang, against the
Parliamentarians having fake/bogus degrees)*

On Court Notice

For the ECP : Mr. Abdul Rehman Khan, DG (Law)

For the HEC : Mian Muhammad Hanif, ASC
Raja Abdul Ghafoor, AOR

For the Parliamentarians : Mr. Tariq Mahmood, Sr. ASC
(on behalf of Ms. Samina Khawar Hayat)

Malik Waheed Anjum, ASC with
Raja Shaukat Aziz Bhatti, MPA

Raja Aamir Abbas, ASC with
Muhammad Ahmad, brother of Kh.
Muhammad Islam, MPA

Mr. Zulfiqar Khalid Maluka, ASC
(on behalf of Malik Muhammad
Nawaz, MPA)

Date of Hearing : 10.07.2013.

ORDER

Ms. Samina Khawar Hayat

To the extent of case of Ms. Samina Khawar Hayat,
arguments heard and the judgment is reserved.

Raja Shaukat Aziz Bhatti

2. Through a separate order passed in Cr.P. 111/2013 filed by Election Commission of Pakistan against Raja Shaukat Aziz Bhatti, the membership of the respondent for PP 4-Gujjar Khan has been suspended.

Kh. Muhammad Islam, MPA

3. In response to notice dated 19.6.2013 HEC has filed documents (CMA 4412/13) including letter dated April 16, 2013 contents of which are reproduced hereinbelow:

*"HIGHER EDUCATION COMMISSION
Sector H-9, Islamabad (PAKISTAN)
Telephone: 0092 51 90400950, Fax: 0092 51 90400952
[URL: http://www.hec.gov.pk](http://www.hec.gov.pk)*

*Ref.5-3/HEC/A&A/2013/351
April 16, 2013*

*Mr. Sana Ullah Malik,
Director (Legal)
Election commission of Pakistan
Election House, Constitution Avenue,
G-5/2, Islamabad*

**SUBJECT: VERIFICATION OF DEGREES/ASNAD OF
PARLIAMENTARIANS/MPAs, CASE OF MR.
MUHAMMAD ISLAM, Ex-MPA (PP-72)**

Dear Sir,

In pursuance of the orders of the Honorable Supreme Court of Pakistan dated April 01, 2013, 183 Ex-Members of Parliament/Provincial Assemblies were requested to provide SSC/HSSC for the completion of DSI Form. For the purpose of Mr. Muhammad Islam, Ex-MPA provided his 'A' Levels Certificate alongwith its Equivalence (No.7267) issued by IBCC, through his representative. The same Certificate was forwarded to IBCC on 04.04.2013 for verification and authentication. In

response to our letter, Mr. Muhammad usman Khan, Assistant Secretary (Eq-I), IBCC informed this office vide Letter No. IBCC/Verification/UK/2013/858 dated: 08-04-2013 that the equivalence Certificate (Sr. No.7267) is "Fake"

Therefore, it is informed that BBA degree held by Mr. Muhammad Islam, Ex-MPA on the basis of "Fake" Equivalence Certificate of 'A' Level is not recognized by the Higher Education Commission.

*Yours faithfully,
Sd/-
Azizullah Khan
Asstt. Director (A&A)*

Raja Aamir Abbas, learned counsel appearing on behalf of Kh. Muhammad Islam, MPA stated that such documents were not handed over by Kh. Muhammad Islam, however, one of the representative of HEC stated that his brother (Muhammad Ahmad) who is present in Court, had brought these documents which were subjected to verification and on the basis of same the above report was prepared. Raja Amir Abbas, learned ASC stated that some time be given to him to prepare the brief. We accept his request but in the meanwhile notification declaring him to be member of parliament from PP 72-Faisalabad by the Election Commission is suspended and case is ordered to be fixed on 18th July, 2013.

Muhammad Nawaz

Mian Muhammad Hanif, learned counsel for HEC stated that the B.A. degree of Muhammad Nawaz has been verified. However, it is not known as to whether the same is verified as genuine or otherwise. In such view of the matter, we direct the HEC to express its opinion with reference to context of the subject of the verification of such degrees and put up report on 18.07.2013.

Chief Justice

Judge

Judge

Islamabad

10th July, 2013
(Zulfiqar)