

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Mr. Justice Iftikhar Muhammad Chaudhry, CJ  
Mr. Justice Jawwad S. Khawaja  
Mr. Justice Sh. Azmat Saeed

**C.M.A. NO.3470 OF 2013 IN C.M.A. NO.1536 OF 2013**  
**IN CIVIL APPEALS NO.191-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 Ms. Maiza Hameed, MPA : Mr. Wasim Sajjad, Sr. ASC with  
Ms. Maiza Hameed, MPA

Dates of Hearing : 18.07.2013.

**JUDGMENT**

**SH. AZMAT SAEED, J.-** In the matter relating to the Degree of Mst. Maiza Hameed, a Report was submitted by the Higher Education Commission (HEC) through Civil Misc. Application No.4614 of 2013 to the following effect:

**“8. Maiza Hameed**

It is submitted that the O and A level Certificates from University of London/Edexcel International, UK were

forwarded to IBCC on 04.04.2013 for verification and to determine the level of 'O' and 'A' Level at par with SSC and HSSC. The IBCC replied that O & A Level held by Ms. Maiza Hameed have **deficiency of compulsory subjects English Language and Mathematics at GCE "O" and one more elective subject at GCE "A" level in Grade A to E.** Detail reply of the IBCC as **Annex-D.**

Therefore on the basis of deficient O/A level, HEC does not recognize the degree and is therefore, **invalid.**"

Primary basis of the said Report was a letter dated 09.04.2013 issued by the Inter Board Committee of Chairmen (IBCC) copy whereof was appended with the Civil Misc. Application, mentioned above, and the same is reproduced herein below for ready reference:

"GOVERNMENT OF PAKISTAN  
INTER BOARD COMMITTEE OF CHAIRMEN  
FBISE Building H-8/4, ISLAMABAD  
PAKISTAN

No.IBCC/verification/UK/2013/ 863      April 9, 2013

Subject:      **VERIFICATION OF 'O' & 'A' LEVEL  
IN RESPECT OF MS. MAIZA HAMID**

I am directed to refer to your letter No.5-3/HEC/A&A/2013 dated April 4, 2013 on the above noted subject and to inform that the candidate have passed GCE 'O' level in seven subjects namely Biology, Human Biology, Physics, Islamiyat, Urdu, Economics and Pakistan Studies and GCE 'A' level in two subjects namely Economics and Urdu without English Language at 'O' level and one elective subject GCE 'A' level from University of London/Edexcel International, UK (Pakistan).

2. According to prevailing criterion of IBCC the candidate will have also to pass the compulsory subjects English Language and Mathematics at GCE 'O' level and one more elective subject at GCE 'A' level in Grade A to E to complete the requirement. After passing the above remaining subjects her qualification will be considered equivalent to SSC (relevant group) and HSSC (relevant group) of Pakistan.

3. Therefore, in order to seek Equivalence Certificate of GCE 'O' & 'A' level, the applicant may apply and provide to the IBCC, the original certificate (complete subjects) of GCE 'O' & GCE 'A' level accordingly.

Sd/-  
(MUHAMMAD USMAN KHAN)  
Assistant Secretary (Eq-I)

Mr. Azizullah Khan  
Assistant Director (A&A)  
Higher Education Commission,  
Sector H-9, Islamabad."

2. Mst. Maiza Hameed filed a Civil Misc. Application bearing No.4580 of 2013, wherein it was, *inter alia*, contended that Mst. Maiza Hameed had successfully passed her "O" Level Examination in seven subjects whereafter she took her "A" Level Examination and on the basis of her "O" and "A" Level, she applied for enrollment in the Islamia University, Bahawalpur (the University), for B.A. It is further contended that on the basis of the testimonials supplied by Mst. Maiza Hameed, the University admitted her to the course whereafter she successfully took the examination and obtained B.A. Degree.

3. In the above perspective, it is contended by Mr. Wasim Sajjad, learned Sr. ASC that the testimonials and documents pertaining to the “O” and “A” Level Examinations have not been held to be forged or fabricated. She made a full disclosure of her educational qualifications when she applied for admission in B.A. in the University. On the basis of said documents, she was granted admission and took the examination and that the Degree issued by the University is genuine and has also not been disowned by the University. If any error was made by the University for which she cannot be held liable nor any dishonesty or adopting of unfair means can be attributed to her, therefore, it is contended that she cannot be held not to possess the qualifications to a Member of the Provincial Assembly or the Parliament, as prescribed by Article 62(1)(f) of the Constitution of the Islamic Republic of Pakistan, 1973.

4. While it is the case of the opposite side that Mst. Maiza Hameed did not possess the requisite qualifications to participate in the B.A. Examination as she had not passed the required subjects in her “O” and “A” Levels, as prescribed by the IBCC in this behalf. Hence, her B.A. Degree was invalid and she had made a mis-declaration regarding her educational qualifications while contesting the General Elections of 2008.

5. During the course of arguments, it has come to light that to-date the genuineness of the “O” and “A” Level testimonials of Mst. Maiza Hameed has not been verified. Thus, without prejudice to the rival contentions raised by the parties noted herein above, in order to do complete justice, it would be appropriate that such an exercise be conducted by the HEC and thereafter this Court shall proceed further in the matter, if need be.

Chief Justice

Judge

Judge

Announce on \_\_\_\_\_ at \_\_\_\_\_  
‘NOT APPROVED FOR REPORTING’

Mahtab/\*

Judge