

## Pakistan Information Commission

### Government of Pakistan

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### In the Pakistan Information Commission, Islamabad

#### Appeal No 969-03/21

**Zahid Ali**

(Appellant)

Vs.

**Higher Education Commission**

Through its Public Information Officer

(Respondent)

### ORDER

**Date:** July 28, 2021

**Zahid Abdullah:** Information Commissioner

#### **A. The Appeal**

1. The Appellant filed Appeal on March 30, 2021, to the Commission, stating that he had submitted information requests to the Chairman, Higher Education Commission on March 08, 2021 under the Right of Access to Information Act 2017 but did not receive any response from the public body.

2. The information sought by the Appellant is as follows:

*“With due respect I am submitting this application under Right of Access to Information Act 2017 for provision of following information related to enclosed equivalence letter dated 27.12.2018 issued by HEC for 1 year MBA degree of Saud-ur-Rehman completed from a closed since 31.08.2009 Southeastern University Washington DC USA and its London Campus after doing BA from Pakistan.*

- i. Please provide certificate that Higher Education Commission (HEC) on 27.12.2018 issued enclosed equivalence letter of 18 year schooling / M.Phil to Saud-ur-Rehman living in Islamabad for his enclosed 1 year MBA degree completed from a closed since 31.08.2009 South eastern University Washington DC USA and its London Campus w.e.f July 1997 to September 1998 (letter and marks transcript clearly indicating 'London Campus' enclosed) after doing BA from Pakistan under ticket No. 1219851, dated 12.03.2018 from HEC Regional Office Peshawar.*
- ii. Saud-ur-Rehman was just BA from Pakistan prior to doing 1 year MBA from given university but how did HEC issue equivalence to his 1 year MBA degree as equivalent to corresponding Master's degree involving 18 year schooling / M.Phil? Please give legal justification.*
- iii. Saud-ur-Rehman lives in Islamabad but gets his equivalence from HEC R.O. Peshawar. Please provide complete documentary evidence of his applying from Peshawar.*
- iv. The letter is issued in supersession of HEC letter dated November, 26 2018 please provide copy of it.*

- v. *Please justify legally why letter is issued after 9 months in December 2018 whereas ticket on the letter is of March 2018. Please also certify the fact.*
- vi. *On 17.03.2020 in response to my enclosed letter to HEC regarding verification of subject degree of Saud-ur-Rehman, same Raveesh Raj Assistant Director HEC who issued subject equivalence letter asked me to consult a few sources to know the status of subject university and verify the degree through HEC online process. When Raveesh Raj himself issued equivalence of given degree than why did he not straightforwardly replied to me that it is already verified by him / HEC? Please give legal justification.*
- vii. *In letter dated 27.12.2018 it is not clearly mentioned that equivalence is issued for Southeastern University Washington DC USA London Campus. Why is so please provide legal justification and certify the fact?*
- viii. *Does HEC prescribe enclosed lengthy process for equivalence?*
- ix. *Did Saud-ur-Rehman fill online application and submit hard copy of it for subject degree? Please provide complete record.*
- x. *Did Saud-ur-Rehman submit copy of passport indicating visa, entry and exit in for study duration for subject degree which was issued to him by UK Government to study as student visa Please provide copy.*
- xi. *Please provide copy of bank draft or pay order Rs. 5000 in favour of Director (Finance) MEC Islamabad deposited by Saud-ur-Rehman for equivalence certificate of his given degree.*
- xii. *Please provide certified copies of Saud-ur-Rehman Matriculation certificate alongwith marks transcript, Intermediate certificate alongwith marks transcript, BA degree alongwith marks transcript submitted to HEC.*
- xiii. *Please provide copy of Saud-ur-Rehman's subject degree, better and marks transcript having endorsement seal of HEC Seen Original and verified.*
- xiv. *Please provide all relevant documentary evidence that Saad ur Rehman provided verification on genuineness of his subject degree from subject university and its London Campus directly to HEC for receiving equivalence letter of his degree.*
- xv. *Please provide copy of sealed envelope via which verification of his subject degree direct from the university was received by HEC. Please provide copy of direct tax from university of an email from university directly addressed to HEC through which is subject degree was walled by the university and its London campus*
- xvi. *De Saud ur Rehman mention this application while writing to university? What was Mils Application IDF Please provide details and documentary evidence.*
- xvii. *Did he furnish HEC prescribe affidavit with his request for equivalence letter. Please provide copy.*
- xviii. *Southeastern University Washington DC USA as per enclosed information on internet on Wikipedia is closed and lost its accreditation from Middle States Commission on Higher Education Philadelphia on 31.08.2009. Please legally justify as to how subject equivalence letter has been issued in 2018 for a university which was closed and lost its accreditation in USA in 2009.*
- xix. *According to enclosed Institutions Directory Middle States Commission on Higher Education Philadelphia USA and Statement of Accreditation Status by Middle State Commission on Higher Education USA clearly state that the given university lost its accreditation and had no branch campus. According to enclosed US Department of Education Office of Postsecondary Education Database of Accredited Postsecondary Institutions and Programs (DAPIP) accreditation of Southeastern University Washington DC was terminated on 31.08.2009. Please legally justify as how subject equivalence letter has been issued in 2018 for a university which lost accreditation in USA in 2009 and never had a branch campus.*

- xx. *On 05.10.2020 asked HEC on its Website under Ticket ID 914860 to tell me whether Southeastern University Washington DC USA and its London Campus are recognized HEC. In response on 07.10.2020 HEC directed me to visit two websites to ascertain the status of university.*
- xxi. *On given sites no such university exists. Southeastern University Washington DC and its London Campus are not available on [www.whed.net/results-institutions.php](http://www.whed.net/results-institutions.php), <http://chea.org/search/search.asp>. On CHEA only Nova Southeastern University Fort Lauderdale Florida USA, Southeastern Louisiana University Hammond LA USA, Southeastern University, Inc. Lakeland Florida USA, Southeastern Oklahoma State University Durant, OK USA and Southeastern University School of Divinity Lakeland FL USA exist. This university and its London Campus are also not available in International Handbook of Universities Edition 2021 published by UNESCO. It is also not available on Govt. of UK website check if a university or college is officially recognized. All related information enclosed. Therefore, please legally justify as to how subject equivalence letter has been issued.*
- xxii. *According to enclosed information Former students get their transcripts and verification through Graduate School USA via ROCA. Did Saud-ur-Rehman get his transcript and degree verified from Graduate School USA and ROCA as per given procedure? Please provide certified copies of the same.*
- xxiii. *Is it correct that HEC in 2010 published enclosed advertisement that 1 year MBA is equal to a diploma?"*

## **B. Proceedings**

3. Through a notice dated April 13, 2021, sent to Public Information Officer, Higher Education Commission the Commission stated that "Under Section 14 of the Right of Access to Information Act 2017, each federal public body is bound to respond to a request as soon as possible and in any case within ten working days of receipt of the request. You are directed to provide reasons in writing within 7 working days of the receipt of this notice as to why the requested information has not been provided to the applicant, (copy of the information request and appeal thereon enclosed)".
4. Through another notice dated May 25, 2021, the Respondent was directed to submit written argument before June 09, 2021.
5. The Respondent through an email dated June 08, 2021 submitted response which is as under:

*"This is with reference to the Hearing Summon in Appeal No 969-03/21, it is requested that Mr. Zahid Ali has already been informed (letter enclosed) that the Higher Education Commission (HEC) recognises degrees of all international universities as per approved policies. In case of Mr. Saud-ur-Rehman too, the equivalence of his MBA degree from the London Campus of Southeastern University, Washington was provided as per HEC's approved policies.*

*Southeastern University Washington was a recognised university of USA, at the time when Mr. Saud-ur-Rehman was enrolled.*

*Secondly, as per HEC policy, equivalence of degree from any recognised foreign university is determined as per qualification framework of the country where main campus of the university is located.*

*Furthermore, as per HEC policy, degrees awarded after studying at any offshore campus of a foreign university are accepted provided the parent institution takes responsibility for degrees awarded through that particular campus.*

*It is further clarified that equivalence letter was issued to Mr. Saud-ur-Rehman from Foreign Equivalence Cell based at HEC headoffice, Islamabad while he got this letter attested from HEC Regional Centre, Peshawar.*

*So it is reiterated that equivalence letter in question was issued as per approved policies as well as after following the due procedure.”*

6. The response of the Respondent was shared with the appellant on June 14, 2021.
7. The Appellant on June 17, 2021 submitted his response to the information shared by the Respondent and its text is as under:

*“Please refer to my appeal No. 969-03/2021, titled Zahid Ali v/s HEC and your subject letter dated 14.06.2021 received on 16.06.2021 providing therewith response / information to my appeal shared by HEC.*

*02. Higher Education Commission (HEC) reply is totally dissatisfactory, delusive, untenable and unacceptable. Prima Facie it is an effort by HEC to cover up a stark negligence, misuse of authority on its part. Instead of providing me requisite information HEC has resorted to misleading reply. HEC needs to provide me all information prayed in my appeal.*

*03. In the light of its own reply, HEC needs to further provide following information / response in addition to providing all information requested in my Appeal.*

*i. Saud-ur-Rehman to whom HEC issued the equivalence letter (Copy enclosed) did B.A. from University of Punjab Pakistan in July 1996 (Copy of BA marks transcript enclosed). After doing B.A. Saud-ur-Rehman completed his 1 year MBA from Southeastern University Washington DC London Campus w.e.f. July 1997 to September 1998 (Letter of university clearly indicating the period and campus is enclosed). HEC needs to provide response / information how Saud-ur-Rehman could do given 1 year MBA after doing BA from Pakistan.*

*ii. In July 1996, Saud-ur-Rehman had 14 years of education to his credit i.e. B.A. He did above-mentioned 1 year MBA w.e.f. July 1997 to September 1998. His total education after doing BA from University of Punjab Pakistan and 1 year MBA from Southeastern University Washington DC London Campus was 15 years. HEC needs to provide the response / information how come it issued equivalence letter of 18 years of schooling to his 15 years education.*

*iii. HEC in 2010 published enclosed advertisement that 1 year MBA after 14 years of education is equal to a diploma. HEC needs to provide the response / information how come on 27.12.2018 it issued equivalence letter of 18 years of schooling to Saud-ur-Rehman's above-mentioned 1 year Diploma after 14 years of education i.e. BA from Pakistan.*

*iv. HEC Islamabad Office issued the equivalence letter on 27.12.2018. Whereas, attestation of the equivalence letter under ticket No. 1210851 was made on 12.03.2018 by HEC*

*Regional Center Peshawar. HEC needs to provide response / information as to how attestation was made 9 months earlier in March 2018 and the equivalence letter was issued later in December 2018.*

*V. Foreign Equivalence Cell of HEC vide E.mail dated 28.10.2020 (Copy enclosed) has confirmed that it recognizes only 'on-campus' degrees of Southeastern University*

*Washington DC. HEC needs to provide response / information as to how it has issued equivalence letter for London Campus of given University.*

*vi. HEC vide its E.mail dated 19.03.2021 (Copy enclosed) has confirmed that Southeastern University Washington DC is closed since 2009. HEC needs to provide response / information that how did Saud-ur-Rehman complete HEC prescribed lengthy procedure for issuance of equivalence letter (Copy enclosed) from a university closed since 2009.*

*vii. Prima facie, equivalence letter issued by HEC and its subject reply are untenable and delusive. HEC needs to withdraw its equivalence letter as per clause 6 & 7 of enclosed HEC's own mandatory affidavit for issuance of equivalence letter.*

*viii. On non-provision of response /information PIC may kindly proceed against HEC as per law as well as forward the subject matter to NAB for investigation please.”*

### **C. Issues**

8. The instant appeal has brought to the fore following issues:

Has the Respondent, HEC provided the requested information to the Appellant?

### **D. Discussion and Commission’s View on Relevant Issues**

9. The Respondent, Higher Education Commission, (HEC) submitted that “*that the Higher Education Commission (HEC) recognises degrees of all international universities as per approved policies*”.

10. This commission maintains that this is a vague answer and the Respondent has not provided the requested information.

11. It would be stating the obvious that as a regulatory body of higher education in the country, the Respondent, HEC is entrusted with performing sensitive work in accordance with its mandate and devised policies. However, it has not provided the requested information. The Appellant has sought access to specific information/records which will demonstrate that the HEC followed its policy in the matter in the instant appeal.

12. This commission maintains that the disclosure of the requested information is not only in accordance with both the letter and the spirit of the right of Access to Information Act, 2017, but its disclosure will also help achieve the stated objectives of this Act which are as under:

- a. Making government more accountable to citizens’;
- b. Greater level of participation of citizens in the affairs of the government’;
- c. ‘Reducing corruption and inefficiency’;
- d. Promoting sound economic growth’; and
- e. Promoting good governance and respect for human rights.

13. This commission is of the view that public participation, one of the stated objectives of this Act, through the exercise of the right to information, will not only help in improving the performance of federal public bodies but will also bridge the trust-gap between citizens and their institutions.

## **E Order**

14. Appeal is allowed. The Public Information Officer, HEC is directed to provide the following information/record to the Appellant, at the earliest but not later than 10 working days of the receipt of this Order, with intimation to this office:

Did HEC issue on 27.12.2018 equivalence letter of 18 year schooling / M.Phil to Saud-ur-Rehman? If so, provide certified copy of the equivalence letter.

Is it true as per record available with HEC that Mr. Saud-ur-Rehman had studied till BA prior to 1 year MBA degree South eastern University Washington DC USA and its London Campus w.e.f? Provide response to the Appellant based on information/record available

Certified copies of documents seeking equivalence from HEC R.O. Peshawar. provide response / information as to how attestation was made 9 months earlier in March 2018 and the equivalence letter was issued later in December 2018.

What is the status of South eastern University Washington DC USA and its London Campus ? provide information/record that how did Saud-ur-Rehman complete HEC prescribed procedure for issuance of equivalence letter from a university closed since 2009.

15. Copies of this order be sent to The Public Information Officer, HEC, Chairman, HEC and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:

July 28, 2021

This order consists of 6 (six) pages, each page has been read and signed.