



FEDERAL OMBUDSMAN
For Protection against Harassment of Women at Workplace
Islamabad

J U D G M E N T

1. Complaint Number: 1(344) / 2017-FOS (Reg)
2. Date of Institution: 08-05-2017
3. Date of Decision: 11-08-2017
4. Complainant: Mst. Asma Naz
Teacher Incharge
Department of Chemistry
University of Sahiwal
5. Opponents:
 - i. Dr. Shafiq Hussain
Assistant Professor of Computer Science
University of Sahiwal
 - ii. Ghulam Mustafa
AKA, GM (visiting teacher)
University of Sahiwal
 - iii. Muhammad Akram Naveed
Visiting Teacher
University of Sahiwal

Justice (R) Yasmin Abbasey,

Federal Ombudsman:

Complaint No. 1(344)/ 2017-FOS.

1. Complainant Mst. Asma Naz Assistant Professor in University of Sahiwal has filed this complaint against Dr. Shafiq Hussain, Assistant Professor, Ghulam Mustafa Visiting Teacher and Akram Navid Visiting Teacher stating that all of these three are intimidating, insulting and harassing her in different manners. Opponent No. 1 Shafiq Hussain is repeatedly interfering in her department and force her to give illegal favor. On refusal he threatened and insulted her on phone calls. Due to stress put by opponent complainant had gone under gynecological problem, due to which on 19-01-2017 she had to go for emergency operation for urgent delivery. In spite of informing opponent No. 1 he on 31-07-2017 issued notice of absent from duty and conveyed it to Vice Chancellor. That notice was replied. Opponent No. 1 forced her students to write against her being dishonest. Opponent No. 1 is in habit of moving bogus complaints against people. In the same way he targeted complainant with fake allegation of corruption. In spite of bringing malafidies of opponent No. 1 in notice of Vice Chancellor he had not taken any action against him. Opponent No. 1 also misuse Dr. Akram Navid opponent No. 3 visiting teacher to create baseless scandals against complainant. Complainant had received unethical complaints from students against opponent No. 3 which were reported by complainant to Vice Chancellor through opponent No. 1, but instead of sending those complaints along with her letter opponent No. 1 intervened, forced and threatened some students to write in favor of opponent No. 3. After receiving those letters from students in favor of opponent No. 3 he forwarded them to Vice Chancellor. In spite of fact that only Vice Chancellor can initiate inquiry opponent No. 1 at his own investigated the matter and change whole facts because he was misusing opponent no. 3 against complainant. Beside that opponent No. 1 involved opponent No. 3 in complainant's departmental matters and tried to create interference just to put stress on her. Opponent No. 3 is regular faculty member of Government College University Faisalabad, Sahiwal campus. As opponent No. 1 was involved in unethical activities in department of chemistry, therefore complainant did not want his access into the premises of chemistry department. Illegal notice was send by opponent No. 3 to complainant. As per university communication procedure complainant is supposed to communicate directly with Vice Chancellor, but with

malafidely intention opponent No. 1 directed Assistant Registrar to issue letter that no faculty member can directly communicate with Vice Chancellor without permission of campus Director opponent No. 1. After expiry of tenure of the then Vice Chancellor on 14-03-2017 opponent No. 1 illegally assume his powers and started performing work as Vice Chancellor. This illegal practice of opponent No. 1 was reported by faculty of University to higher authorities. By misusing his powers opponent No. 1 transferred one departmental trainee clerk just to inference in complainant's department and put stress on her. Opponent No. 1 also threatened complainant to terminate from service for not obeying his orders. Opponent No. 1 has started writing against complainant on other forums which is an another chain of harassment towards her. He also misused one of his friend Malik Zawar to write against her and her husband who is Federal government employee and had made bogus complaint against complainant's husband in commissioner's office. In anti corruption department matter was investigated, that complaint was disposed of as bogus. Opponent no. 1 used vulgar language and tried to defame complainant everywhere. He also pressurized department clerks to write against her to have prove of dishonesty so that he can initiate disciplinary proceedings against complainant. To gain his object he is also threatening department clerks to stop her salary.

2. On 30-03-2017 in evening around 4:00 pm opponent No. 3 provoked some students of physics department to agitate against complainant in academic block-2 for not allowing use of chemistry lab. This agitation was made after working hours. Media was also called there. Opponent No. 3 threatened chemistry department clerk to provide confidential documents.
3. On 06-04-2017 one another friend of opponent No. 1 Ghulam Mustaffa visited chemistry laboratory where complainant was conducting practical. There opponent No. 2 threatened that if any complaint is made by complainant and her husband opponent No. 1 will physically beat complainant and her husband. In case of any type of physical or financial harm to complainant and her family all three opponents will be responsible for it. To put complainant under further stress and harass her opponent No. 1 had installed CCTV cameras only in chemistry department just to put constant eye.
4. Opponent No. 1 is very rude person and most of administrative staff had complaint against him. He himself is involved in high level corruption. Complainant has also complaint against opponent No. 1 in commissioner office

Sahiwal, but no action has been taken thereon. Hence this complaint.

5. Opponent No. 1 Dr. Shafiq Hussain in his statement has stated that reason behind filing this complaint against him is that he had dropped Mst. Afrah Asghar sister of complainant and her husband Basharat Aziz from teaching as Head of department of Computer Science and Distance Education program respectively because of continuous absence of Basharat Aziz. It is thereafter both complainant and her husband started campaign against him. Dr. Basharat Aziz has also committed cyber crime by writing bogus and fake email dated 29-02-2016, by using spoofing technique to become Chairman NAB, to the then Director BZU Sub campus Sahiwal and Registrar BZU Multan just to remove opponent No. 1 from his position. Opponent no. 1 informed to Chairman NAB Islamabad. Inquiry was initiated and case was handed over to FIA Cyber crime circle Lahore. When Basharat Aziz came in knowledge that inquiry is going against him he through his wife complainant Dr. Asma Naz has filed harassment applications at different forums including Commissioner Sahiwal Division on 09-04-2017 and to this office of FOS on 08-05-2017. FIA inquiry concluded with lodging of FIR on 02-06-2017.
6. On 09-02-2017 a complaint was received from students of chemistry department University of Sahiwal alleging that under name of event management committee complainant's husband Basharat Aziz is continuously collecting illegal money from students. Being campus Director of University Sahiwal, opponent No. 1 investigated the matter and called an explanation from complainant but she did not reply to the same. Meanwhile case was referred to anti corruption Sahiwal by parents of students, where regular inquiry against complainant is under process. This issue also became a case of filing this present complainant against him. Commissioner office Sahiwal had also investigated the harassment complaint moved to him. It is denied that opponent No. 1 ever interfered in affairs of complainant's department and had asked for any undue favor from her. On the contrary he appointed her as coordinator in Distance Learning Program, wherein she had earned handsome amount of Rs. 11300/- from 01-01-2016 to 31-12-2017 during her pregnancy. Opponent No. 1 during pregnancy of complainant never met with her except in official meetings in presence of Vice Chancellor and other staff members of university nor he ever called to complainant on her mobile phone. Opponent No. 1 was informed by some parents of female students that complainant has merged their classes, therefore they are unable to attend classes in evening. Opponent No. 1 called her on 30-01-2017 and instructed her that she

cannot merge morning classes with evening classes as per rules. It is thereafter opponent No. 1 came to know about birth of complainant's baby. In spite of instruction by opponent no. 1 complainant insisted to run department from home and to merge morning classes with evening classes. She was also instructed to have maternity leave which was refused by her. In such circumstances opponent No. 1 marked her absence. If opponent No. 1 would had harassed her then no reason has been given by her that why she had not reported the matter to campus Director or Vice Chancellor of University. Notices issued to her were with reference to her absence and nothing personal was in those notices. On 09-02-2017 through letter she was also directed to stop collecting money from students for purchase of plants for university and also to stop collection of funds in name of Event Management Committee by her husband as it was not an approved committee by any authority. All time complainant was informed about ill practice committed by her just to resolve the issue. Dr. Akram Navid was full time teacher in complainant's department for one year and visiting teacher for her department for more than 6 months. What happened thereafter in between complainant and Dr. Navid Akram is not known to opponent No. 1, however when complaint of complainant was received against Dr. Navid Akram he inquired the matter being Campus Director from CRs and GRs of class. All of them denied all allegations of complainant against Dr. Navid Akram. To inquire such matters is of opponent's No.1 official duty. Neither opponent No. 1 has threatened any student nor forced them to make any particular statement. No special room has been allocated to Dr. Navid Akram. He is using room commonly allocated to visiting faculty. Being campus Director it is duty of opponent No. 1 to look after affairs of campus under instructions of Vice Chancellor. Naib Qasid was transferred as he was involved in corruption and now anti corruption department Sahiwal is conducting inquiry against him along with complainant and her husband Basharat Aziz. Basharat Aziz was also arrested by FIA on 02-06-2017 for falsely personalizing himself as Chairman NAB. After transfer of trainee clerk a qualified clerk and lab attendant was provided to complainant, but she did not allow to join him. Complainant used to keep keys of chemistry lab at her home and did not allow students of chemistry department to open lab. In this connection when letter was written to her and message was also communicated from Commissioner Sahiwal to open chemistry lab for students she refused. Keys are still with complainant at her house and students are deprived to do practical work. In fact complainant is harassing opponent No. 1 and is illegally creating interference in his work performance and

is also doing misconduct. On 03-04-2017, 17-04-2017 and 19-04-2017 complainant managed other teachers of the university to write bogus letters against him to higher authorities. Complainant filed by complainant Mst. Asma Naz is false and frivolous and is liable to be dismissed.

7. Opponent No. 2 Ghulam Mustaf has denied all allegations leveled by complainant against him. Opponent No. 2 never abused nor threatened her. In fact sister of complainant was also visiting teacher in computer science department, but on complaint of students and verifying the facts she was removed by opponent No. 1 and that subject was given to opponent No. 2. He has also repeated the same allegation of hijacking the email account of Chairman NAB by complainant's husband and lodging case against him. Few years ago complainant contacted him and seek help for her husband involved in cyber crime in FIA. She also requested to talk with opponent No. 1 to give up this case and forgive her husband. Except this talk in between complainant and opponent No. 2 no talk ever took place in between them. Complainant request was conveyed to opponent No. 1. This false and fake complaint has been lodged by complainant against him. It may be dismissed.
8. Opponent No. 3 is an Assistant Professor in Higher Education Commission working with University under IBFP program. Complainant has some personal issues with opponent No. 3. She did not give him lectures in chemistry department rather she is not prepared to see him in premises of university Sahiwal. This was due to Mst. Afrah sister of complainant and her husband Basharat Aziz who is involved in corruption and in departmental matter without having any legal position in chemistry department. Complainant's husband is illegally collecting money from students of department. Matter is pending against complainant's husband in anti corruption department. On condemning the activities of Basharat Aziz he used to convey warning to him. During contract period of opponent No. 3 complainant was on maternity leave and opponent No. 3 run the department very successfully. He applied for extension of his contract period to Vice Chancellor University of Sahiwal which disturb complainant and she used some students to write against him and it is because of that Vice Chancellor was reluctant to extend contract period. Opponent No. 1 also investigated matter against me and found all allegations leveled by complainant as false and frivolous. Report was submitted before Vice Chancellor who offered opponent No. 3 to have some more classes in chemistry department. All

allegations leveled by complainant are false and frivolous. Opponent No. 3 is performing his duties very well. Detail of same has been given by him in his complaint. Complaint is liable to be dismissed.

9. After going through record and counter allegation leveled by both parties in proceedings against each other and applications managed to have been moved from students of faculty of chemistry against each other by parties in proceedings reflects that instead of paying attention on their professional duty they with their ulterior motive to overcome on each other have not only failed to discharge responsibilities as teacher in university for which they were appointed and engaged. They had created atmosphere which in no way can be said to be of educational institution. Status of teacher in every society is of great importance as they are known as nation builders and their importance in educational process and their unique position in profession is because of trust and capacity to teach pupils. Beside that during education process their job is to protect their students from unethical conduct, but in present case I found that all teachers either they may be complainant or opponents have crossed limits of ethics. Documents produced by both of sides show that most of their time instead of paying attention on their students, they spent it to make out case against each other either it may be of civil nature or of criminal nature. It is very condemnable that cases of these so called nation builders were been investigated by Commissioner Sahiwal division and police authorities in FIR lodged by parties in proceedings against each other.
10. According to opponents complainant and her husband are involved in extorting money from students. This allegation of opponents has been admitted by complainant in her letter to Vice Chancellor on 13-02-2017 that "the students and teachers make collection for events of arranging welcome and farewell parties because university does not make any payment to hold these events. I think that collection made by students in fall semester for welcome parties and sports week is being misreported in this way", but at the same time it is an admitted fact that while collecting money for such events from students complainant has not taken any approval from competent authority, because if such collection would had been part of educational contribution of students it would not had cropped up number of complainant against such collection. How far these complaints said to be filed by students and placed on record at different places are genuine or not is an another question, but in view of admission of complainant it is established that

she and her husband were involved in collecting such funds from students. It has also been brought on record that because of this tussle in between parties in proceedings chemistry lab of department of chemistry remained locked for considerable time which has also badly affected on education of students. Application moved on 19-04-2017 further shows that beside parties in proceedings other faculty members of university also become party in this conflict in between complainant and opponents. In such circumstances I am of the view that faculty members of university of Sahiwal have failed to maintain dignity and honor of their profession what to say of upholding it. They have failed to realize that their main work in profession is to improve quality of teaching and to follow code of conduct of teaching which refrain them from undermine status and dignity of their colleagues.

11. Upshot of above discussion is that all faculty members including parties in proceedings who have destroyed atmosphere of university as educational institution and have failed to discharge from academic responsibilities are not supposed to be on seats. Governor of Punjab as Chancellor of University is requested to intervene in the matter and by appointing responsible teachers try to upgrade status of university which may be beneficial to students of the university and may upgrade status of profession of teachers. Complaint disposed of accordingly.
12. Issue letter to Governor of Punjab Chancellor of University Sahiwal, Lahore to take immediate action in the matter to safeguard future of students of the university and report to this office within 15 days of receipt of this order.
13. Parties be informed accordingly.
14. Announced in open court.

JUSTICE (R) YASMIN ABBASEY
Federal Ombudsman