

**OFFICE OF THE FEDERAL OMBUDSPERSON
FOR PROTECTION AGAINST HARASSMENT OF WOMEN
AT THE WORKPLACE, ISLAMABAD**

FORM OF ORDER SHEET
Complaint No. FOH-HQR/00504/2024

Date of Institution: 02-01-2025

Serial No. of Order of Proceedings	Date of order of Proceedings	Order of other proceedings with Signature of Federal Ombudsperson			
		TITLE:	Ms. Fazia Akhter	VS	Dr. Zabta Khan & Others
		Department: Federal Urdu University of Arts, Science & Technology (FUUAST)			
1	2	3			
29	28-10-2025	<p><u>Subject: Final Order</u></p> <ol style="list-style-type: none">Ms. Fazia Akhter (hereinafter referred to as the "Complainant") is serving as a regular Lecturer in the Department of Computer Science at the Federal Urdu University of Arts, Science & Technology (FUUAST). She has filed a harassment complaint against Dr. Zabta Khan Shinwari, Vice Chancellor (hereinafter referred to as "Accused No. 1"), and Dr. Muhammad Sheraz, Head of the Department of Computer Science (hereinafter referred to as "Accused No. 2"). She alleges that she has been subjected to ongoing harassment at the hands of the Accused.She specifically alleges that Accused No. 2, while misusing his official position, exerted pressure on faculty members to provide him pick-and-drop services. She states that she complied with his demand for a period of three months. However, when she attempted to discontinue this arrangement, he began creating administrative difficulties for her, including issuing explanation letters.It is a standard practice at the University that following the submission of Spring Semester results in July, a Summer Semester is commenced for students who need to clear previously failed courses or incomplete courses. Permanent faculty members may voluntarily opt to teach these courses for additional remuneration, whereas for contractual faculty members, it is considered part of their regular workload.In July 2024, the Complainant submitted her results during the first week and informed Accused No. 2 that she required rest due to mental stress. She was not informed of any new			

policies regarding the summer workload. Subsequently, she lost her mobile phone and, due to delayed payment of salaries, was unable to replace it. During this period, she remained on bed rest at home.

5. In September, upon returning to the University, the Complainant received an explanation letter regarding her absence in July. She later discovered that several other faculty members, including Mr. Naveed Kazim, Mr. Kashif Rizwan, and Ms. Irum Shehzadi had also remained absent during the summer but were not issued similar explanation letters. She therefore felt that she was being unfairly targeted.

6. Upon filing a harassment complaint with Accused No. 1, the Complainant alleges that he supported Accused No. 2 and threatened her to withdraw the complaint or face serious consequences. Consequently, she applied for study leave and amended her response to the explanation letter in order to avoid further conflict.

7. The Complainant intended to pursue a Ph.D. in Computer Science and had already been issued a general NOC. After completing all necessary formalities, she submitted an application for a formal NOC on 12-09-2024.

8. She alleges that when she submitted reminder dated 15-11-2025 for issuance of the NOC, she was later on called into the office of Accused No. 1 for a meeting where his secretary took possession of her mobile phone. During the meeting, Accused No. 1 allegedly threatened her, stating that he would not issue the NOC as she would later apply for study leave and that he could not afford to spare her. When she informed him that she had secured admission to Muslim Youth University, he allegedly remarked that the institution lacked credibility and advised her to apply to Urdu University instead. He further allegedly commented:

“When females reach the age of 35 or more, they experience hormonal issues and their mental condition becomes unstable, which causes problems for others.”

9. The Complainant contends that it was not feasible for her to enroll in Urdu University; however, Accused No. 1 refused to consider her explanation and allegedly remarked,

“You are the one who files harassment complaints, and now you have to pay for that.”

She further claims that male faculty members were issued NOCs and granted study leave, whereas their female counterparts were not afforded the same opportunity.

10. She further alleges that she was assigned an excessive workload despite suffering from severe back pain, which made it difficult for her to stand for more than ten minutes. Nevertheless, she resumed her duties but was assigned tasks that she describes as "strangest in nature." She claims she was the only woman who was consistently victimized, pressured, and harassed, characterizing the situation as systematic harassment and gender-based discrimination that caused her significant mental stress and discomfort. Thus, she seeks protection from further coercive actions by the Accused and prays for the establishment of a dignified and harassment-free work environment.

11. The Accused were duly summoned and submitted separate written replies, wherein they categorically denied all allegations leveled against them.

12. Accused No. 2, in his written reply, stated that the Complainant had not availed any medical leave on account of mental stress. He submitted that she applied for medical leave on 20-05-2024 due to ankle pain, which was subsequently extended upon her request. She resumed her duties on 01-06-2024 and later proceeded on medical leave again from 16-10-2024 to 27-10-2024, which was duly processed without delay.

13. He denied exerting any pressure on faculty members for pick-and-drop services and explained that it is a common practice among both male and female staff to offer or avail such services on humanitarian grounds. He further stated that he himself had provided transportation to colleagues on various occasions and had likewise accepted similar help from others. He also stated he had cordial relations with the Complainant, who had previously been his student.

14. He claimed that all faculty members had been informed about the summer break policy via WhatsApp messages dated 10-07-2024 and 11-07-2024, and that the minutes of the relevant meeting had also been shared in the group,

which included both male and female faculty members. He maintained that the Complainant had seen these messages and was therefore duly informed of the policy.

15. He denied issuing any explanation letters, stating that it was part of his responsibility as HOD to report attendance to the higher authorities. He highlighted that the Complainant's classes had been rescheduled to a more accessible floor upon her request due to her ankle pain. He asserted that the Complainant frequently files complaints against staff members who do not comply with her preferences and that she had been previously terminated for administrative misconduct. He further mentioned her irregular attendance as confirmed by biometric records, and stated that her complaint should be dismissed.

16. Accused No. 1, in his reply, denied all allegations of harassment. He stated that the Complainant had submitted an application on 28-08-2024 for the issuance of an NOC to pursue her Ph.D., which was approved on 11-09-2024 with the condition that no financial support would be provided due to financial constraints. She was advised to apply for a formal NOC after securing admission, which she subsequently did on 12-09-2024.

17. He stated that, as per standard university protocol, individuals are not allowed to carry mobile phones during meetings with the Vice Chancellor. The meeting was attended by the In-Charge Campus and the Additional Registrar. He further stated that the conversation was conducted in a professional manner and in good faith.

18. He denied any allegations of gender-based discrimination. He explained that two male faculty members had been granted leave extensions based on prior approvals and conditional on future teaching obligations. He further stated that the university's financial crisis had impacted all employees equally, including delays in the disbursement of salaries.

19. Evidence of both parties was recorded, arguments were heard, and the record was duly reviewed.

20. The allegations against both accused are distinct and shall be discussed separately.

21. The allegations against Accused No. 2 include:

- i. Failure to accommodate the Complainant in her duties

ii. Pressurizing her to provide pick-and-drop services and retaliating upon refusal

iii. Failing to inform her about the summer break policy

These will be examined before addressing allegations against Accused No. 1.

Analysis of Allegations Against Accused No. 2

22.The allegations against Accused No. 2 are not sexual in nature. The Complainant has alleged the creation of a hostile work environment through gender-based discrimination, which falls within the ambit of Section 2(h)(ii) of the Act, 2010. The term gender-based discrimination (GBD) is defined in the Act as:

“discrimination on the basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mindset or notion, resulting in discriminatory behavior on the basis of gender against the complainant.”

23.The presence of gender bias and prejudice constitutes a significant factor contributing to the harassment of women in workplace settings. Research consistently indicates that gender-based discrimination may manifest not only through overt acts of hostility but also through systemic inequities embedded within organizational structures and practices.

24. According to Dr. Alice H. Eagly, a renowned psychologist and expert in gender studies, *“Gender stereotypes and expectations continue to influence how women are perceived and treated at work. These biases often result in women being underestimated, under-promoted, and undervalued,”* (Eagly & Carli, *Through the Labyrinth*, 2007). Such disparities in treatment—especially when compared to male colleagues—can foster an environment in which women feel marginalized, unsupported, or even targeted, thereby increasing the likelihood of harassment or other forms of workplace misconduct.

○ **Disparity and Power Dynamics**

25.Inequitable practices concerning promotions, task assignments, compensation, and benefits contribute to a

power imbalance that disproportionately affects women. When women are consistently overlooked for advancement or assigned tasks of lesser value, it conveys a message of inferiority, which may foster demeaning behaviors or exploitative dynamics by those in positions of authority.

- **Thin Line Between Harassment and Management**

26. However, it is important to distinguish between legitimate managerial actions and harassment. Supervisors and organizational leaders have a duty to enforce rules, assign tasks, monitor performance, and uphold organizational standards. Such actions, while sometimes perceived as unpleasant or strict, do not in themselves constitute harassment, provided they are conducted fairly, without bias, and in accordance with legitimate business needs. The challenge lies in distinguishing between necessary management and discriminatory conduct. Not every action that causes discomfort or offense amounts to harassment; context, intent, and impact must all be carefully considered.

27. In this regard, it is essential to recognize that not every disagreement, criticism, or workplace conflict amounts to harassment, especially when such actions are applied uniformly to all employees, irrespective of gender. However, when supervisors lose objectivity—either by singling out certain individuals based on gender or by allowing personal biases to influence their judgment—their actions may cross the line into harassment or discriminatory conduct. The present case shall be analyzed in light of the foregoing principles.

28. The first allegation relates to the Complainant's medical condition and her claim that she resumed university duties despite being unwell. She stated she avoided prolonged standing in accordance with her doctor's advice. She further alleged that, while other staff members were assigned lighter examination duties, she was compelled to continue working. During her testimony, she admitted Accused No. 2 had previously been her teacher and that she had not experienced any prior incidents of harassment from him.

29. The Complainant claimed that she was compelled to work from home via WhatsApp while on medical leave, including preparing NCEAC documentation. She admitted her leave

had been processed promptly and that she had not submitted any request for exemption from examination duties. She stated that she informed Accused No. 2 about her inability to perform exam duties, upon which he instructed her to arrange a substitute. Consequently, Mr. Adil performed the duty on her behalf. No medical records were submitted to support her health-related claims, nor was any evidence submitted to demonstrate that she was compelled to work during her medical leave. A message dated 20-06-2024 from Accused No. 2 indicates that, in lieu of a missed duty on 24-04-2024, she was assigned another duty on 05-07-2024. Furthermore, an email dated 01-07-2024 confirms a scheduled duty on 03-07-2024, to which she responded that the duty had been performed by "Dil" and warned the HOD not to exert pressure on her. Accused No. 2 replied that additional duties were being assigned as other staff members were also engaged.

This matter appears to be administrative in nature and does not constitute gender-based discrimination or harassment.

30. The second allegation is that Accused No. 2 requested pick-and-drop services. The Complainant stated that she had provided this service for three months. Accused No. 2 did not deny this assertion but explained that it is a common practice among staff members to assist one another voluntarily. CW-2, Ms. Fakhra Kashif, supported this claim, stating that she had also provided such services on a voluntarily basis.

31. To determine whether the provision of pick-and-drop services constitutes harassment—particularly within the framework of workplace harassment laws (e.g., as defined in Pakistan under the Protection Against Harassment of Women at the Workplace Act, 2010), the following elements are generally considered:

Was the Conduct Unwelcome?

32. The Complainant alleged that she was pressured into providing pick-and-drop services. However, she neither objected nor lodged any complaint during the three-month period in which she provided the service. No evidence (e.g. messages, emails, complaints) has been produced to

demonstrate that she refused or expressed any discomfort at the time. No allegation has been made that Accused No. 2 misbehaved during the travel, or that she was required to travel an additional distance to drop him at his residence. The statement of Accused No. 2, that she had dropped him along the expressway, has gone unrebutted. He was not cross-examined on his contention that colleagues generally provide pick-and-drop services to one another and that he himself had extended similar assistance to both male and female colleagues.

This weakens the Complainant's claim that the conduct was unwelcome, which is a key element in establishing harassment under the law.

Was There Abuse of Authority?

33. The Complainant alleged that Accused No. 2 abused his position to obtain a personal favor in the form of transportation, and that when she refused to continue providing this service, he retaliated by issuing a letter of explanation for non-performance of duty during the summer break. However, no evidence to establish that any professional threat (e.g., denial of promotion, leave, or assignment) was linked to her compliance or refusal. Accused No. 2, described the arrangement as voluntary and customary among colleagues. The Complainant herself acknowledged that the Accused had no authority to issue explanation letters (which she alleges were retaliatory). According to the evidence on record, it was the duty of Accused No. 2 to inform the Head of Campus about the performance of duties during the summer break, which he duly fulfilled.

Was the Conduct Gender-Based or Discriminatory?

34. The core of harassment claims often lies in gender-based bias or sexualized behavior. In this case:

- There is no indication that the request for transportation services was made exclusively to female colleagues.
- CW-2 testified that both male and female colleagues voluntarily provided and received such services.

- No sexually inappropriate conduct or language was alleged in connection with the provision of transportation services.

Hence, no evidence of gender-based discrimination or sexual harassment is found on record in relation to this allegation.

35. Providing transportation to a colleague, even if initiated by a superior, does not in itself meet the legal threshold of harassment unless accompanied by elements such as coercion, threats, discriminatory consequences, or sexually inappropriate behavior. None of these elements have been established in the present case. However, no element of sexual harassment, or coercion is evident on record.

36. The third contention raised by the Complainant is that she was not informed about the change in the Summer Break Policy. It is on the record that the summer break policy was shared in the common WhatsApp group, and Accused No. 2 stated that he had also informed the Complainant personally. The Complainant contended that she has been unwell, that her mobile phone was not working, and that she was unable to purchase a new one; therefore, she could not read the message. However, there is nothing on record to show that the Complainant had ever informed the department that her phone was not working or that all communication should henceforth be made through post. Additionally, she has not claimed to have been without access to a laptop or desktop computer. It appears therefore, that she herself was responsible for the breakdown in communication with the department during this period. This indicates no demonstrable abuse of authority by Accused No.2 directly connected to the provision or refusal of pick-and-drop services.

There is nothing on record to suggest that any of the Complainant's applications—whether for an NOC for further studies or for leave— were ever stopped, delayed, or opposed by Accused No. 2.

37. During the pendency of the present complaint, a separate complaint of harassment was filed against the Complainant by a student. This complaint was forwarded by Accused No. 2 to the Harassment Committee and pertained to the alleged

loss of certain examination papers. The Complainant contended that this subsequent complaint was an act of retaliation, intended to intimidate and discourage her from pursuing her initial grievance.

38. It is important to note that under Section 3 of the Protection Against Harassment of Women at the Workplace Act, 2010, "retaliation" includes any adverse action or reprisal taken against a person for filing or participating in a harassment complaint. Such conduct constitutes a separate violation of the Act. The record was duly summoned, and it appears that the inquiry committee dismissed the student's complaint due to insufficient evidence. Furthermore, no material has been placed on record to establish that the said complaint was filed in collusion with any of the Accused. It is also pertinent to mention that the inquiry committee recommended the removal of Accused No. 2 from the position of Head of Department (HOD), and he is presently no longer holding that post. As the matter has already been addressed by the institution's internal inquiry committee, no further interference by this Forum is warranted at this stage.

39. In view of the above discussion, the Complainant has not been able to substantiate the allegations of sexual harassment or gender discrimination against Accused no 2.

Analysis of allegations against Accused no.1

40. The first allegation against Accused No. 1 is that when the Complainant applied to him, he supported Accused No. 2 and threatened her to withdraw her application, failing which she would face severe consequences. The Complainant stated that she was compelled to apply for study leave to avoid further complications. She also alleged that Accused No. 1 altered her written reply to the explanation letter.

41. The second allegation is that a formal No Objection Certificate (NOC) was not issued to her. The Complainant further alleged that when she was summoned to the office of Accused No. 1, her mobile phone was taken from her, and she was compelled to pursue her Ph.D. from Urdu University. She also stated that the Vice Chancellor remarked that "when females reach the age of around 35 or above, they experience hormonal issues, and their mental

condition becomes unstable, causing them to create problems for others.”

42. Regarding the first allegation of supporting Accused No. 2 and threatening the Complainant with severe consequences, the record reflects that the Complainant has a previous history of remaining absent from duty. She was issued an explanation letter on 29.04.2022 for remaining absent for three months, and another explanation letter dated 22.08.2024 (Ex. Pw-1/5) for failing to perform three weeks of duty during the summer break. The Complainant admitted that under university policy, faculty members are required to report for three weeks of duty during the summer vacations at a time of their choosing.

She further admitted that one of her replies was dated 22.08.2024 (Ex. D-1), while another reply bore the date 02.09.2024 (Ex. D-1) under her signature. During cross-examination, she stated that after meeting the Vice Chancellor, she went to the Registrar’s Office, where Accused No. 2 was also present. The Additional Registrar advised her to submit a simple explanation so that the matter of short attendance could be resolved and her study leave could be processed. She stated that she agreed to do so, considering that it might help her obtain the study leave and avoid further complications.

This statement indicates that the allegation against the Vice Chancellor of coercing the Complainant to change her explanation under threat is not substantiated. It is also evident from the record that her issue primarily pertained to her absence from duty during the summer break, for which she furnished the required explanations voluntarily. The time gap between her two replies further negates the allegation of compulsion or undue influence by the Vice Chancellor. Moreover, in her initial explanation letter (Ex. D-2), there is no reference to any act of harassment by Accused No. 2. Accordingly, this allegation remains unproven on the record.

43. The Complainant has also alleged that when she went to the office of Accused No. 1, her mobile was confiscated. However, the record reflects that all individuals visiting the office of Accused No. 1 are required to follow this protocol due to security reasons. Therefore, no element of harassment is involved in this act.

44.The second allegation pertains to the non-issuance of a formal NOC and the remarks allegedly made by the Vice Chancellor. During her testimony, the Complainant admitted that she had been granted one year of study leave with full pay to study abroad, which she availed, but could not complete her degree. Upon rejoining the university, she applied for an NOC to pursue a Ph.D., which was subsequently granted. She stated that she is enrolled in a Ph.D. program at the Muslim Youth University but has presently frozen her studies. She further stated that she filed this complaint after Accused No. 1 initially refused to issue the NOC.

45.As regards the NOC, there is no evidence on record to suggest that any other male colleague was granted an NOC during the same period. The Complainant mentioned two names; however, the record reflects that those individuals were already on study leave and had merely applied for extensions, which were granted subject to their timely completion of courses. It is also on record that the University has been facing severe financial constraints, making it difficult to allocate additional resources for staff development. Therefore, the issue of NOC appears to be administrative in nature, with no evidence of gender bias or discrimination. Hence, this allegation also remains unsubstantiated on the record.

46.The most serious allegation against Accused No. 1 pertains to the alleged remarks about women developing “hormonal issues” after a certain age, which purportedly affect their mental stability and cause workplace disruption. Such remarks are inherently sexist, derogatory, and demeaning, amounting to gender stereotyping and constituting behavior that can create a hostile work environment. Under the Protection Against Harassment of Women at the Workplace Act, 2010, such conduct falls within the ambit of gender discrimination and psychological harassment.

47.In legal contexts, “sexually demeaning” conduct refers to behavior that is offensive, humiliating, or degrading based on a person’s sex or gender. This may include making derogatory statements about women or men, telling sexist or anti-female jokes, or reinforcing harmful gender stereotypes, such as comments about women's ability in any

particular field. The comments attributed to the Accused are sexually demeaning and constitute a classic example of gender stereotyping. Accused No. 1 however, denied having made any such statement, either explicitly or implicitly, asserting in paragraph 12 of his affidavit that the alleged remark is a fabrication, maliciously introduced to damage his personal and professional reputation. Nonetheless, this denial must be assessed in light of the testimonies presented.

48. The witness produced by Accused No. 1, Dr. Ehtisham-ul-Haq, Head of the Department of Economics, deposed during cross-examination that after the resolution of a complaint filed by the Complainant, the Vice Chancellor remarked that “certain hormonal changes occur in women, so male colleagues should be considerate.” He further stated that the Vice Chancellor had made similar remarks on more than one occasion. DW-2, Mr. Muhammad Aleem Raza, Additional Registrar also corroborated this statement. CW-2 and CW-3 provided similar testimonies.

49. It is thus evident, even from the defense evidence, that Accused No. 1 repeatedly made such remarks. During arguments, the counsel for Accused No.1 submitted that the Accused had expressed regret and stated he would be more careful in the future. However, the record shows that Accused No. 1’s expression of regret was conditional and dismissive, as he merely stated that if his words were misunderstood or caused discomfort, he regretted them. He further stated that his intention was to promote empathy by encouraging colleagues to be mindful of women’s physiological and emotional challenges, citing his background in biotechnology. He admitted to making these comments repeatedly in various meetings. However, the occasion on which these comments were made were neither academic lectures nor awareness sessions. The repetition of such remarks in professional meetings constitutes inappropriate and discriminatory conduct. These statements, corroborated by multiple witnesses, demonstrate a pattern of gender stereotyping that undermines the dignity of women in the workplace.

50. In an academic environment, particularly when such views are expressed by an individual holding a position of

authority, they not only reflect bias but also risk normalizing discriminatory attitudes among faculty and students. Such conduct is incompatible with the standards of fairness, respect, and inclusivity required under the Protection Against Harassment of Women at the Workplace Act, 2010. It is, therefore, observed that the behavior of Accused No. 1 raises serious concerns regarding gender sensitivity and professional propriety.

51. Persons in positions of authority, particularly heads of universities, carry a heightened responsibility to model conduct that upholds equality, respect, and non-discrimination. Remarks such as those attributing women's workplace behavior to "hormonal changes" constitute gender stereotyping, which undermines women's dignity and reinforces discriminatory attitudes. University heads bear an institutional duty to demonstrate exemplary gender sensitivity, as their words and actions shape the culture of the academic community. Such remarks or conduct reflecting gender bias, even when not amounting to direct harassment, can erode confidence and constitute a hostile environment.

The CEDAW Committee (General Recommendation No. 28) has emphasized that "ignorance of gender stereotypes cannot absolve duty bearers of responsibility." In *Price Waterhouse v. Hopkins* (U.S. Supreme Court, 1989), the Court ruled that employment decisions or commentary based on stereotypical views of women's behavior constitute discrimination.

52. In view of the foregoing, it is established that the conduct of Accused No. 1, consisting of repeated remarks linking women's professional performance to hormonal changes, constitutes gender-based stereotyping and reflects sexually demeaning behavior within the meaning of Section 2(h)(i), and also amounts to gender discrimination as defined under Section 2(h)(ii) of the Protection Against Harassment of Women at the Workplace Act, 2010. Such remarks, particularly when made by a senior academic authority, create an intimidating and hostile environment and violate the principles of equality, dignity, and mutual respect that the Act seeks to uphold. Ignorance of gender stereotyping cannot be excused for heads of institutions who are

expected to lead by example. The Vice Chancellor's remarks reflect a failure to meet the standard of institutional responsibility, risk normalizing prejudice, and undermine the integrity of the university's commitment to gender equality. Accordingly, Accused No.1 is found guilty of the workplace harassment, and a minor penalty of Censure under Section 4(4)(i)(a) of the Act, 2010, is hereby imposed upon him. The competent authority is directed to submit a compliance report within one week of the issuance of this order.

53. A copy of this order shall be forwarded to the administration of Federal Urdu University of Arts, Science & Technology (FUUAST), Islamabad, as well as the Syndicate with instructions to monitor the conduct of Accused No.1 and to ensure that such incidents are not repeated in future. The institution is further directed to ensure a safe, respectful and inclusive work environment at the institution.

54. A zero-tolerance policy against harassment is to be adopted by the institution in line with which they are directed to follow the statutory obligations of institutions under the Protection Against Harassment of Women at Workplace Act, 2010. This entails:

- **Formulation of an Inquiry Committee:** FUUAST must constitute a standing inquiry committee under Section 3 of the Act, which must be known to all the students, faculty and staff.
- **Display of Code of Conduct:** The statutory Code must be displayed prominently across the premises.
- **Awareness Initiatives:** Regular seminars and workshops must be held to sensitize staff and students.

55. The Competent Authority is directed to submit a compliance report within one week of the issuance of this order to the Registrar, FOSPAH, Islamabad.

FEDERAL OMBUDSPERSON