



FEDERAL OMBUDSMAN
For Protection against Harassment of Women at Workplace
Islamabad

J U D G M E N T

1. Complaint Number: 1(99)/2014-FOS
2. Date of Institution: 02-12-2014
3. Date of Decision: 06-02-2015
4. Complainant: Ms. Maria Ahmad
5. Opponent:
 - i. Dr. Waheed Chaudhry,
Quaid-e-Azam University
 - ii. Dr. Hafeez-ur-Rehman
Quaid-e-Azam University
 - iii. Vice Chancellor, Eatnaz Ahmed
Quaid-e-Azam University
 - iv. Dr. Iftekhar Ahmed, Quality
Assurance Division, HEC

Yasmin Abbasey,

Ombudsman:

Complaint No. 1(99)/ 2014-FOS.

1. It is stated by complainant Mst. Maria Ahmad that in September 2003 she joined Quaid-e-Azam University for Masters in Anthropology and completed her three semesters successfully. In final semester she was enrolled with Dr. Waheed Chaudhry for her thesis on Private Media and Public opinion. During thesis literature review Dr. Waheed Chaudhry asked her to meet him in his NGO at 06:00 PM in sector I-8 to discuss the thesis. According to complainant when she went there, only one female receptionist was present who too was asked by Dr. Waheed Chaudhry to leave the office. However research methodology with reference to the thesis was discussed, when at the end of discussion she stood up to leave the office, Dr. Waheed Chaudhry suddenly hugged her. Shocked by this sudden and unwelcome move, complainant tried to disengage herself. According to complainant Dr. Waheed Chaudhry sensed her unease and expressed that she should not feel uncomfortable, as this is common in between students and professors even in America. According to complainant she reminded him that she is not used to such interaction with any of his professor even in America.
2. Again a few weeks later, prior to her departure to the field of research, Dr. Waheed Chaudhry asked her to drop off draft

literature review of her thesis at his home in G-10 in morning. Since Dr. Waheed Chaudhry could sense her wariness and reluctance to come to his home, he added that his only maid would be at home at that time. Anyhow complainant went to drop off the document and found Dr. Waheed Chaudhry at home with her 3 years old daughter and maid. Complainant gave the document to him and left quickly as possible.

3. According to complainant thereafter nothing untoward happened and most of discussions with Dr. Waheed Chaudhry were on telephone. After completing her thesis she submitted four copies of her thesis at Dr. Waheed Chaudhry's office in University as at that time he was taking class. After going through thesis Dr. Ch. called her on her phone and there was a discussion on the thesis and the date for upcoming viva voice exams in August, 2006. It is alleged that at the end of that talk Dr. Ch. Said:

“Now that we are done with business, let's discuss pleasure”.

In reply, it is stated by complainant that:

“Sir I think there has been some misunderstanding. There is no such relationship here. We are simply a professor and student and I urge you to think of it in the same manner as nothing else is possible”.

4. During viva voice exam though external examiner was satisfied with complainant and has expressed that complainant is passed in

verbal examination, however he suggest a few changes in thesis, whereas attitude of Dr. Waheed Chaudhry was not proper. Approval letter was signed by external examiner and he left it with Dr. Waheed Chaudhry. A few days later after submission of revised thesis when complainant was waiting for a double signed approval letter, she was told that Dr. Ch. wants to meet her in his office. Complainant expressed to Dr. Hafeez, Head of Anthropology department that she did not want to meet Dr. Ch. alone but still Dr. Hafeez insist her to meet with the professor.

5. All her classmates received their final degree certificates but the same was not issued to her. All her efforts failed. In 2009 when Dr. Naveed-e-Rahat was appointed as Head of Anthropology department, complainant again submitted an application for issuance of her degree. In the mean time complainant also approached to Higher Education Commission for redress of her grievance but their intervention was also not helpful. Her request for further studies in International University was accepted by them but that again was with the submission of final master degree from Quaid-e-Azam University.
6. In November 2013 complainant again resubmitted copy of thesis with an application to Dr. Muhammad Idrees, Controller of Examinations of Quaid-e-Azam University as a last attempt but again he suggest to contact the then Dean of Social Sciences, Dr Eatzaz Ahmad. In December 2013 complainant met with him. He was cooperative and forwarded the matter to Vice Chancellor,

Yasin Zai. In a meeting with Vice Chancellor, Yasin Zai, offered a suggestion that if complainant is ready to give a viva voice exam then she would have an opportunity to present her thesis to the Board of Advanced Research and Study at Quaid-e-Azam University and thereafter her thesis can be marked and she can received the degree. In the meanwhile University would search from financial record that whether external examiner of Arid University, Rawalpindi had been paid for conducting complainant exam. Complainant attended her viva voice exam but could not present her thesis to Board of Advanced Research and Study as she was a master student and not a Directorate student. However Vice Chancellor gave a hope that now her matter will be easily resolved and a committee would be constituted under the Registrar to investigate and resolve the matter within three weeks. During investigation Mr. Majid Khan, Head of Investigation Committee offered her to bring all previous draft of thesis to prove that actual work was done on the thesis. According to complainant after collecting all the papers and drafts he informed to Dr. Majid Khan on 11-06-2014, but no reply was received from him. Again another request was made to Dr. Eatzaz, the then Dean of Social Sciences, but no reply was also received from there. Finally complainant approached to Higher Education Commission, many letters were written by HEC to University but till now matter has not been resolved.

7. In reply, opponent no. 1, Dr. Waheed Ch. challenged the maintainability of this complaint that it is a matter of issuance of

her degree and not an issue of harassment. Incident is reported to have happened in 2006 whereas the complainant has been filed complaint on 02-12-2014. Therefore it is time bar. Narrative of the complainant is self contradictory, deliberately engineered and full of incorrect information. Complainant never submitted 4 copies of her thesis at his office in the University. It is clarified that final copies are to be submitted in the office of Department of Anthropology and submission is documented accordingly. It is further stated that because of non submission of 4 copies of thesis, the then Chairman of the department on 19-10-2009 had written her a letter to submit her thesis up to 11-11-2009. Complainant statement regarding opponent No. 1's anger during viva exam is wrong and untrue. Rather external examiner was not happy with quality of complainant's thesis and suggests some major amendments before final submission. She was graded around the passing marks which are very unusual ranking in thesis. Approval letters are always kept by the chairman and not by the concerned Supervisor. Complainant statement that external examiner left approval letter with me is false. Complainant never submitted revised thesis. She submitted the same previous draft without any improvement. A revised draft is always submitted along with the draft examined during the viva which contains comments and suggestions for improvement. On inquiry about the previous draft for comparison with the revised one she reported it to be lost. In absence of previous draft it was not possible to ascertain the improvement and changes made therein.

On complainant's insistence for approval of same poor quality thesis submitted as revised draft, opponent no. 1 suggested her to change the Supervisor but complainant did not act upon. All incidents related to visit of sector I-8 and G-10 are fabricated and he never asked her to visit on both these places nor there was any telephonic conversation in between him and complainant. Matter relating to this very issue is pending before Quaid-e-Azam University Efficiency & Disciplinary committee. Complainant has been changing her stance with reference to the subject matter in issue in all letters written by her to different authorities.

8. Opponent No. 2 Dr. Hafiz-ur-Rehman in his defense had admitted that complainant submitted her thesis for viva voice examination through her supervisor. The viva voice exam was held in 2006 in the office of opponent No. 2, the then Chairman of the Department. During viva examination some changes were suggested by external examiner and complainant was supposed to improve the thesis accordingly and get it vetted by thesis supervisor and submit it to the department for onward transmission to the controller of examination to notify the result, but complainant did not submit the improved / modified version of her thesis to department. In her statement after few months of viva voice examination, she came to his office and discussed the issue relating to her supervisor and the thesis. He (opponent No. 2, Dr. Hafeez-ur-Rehman) advised her to amicably resolve the issue and submitted thesis through her supervisor. After this meeting complainant did not turn up. As a chairman of

department, he wrote a letter on 19-10-2009 to complainant to submit final copy of her thesis up to 11-11-2009 but unfortunately till that date, the department neither received thesis nor any response from her.

9. Opponent No.3 in his defense has stated that the complainant against Dr. Waheed Chaudhry, Assistant Professor of Anthropology department made by complainant is pending before Efficiency and Disciplinary rules Committee, therefore, it would not be appropriate for the University to file detailed comments. It is further stated that initial complaint of Mst. Maria Ahmed was sent to Harassment Committee of University but after decision of President of Pakistan, wherein it was observed that a case of interaction in between a student and a teacher does not come within the jurisdiction of Protection against Harassment of women at workplace Act, 2010. It was withdrawn from there and now is pending before Efficiency and Disciplinary Committee.
10. Heard parties and person and perused the record. My findings are as under :-

According to complainant she completed her three semesters but in the final semester wherein she has to submit her thesis, problem arose in issuance of her degree because of her supervisor Dr. Waheed Chaudhry, who according to her had made an unwelcome move towards her and on her objection he tried to show that it is a common act in between student and teacher.

According to complainant although she has shown her discomfort with the unwelcome act of opponent Dr. Waheed Chaudhry and had also reminded her discomfort, but as thereafter nothing untoward happened till the conclusion of her thesis therefore she also think it proper to drop this issue. It is alleged that after submission of her thesis in a telephonic conversation with Dr. Waheed Chaudhry with reference to her thesis, in the end again showed his ill-attitude saying that

“Now that we are done with business, let discuss pleasure”

According to complainant she again at that time replied that

“Sir I think there has been some misunderstanding. There is no such relationship here – we simply a professor and a student and I urge you to think of it in the same manner as nothing else is possible”.

11. It is alleged that thereafter attitude of opponent Dr. Waheed Chaudhry became more harsh towards her and that became hurdle in issuance of her final degree from Quaid-e-Azam of Masters in Anthropology.

12. Opponent Dr. Waheed Chaudhry in his defense has denied the allegations leveled by complainant. According to him in viva exam some changes were suggested to complainant by external examiner in her thesis. She was directed to submit revised thesis

after amending the same, but complainant has not submitted revised amended thesis, in inspite of reminders therefore her degree could not be granted to her. There is not fault on the part of opponent Dr. Waheed Chaudhry and allegations liable by complainant are false and frivolous. Even otherwise complaint is time barred and does not address the issue of harassment as required under the Act of 2010.

13. Rest of the opponents that is Registrar of Quaid-e-Azam University and representative from Vice Chancellor of Quaid-e-Azam University have also stated that as thesis was not submitted as required and suggested to complainant therefore degree in favor of complainant could not be issued.
14. Irrespective of the allegations made by the complainant as to unwelcome advance of Dr. Waheed Chaudhry if the case of complainant is examined simply on the issue that she has been put under constant disturbance and torture because of non issuance of her master's degree in Anthropology, I am of the view that this act on the part of opponent is an act of harassment because on record I found two applications of complainant dated 15-07-2009 and 18-07-2013 wherein first she has simply stated that for unknown reason she has not been able to acquire her viva result and final degree and has requested Head of Anthropology department to look into the matter but it appears that there after nothing happened therefore after elapse of four year again complainant came with same allegation against Dr. Waheed Chaudhry that as she refused to accomplish his

unprofessional and in appropriate demand therefore despite passing all her terms and viva her supervisor Dr. Waheed Chaudhry has refused to sign approval letter and also lost her thesis copies. From record it appears that on 18.01.2010 an Inquiry Committee was constituted, but as per statement of Quaid-e-Azam University representative that committee on 10.04.2014 refused to conduct the case, thereafter vide letter of Vice Chancellor dated 27.02.2014 it was decided that instead of Harassment Act now case will be dealt under Efficiency and Disciplinary Rules and after a lapse of almost 7 months, second complaint of 18-07-2013 of complainant was entertained, and as per statement of Vice Chancellor Dr. Eatnaz Ahmad and vide letter dated 01-10-2014 it was forwarded to Efficiency and Disciplinary Committee. This conduct of Quaid-e-Azam University of entertaining the complaint move by the complainant whether, it be true or false, is itself a delaying process on the part of Quaid-e-Azam University. It is unfortunate that a student who has applied for higher studies and according to her she also got admission in two Universities but because of non issuance of degree from Quaid-e-Azam University, she has not able to join them, draws and adverse inference against Quaid-e-Azam University authorities that their conduct is nothing but to support an unwelcome act by delaying the matter. On the one hand Deen of faculty of Social Sciences Dr. Eatnaz Ahmed wrote a letter to admission department London School of Economics United Kingdom on 20-01-2014 that

“According to her result cards, she had passed courses worth 54 credit hours out of the total requirement of 60 credit hours”

15. “The result of her thesis in viva voice examination (6 credit hours) apparently seems missing and the student has launched a complaint in which she has stated that she has passed a thesis / viva voice examination but the department of anthropology did not forward the result to the controller of examination. This complaint is now under consideration and is being processed according to the university procedure.”
16. “In the meanwhile her application for admission in her master program may kindly be processed and facilitate her academic progress. Considering her grades, she seems to be highly promising candidate for the Ms. Program she has applied for.”
Whereas on the other hand without any sufficient reason case of complainant is pending till now without any result. Simply making a statement before this forum that as the matter is pending before Efficiency and Disciplinary committee, therefore they are unable to give comments on the complainant’s complaint is not sufficient. Even if letter issued by Dr. Hafiz-ur-Rehman, Chairman of department of Anthropology on 19.10.2009 is taken a step forward to solve the problem of complainant with direction to submit four hard bound final copies of her thesis up to 11-11-2009 but again I found that in inspite of submission of copies of thesis, it is alleged by complainant that her revised copies of thesis again have been lost therefore again by the letter

dated 28.11.2013 she resubmitted the same in the office of controller examination but no response of the same has been given by Quaid-e-Azam University as to whether this statement of submission of revised copies of thesis and the statement made by complainant that Dr. Waheed Chaudhry has lost his copies is correct or incorrect as the statement of complainant as to the lost of copies somehow find support from the letter dated 20.01.2014 issued by Deen faculty of Social Sciences and forwarding notes made by Quaid.e.Azam University Authorities on application of complainant moved on 18.07.2013 marked as Annex-14 filed by opponent Dr. Waheed Chaudhry on 09.01.2015. Even the letters issued by Higher Education Commission on the move of complainant were not addressed properly and no time line, as requested by Higher Education Commission for finalization of the inquiry by Efficiency and Disciplinary Committee has been given to them. Ignoring the allegation of unwelcome advance by opponent No. 1 as alleged, leaving it to Efficiency and Disciplinary Committee, I think that now because of the time lost due to which complainant unnecessarily suffered a lot in her carrier, it would be proper to go towards a simple solution of it. Let the inquiry committee go on its process to examine the allegations levelled by complainant against Dr. Waheed Chaudhry, but in view of admitted facts that the revised copies of thesis have been submitted by the complainant and there is an implied admission also on the part of Quad-e-Azam University in their letter dated 20-01-2014 and by

opponent Dr. Waheed Chaudhry in para 7 of his reply that in viva “she was graded around the passing marks which is very unusual” supports the case of complainant.

17. The administration of Quaid-e-Azam University is directed to immediately issue final degree in favor of complainant of Masters in Anthropology without any loss of time and inform compliance report to this office within 15 days on the receipt of the copy of this order.

YASMIN ABBASEY
Ombudsman