



FEDERAL OMBUDSMAN
For Protection against Harassment of Women at Workplace
Islamabad

J U D G M E N T

1. Complaint Number: 1(134) / 2015-FOS (Reg)
2. Date of Institution: 16.03.2015
3. Date of Decision: 04.06.2015
4. Complainant: Professor Dr. Seema Mehmood,
Director IP & AB,
Bahauddin Zakariya University
Multan
5. Opponent: Dr. Aleem Ahmed Khan
Professor of Zoology at IP & AB
Bahauddin Zakariya University
Multan

Justice (R) Yasmin Abbasey,

Ombudsman:

Complaint No. 1(134)/ 2015-FOS.

1. On 16.03.2015 a complaint was received on behalf of Professor Dr. Seema Mehmood Director (IP&AB) Bahauddin Zakariya University (BZU) Multan. As per contents of her complaint, it seems to be relating to service matter, therefore before passing any order thereon it deemed appropriate to issue notice to complainant. After receiving notice from office of FOS, a letter was send by complainant Professor Dr. Seema Mehmood on 27.03.2015 that she has not addressed such complaint to this office, it appears that someone has played a mischief to bring her in mental and bodily discomfort. She had also requested to provide copy of complainant dated 16.03.2015. After receiving copy of complaint one another application was moved by Professor Dr. Seema Mehmood on 06.04.2015 that she hereby withdraw her previous application of 27.03.2015 and consented to proceed with case field on 16.03.2015 as per rules to address her complaint on account of harassment at workplace. After this statement notice was issued to opponent. Defense was filed by him. Both parties produce verbally as well as documentary evidence. After concluding their evidence on 08.05.2015 both parties were heard in person.
2. In her complaint filed before FOS on 16.03.2015 complainant has solely agitated on appointment of opponent Dr. Aleem Ahmed Khan as Professor and Associate Professor of Zoology. According to complainant, appointment of opponent has brought huge loss to public exchequer and has also hampered her seniority in University as well as in IP&AB, BZU Multan. Not a single para of complaint filed on 16.03.2015 discloses any kind of harassment by opponent as defined in Act of 2010. However at subsequent stage, number of documents were filed by both parties out of

them a letter dated 08.09.2014 is the first complainant moved by complainant Professor Dr. Seema Mehmood addressed to Vice Chancellor of BZU Multan, wherein she has leveled serious allegations against opponent that he is continuously threatening and using abusive language to harass her and faculty staff since she has taken charge of Director, Institute of Pure and Applied Biology. She has further complained that opponent violates code of conduct at workplace by threatening and using abusive language as a tool to harass her as female in front of faculty, staff, students and examiners of other Universities. On 30.10.2014 one another application was moved by complainant to Vice Chancellor BZU Multan, wherein she has again repeated that opponent is still threatening her through internal telephone extension and has also shown her reservation that considerable time has lapsed but no action has been taken against opponent so far against his threatening attitude and has requested for immediate action. Two more applications of same nature were moved by complainant on 22.10.2014 and 30.10.2014. On 05.11.2014 inquiry committee was constituted and thereafter one another notification with partial modification of Inquiry committee constituted on 05.11.2014 was issued on 19.11.2014. Opponent has shown his reservation upon members of inquiry committee by letter addressed to Vice Chancellor on 18.02.2015. What decision has been given by that Inquiry Committee has not been brought on record by both parties, but what I have gathered from documents beside verbal evidence given by parties in the matter that it is a tug of war in between complainant and opponent to hold better position in the University over each other and in this conflict they have totally neglected that a teacher who is just struggling for better job position has destroyed role of teachers who was known not only from their distinguished profundity in knowledge but also because of their character. I do not want to express anything which may be deteriorating to the status of teacher but what parties in case

themselves has shown through letters and correspondence is sufficient proof that in their struggle to be senior to each other they have not only loses the moral values which is expected from teacher, but I may be allowed to say with great displeasure that in this war of powers they have involved their students. For ready reference I would like to refer application moved by one student of M.phill Zoology Muhammad Noor S/o Pawak Khan who has made serious allegation against complainant and her husband. Beside that it appears that just to make an evidence against complainant he has also moved different applications which have been placed on record, pretending to be addressed to Director Pure and Applied Biology, but it seems from applications dated 05.03.2015, 09.03.2015 that opponent before any order of Director, has jumped into and has shown his consent "to teach elective courses (Ornithology) in said class as many other students along with these would do research in Ornithology" reference is made to page No. 196-205 and 259 of file. On the other hand an appeal moved by father of a student namely Mst. Sameen Fatima addressed to Director Institute of Pure and Applied Biology BZU Multan has been filed along with an application of Mst. Maryam Ashfaq with appreciating remarks of the then Director of Pure & Applied Biology. Unfortunately all these documents reflected that they are promoting thinking in their students that education is not meant to build up better human beings, but only to get better job and position in their respective offices.

3. Beside complaints referred above, two more complaints were moved by complainant on 16.02.2015 and 17.02.2015 to Vice Chancellor BZU Multan against threatening and abusive behavior of opponent. In same way opponent has also made complaint against complainant to Vice Chancellor BZU Multan with reference to appointment of complainant as Professor and in that very complaint of 03.10.2014 he has tried to show offensive conduct of complainant. In another application moved on

23.10.2014, opponent has requested to Vice Chancellor to suspend complainant until committee completes its proceedings.

4. One another document of 12.02.2014 moved by opponent has been placed on record which shows that parties in case were not in fight with each other only to have a higher position in hierarchy of University, but conflict in between them has gone to such an extent that on pity issues of space and purchase of item for department they were trying to let each other down, reference is made to correspondence taken place in between parties on 12.02.2014, 13.12.2014 at Page 179-184 and 189 of this file.
5. But in this conflict opponent seems to far ahead his harsh and intimidating attitude was not only against complainant, but he appears to be putting other side under constant pressure and undue harassment and to support her argument, complainant has referred a letter of previous Director Professor Dr. Abdus Salam addressed to opponent on 25.06.2003 that when technical advice was given to opponent he reacted and misbehaved with the then Director without justification and has broken decorum of office of Director. At Page-78 of this file a letter issued by Dr. Javed Iqbal Mirza, the then Director at that time also expressed same view against opponent in words that:

“You repeatedly said that the Director has been creating ‘fitna’ and has totally destroyed the Zoology Division of this Institute. I kept you reminding not to use filthy language and maintain office decorum. I further told you that I am following rules & regulations and take decisions on merit. You should cooperate whole heartedly and should not spoil the environment of the Institute”.
6. In another document of 19.03.2007 which is a meeting notice issued by Professor Dr. Javed Iqbal Mirza, the then Director at that time, there is again descanting note of opponent. Furthermore documents of

28.03.2007, 04.04.2007, 04.04.2007, 05.04.2007, 09.04.2007, 16.08.2007, 31.08.2007, 16.08.2007, 04.09.2007, 06.09.2007, 07.07.2007, 20.02.2013 and 23.07.2013 from Page 77-96 have also been referred to show conduct of opponent with previous Directors. However by letter dated 12.02.2014 letter of displeasure issue on 20.02.2013 was withdrawn, but there are further more documents on Page 97-99 which reflects non-cooperative attitude of opponent even with students.

7. In view of above, I am of the view that an intolerant or hot tempered teacher harm more seriously to the nation than to illiteracy among society. Nation with disintegrated teachers is a nation at risk because beside parents, teachers play an important role to provide an atmosphere to students which is congenial to the development of higher virtues and moral values. A teacher who himself is unaware of moral values in spite of having higher academic degrees in his favor cannot help students to built higher moral value because in Islamic view of education, instructions of Science cannot be divorced from moral and ethical training. It is a very sorrow moment for me to make such remarks for teachers who in past had given great leaders to nation.
8. Upshot of above discussion is that, it will be in the interest of University that pleasant and academic atmosphere be developed and Vice Chancellor of BZU Multan should take appropriate steps and permanent arrangement that both complainant and opponent may not have any excessive powers over each other. Finally in this circumstances of this case and because of behavior of opponent as is appearing from documents and audio recording placed on record, I am forced to imposed a minor penalty of "Censure" under Section 4(4)(i)(a) of Act of 2010. Vice Chancellor of BZU Multan is directed to issue a letter of censure to opponent to improve his behavior not only with his colleagues and superior authorities but also with students.

9. BZU Multan is directed to inform the implementation of this decision, within 15 days on receipt of copy of this decision, to office of FOS.
10. Complaint disposed off accordingly.

JUSTICE (R) YASMIN ABBASEY
Federal Ombudsman