



**FEDERAL OMBUDSMAN**  
**For Protection against Harassment of Women at Workplace**  
**Islamabad**

**J U D G M E N T**

1. Complaint Number: 1(312) / 2017-FOS (Reg)
2. Date of Institution: 06-01-2017
3. Date of Decision: 01-08-2017
4. Complainant: Mst. Shahnaz Akhtar  
Chak No. 238-P  
District Sadiq Abad,  
Tehsil Rahim Yar Khan
5. Opponents:
  - i. Amina Saleem  
Headmistress  
Government Girls Middle School  
Chak No. 238-P, District Sadiq Abad,  
Tehsil Rahim Yar Khan
  - ii. Abdul Ghaffar  
Chak No. 238-P, P.O Banglow  
Manthar C/o Manthar Cloth  
District Sadiq Abad,  
Tehsil Rahim Yar Khan
  - iii. Tahir  
Chak No. 238-P, P.O Banglow  
Manthar C/o Manthar Cloth  
District Sadiq Abad,  
Tehsil Rahim Yar Khan

- iv. Shama Firduous  
Teacher  
Government Girls Elementary School  
Chak No. 238-P
- v. Abida Yasmin  
Teacher  
Government Girls Elementary School  
Chak No. 238-P
- vi. Zubana Azhar  
Teacher  
Government Girls Elementary School  
Chak No. 238-P

**Justice (R) Yasmin Abbasey,**

**Federal Ombudsman:**

**Complaint No. 1(312)/ 2017-FOS.**

1. Complainant who is teacher in Government Girls Middle School Chak 238-P has filed this complaint against administrative officers of Education department, teachers of school and persons of locality. According to complainant after transfer of Mst. Junaida Sabahat on 01-10-2016 ignoring seniority of complainant D.Deo SDK Rajida Kamil had posted one Mst. Amina Saleem as Head of school. When complainant attempted to get her right Mst. Amina Saleem and other residents of Chak 238-P namely Amina Saleem, Abdul Sattar, Abdul Ghaffar, Tahir, Zubair, Mst. Zubana, Mst. Abida W/o Tahir and Mst. Shama W/o Abdul Ghaffar who had full protection of AEO Mst. Rashida Kamil and DEO started harassing her by using abusive words in school and also threatened her to abduct and murder her. Complainant had reported these facts to EDO Education Rahim Yar Khan who on 09-11-2016 had written a letter to D-Deo / SDK Mst. Rashida Kamil that posting in said school be made on seniority basis. It is thereafter in a preplanned manner with Abdul Sattar and others D-Deo / SDK Rahim Yar Khan and AEO SDK Mst. Bushra had made surprise visit of school. Complainant remained unaware of it. An arrangement of sitting of about 25 persons was made in school and in presence of all of them complainant was harassed that they will not allowed to take charge of Headmistress of school. Mst. Rashida Kamil with threat of complainant's dismissal and removal from service got obtained an apology letter duly signed by complainant on the pretext that why she had written an application to EDO Education Rahim Yar Khan. On 15-11-2016 Mst. Amina Saleem and other teachers tried to kill her and had also abuse complainant's husband. Matter was again reported to Mst. Rashida Kamil but she had not taken any action. On 19-12-2016 again Mst. Zabana and Mst. Amina Saleem had maltreated and beaten her with help of students of school. They also snatched her mobile phone. On 20-12-2016 again complainant intimated to Mst. Rashida Kamil D-Deo / SDK and complaint to her that because of daily disturbance

in school it is not possible for her to teach. Thereafter she was temporary transferred to Government Middle School Chak 186-P. On 22-12-2016 complainant moved an application to SHO PS Mandhar where accused of that complaint admitted that they had deposited complainant's mobile phone in office of Mst. Rashida Kamil.

2. Abdul Ghaffar and Tahir use to chase and harass complainant. On 10-12-2016 Mst. Amina Saleem along with her brother Bilal had also threatened, abuse and had given threat to complainant at Bus stop. Hence this complaint.
3. Opponents No. 1, 2 and 3 Tahir Qayum Anjum, Abdul Ghaffar and Amina Saleem in their defense has stated that all allegations leveled by complainant are baseless and self concocted. In fact after transfer of Mst. Junaida Sabahat when DEO tried to hand over charge to complainant Mst. Shahnaz Akhtar she refused to take over charge, therefore with consent of all staff members, charge of Head of School was given to Mst. Amina Saleem. This fact has been admitted by complainant herself in her application moved on 05-11-2016 to Deputy District Officer Tehsil Sadiq Abad. In fact complainant is not qualified teacher and instead of putting her attention on teaching she use to take her personal work from students. Complainant used indecent language and mostly sleep during school hours. Complainant is in habit of remaining absent and thereafter under threat of her husband who is police official she got mark her attendance in school register.
4. Because of repeated complaints from parents of students and locality persons, on 22-10-2016 a meeting of school council committee was called who tried to advice complainant but she became annoyed and continued her routine. On 09-11-2016 again another meeting of School Council committee was called wherein behavior of complainant with subordinate staff and students was discussed. On request of School Council members made on 12-11-2016, District Education Officer had made a visit of school on 14-11-2016 and after considering all situations she warned Mst. Shahnaz Akhtar, the complaint to change her behavior. No change was

found in complainant's behavior, therefore Deputy District Education Officer had moved an application to District Education Officer for making an inquiry. Inquiry was conducted and in result of that inquiry complainant was transferred from school.

5. Opponents Mst. Shama Firduous, Teacher, Abida Yasmin Teacher, Zabana Azhar Teacher have filed their defense and almost same facts as has been alleged by opponents No. 1, 2 & 3 have been made.

6. Both parties have produced their witnesses in support of their case. After going through evidence produced, my findings are as under:

After perusal of record it appears that rather than issue of harassment it is matter of loose administration of education department. Record shows that dispute in between complainant and other teachers arose when Mst. Amina Saleem who was admittedly junior to complainant was posted on seat of Headmistress of school. Though opponents had tried to show that complainant herself had refused to take charge of head of school, but that statement of reluctance to take over charge as Headmistress has not been placed on record nor there is any order of education department specifically mentioning that Mst. Amina Saleem had been given charge of Head of school as complainant herself had refused to take it. Though opponents in their defense has stated that on 05-11-2016 complainant in her application moved to Deputy District Officer Tehsil Sadiq Abad has admitted her refusal to take over charge as Head of school, but neither that application has been placed on record, nor any question with reference to said application was made to complainant in her cross examination. On the contrary it is stated by her that "it is correct to say that in my application moved on 09-04-2016 I had prayed for posting of mine as Headmistress".

7. Though opponents in their defense had made number of allegations against complainant such as of not putting attention on education of students, taking personal household work from students, sleeping in school hours and ill attitude of complainant with students and other school staff, but it is very surprising that instead of putting all these matters before Education

department, these complaints have been placed before self constituted school council committee which consist of residents of area and parents of students.

8. The prospectus of School Council policy 2017 issued by Education department Government of Punjab has been filed. Perusal of this policy show that although as per this policy every school has to constitute School Council Committee for monitoring and effective working of school. Number of members of School Council Committee has also been specified therein which consist of parents / general members and teacher members. General members can be outside of the school. Rule 3(3) further specify that after selection of members of school council committee same will be notified on prescribed form as given in the policy. Rule 4 further describes the duties to be performed by School Council Committee, but in the present case neither notification that who are members of that Council has been placed on record to justify the status of members who played active role in dispute arose in between teachers of school. Even otherwise in terms of Rule 4 of School Council Policy 2017 it was not a job of School Council to entertain any such dispute and made any observation against any particular teacher. Proper course in circumstances of the case as alleged by opponent was to make complaint to higher authorities by Head of school and not by so called School Council Committee members, because what I have observed the confrontation in between other teachers of school and complainant was of irregular posting of Headmistress ignoring seniority position among teachers because it has rightly been stated by complainant that she is posted in this school since long, if her behavior would have been so as alleged why no such complaint was ever moved against her before November, 2016 and why this issue of misbehaving and not performing duties arose after November, 2016 when she raised her voice for illegal posting.
9. Record further shows that in spite of any satisfactory proof of status of school council committee its complaint was entertained by District Education officer and in her visit to School, information was collected from council members, staff members and residents of area and thereafter

complainant was warned to mend her behavior. This conduct of District Education Officer without conducting proper inquiry through its office bearers, interference of persons of area in school affairs, even if they are assumed to be members of School Council Committee seems to be very unwarranted, because not a single document has been placed on record which show that education department has given any legal status to this self constituted school council committee of residents of area by issuance of any notification or they have been authorized to interfere in affairs of school matters beyond the responsibilities given to them under Rule 4 of School Council Policy 2007. However a proper step is shown to have been taken by District Education Officer on 15-12-2016 with constitution of inquiry committee. Mr. Munir Ahmed, Headmaster GHSS Tamir-e-Millart Sadiq Abad school was appointed as inquiry officer, who in his report instead of leveling charge on one particular person has reported that:

چک نمبر 238-P کے لوگوں اور سکول کے حالات اور واقعات کی نزاکت کو جانچتے ہوئے زیر دسخطی نے فردا فردا سکول کونسل کے ممبران کے تاثرات، والدین کے تاثرات، درجہ چہارم کے تاثرات، طلباء کا تعلیمی ماحول اور طالبات کے تاثرات اور بالخصوص سکول کی معلمات اور ہیڈ ٹیچر کے آپس میں Confrontation کی وجوہات کا گہرائی سے جائزہ لینے کے بعد زیر دسخطی کو بہت دلی دکھ اور صدمہ پہنچا کہ پورا سال معلمات نے پڑھانے کی بجائے سکول میں تماشہ بنائے رکھا جبکہ تدریس ایک مقدس پیشہ ہے اور پیغمبرانہ طرز عمل اور طرز فکر ہے۔

10. This report as has been placed does not fix responsibility of confrontation singly on complainant but is shown to be joint ill attitude of all teachers. After this report complainant was transferred from school Chak 238-P.
11. In rebuttal to all these allegations complainant has placed result of her class in very school that if she would not had been paid attention on education of students as alleged then this good result would not have appeared which show that allegation leveled by opponents and school council committee members are false and frivolous. This statement of complainant to some extent find support from the circumstances that if complainant would had been of the nature as alleged she would had continued same in other school also, but no such kind of report in another school of Chak 186-P where complainant has been transferred has been placed on record. Nor

the transfer order of complainant of Chak 186-9 reflects any such thing.

12. Record is also silent that if complainant was not faithful to her duties and was indulge in those activities as alleged then why no disciplinary action was taken against her.
13. From all above I come to the conclusion that rather than case of harassment it is lack of administration of education department and ignoring seniority position while posting a teacher as headmistress. Instead of taking responsibility to check all administrative issues and performance of school they had shifted it to residents of locality with implied admission of self made school council committee. Under these circumstances this complaint is disposed of with direction to District Education Officer and Head of Institution of Education Department that they should look into the matter at their own to resolve administrative issues as well as confrontation which has been created among teachers which is adversely affecting education of students. For this they should bring the teaching staff of school and complainant on a table and get settled the matter in interest of students and department.
14. Complaint disposed of accordingly.
15. Issue letter to District Education Officer to implement decision and report to this office within 15 days.
16. Parties be informed accordingly.
17. Announced in open court.

**JUSTICE (R) YASMIN ABBASEY**  
**Federal Ombudsman**