



OMBUDSMAN ( ) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA

**CLOSURE FINDINGS**

1	<b>COMPLAINT NO.</b>	P.O/Compliant No.1014/03/2024
2	<b>NAME &amp; ADDRESS OF THE COMPLAINANT</b>	Mr. Shahid Inam r/o Village and Post Office Titter Khel, Ghazni Khel, Lakki Marwat Contact: 0345-3627017
3	<b>NAME OF THE AGENCY COMPLAINED AGAINST</b>	1. The Vice Chancellor, University of Lakki Marwat 2. The Registrar, University of Lakki Marwat
4	<b>NAME OF THE INVESTIGATION OFFICER</b>	Sajad Rasool
5	<b>SUBJECT OF COMPLAINT</b>	<b>Request for Re-Instatement &amp; Payment of Outstanding Salaries</b>
6	<b>DATE OF REGISTRATION</b>	08/04/2024
7	<b>DATE OF FINDINGS</b>	27-9-2024

**THE COMPLAINT**

Mr. Shahid Inam, a resident of Lakki Marwat, instituted the instant complaint, stating that he was appointed as an Assistant Director System by the University of Lakki Marwat on contact basis in 2019. Later, the Syndicate of the university in its 5th meeting held on September 21, 2021, approved his engagement on a fixed pay basis under Sect on 11 (5) (d) for a period of one year. However, subsequently upon the dissent note of a member of the Syndicate the Syndicate, in its 7th meeting held on October 6, 2021, amended the decision made in its 5th meeting by changing Section (11 (d) to 11 (5) (e) and declared his appointment as an initial engagement under Section 11 (5) (e) of the University Act for a period of one year, which was to be extended for a period of three years. Since his one-year contract on fixed pay services was completed on August 31, 2022, and further extension of his contract in services has not been granted. It is also worth mentioning that he continued performing his duties regularly without any remuneration unit the end of 2023 for about 15 months. The complainant is requesting for reinstatement and payment of his outstanding dues by the University of Lakki Marwat. Consequently, he has approached this forum for the redressal of his grievance.

**REPLY OF THE AGENCY**

Notices issued under section 10(4) of the Khyber Pakhtunkhwa Provincial Ombudsman Act, 2010, to the Vice Chancellor, University of Lakki Marwat and Registrar, University of Lakki Marwat to meet the allegations contained in the complaint and submit reply including rebuttal if any. In response, the Registrar of the University of Lakki Marwat provided, vide letter no. 240 dated April 30, 2024, that Mr. Shahid Inam was appointed on a fixed-pay basis in 2022. His case, along with those of other employees, was presented before the Syndicate in its 5th and 7th meetings. It is true that no further extension was granted after the completion of one year.



OMBUDSMAN (سب) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA

The relevant sections of the Act, i.e., 11 (5) (d) and (e), are given below:

1. **11 (5) (d):** Create and fill temporary posts for a period not exceeding one year, after which the posts shall stand abolished.
2. **11 (5) (e):** Appoint employees on a contract basis against properly created budgeted posts for a period not exceeding three years, on the recommendations of a Selection Committee constituted by the Syndicate:
  - Provided that no extension shall be admissible beyond the period of three years:
  - Provided further that the Vice-Chancellor may renew the contract of those employees whose contracts were terminated before the promulgation of the Khyber Pakhtunkhwa Universities (Amendment) Act, 2016, for a period not exceeding three years, subject to the thorough scrutiny of all academic documents and eligibility of these employees and the availability of properly created budgeted posts, in the best interest of the University.

Additionally, the complainant performed duties as Assistant Director of Electrical, Assistant Director of Security, Assistant Director of Administration, Transport In-Charge, etc., on an additional charge basis. The position of the complainant within this University remains vacant, and despite the passage of time, the vacancy has not been filled.

In light of this, it is conveyed that the University acknowledges the existing vacancies and expresses its commitment to addressing this issue promptly. Moreover, it is clarified that the University has no objection to the reinstatement or reappointment of the concerned employees in good faith and in accordance with the rules in vogue.

**REJOINDER**

The agency's reply was shared with the complainant for his feedback. In response, he disagreed with the stance of the agency, necessitating a hearing.

**HEARING**

To ascertain the facts, the case was heard on May 22, 2024. Mr. Inam Ullah, Assistant Registrar, represented the agency while the complainant was present in person. The agency was asked to provide the initial appointment orders of the complainant along with his termination order and budgetary position. However, on May 29, 2024, the complainant appeared in person and submitted a letter withdrawing his case, stating that the university was willing to resolve his issue after the intervention of the Ombudsman. Furthermore, on June 26, the complainant informed us via a call that his appointment orders had been issued by the university, and he expressed his gratitude.

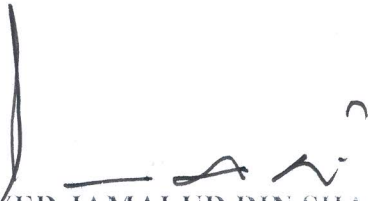




OMBUDSMAN (متنب) SECRETARIAT,  
GOVERNMENT OF KHYBER PAKHTUNKHWA

FINDINGS

Since the complainant issue has been resolved, investigation in the complaint is closed, having borne fruit in terms of Regulation 9(1) read with 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.

  
SYED JAMALUD DIN SHAH  
Provincial Ombudsman  
Khyber Pakhtunkhwa  
27.3.2024