

OFFICE OF THE FEDERAL OMBUDSPERSON

FOR PROTECTION AGAINST HARASSMENT OF WOMEN

AT THE WORKPLACE, REGIONAL OFFICE LAHORE

ORDER SHEET

COMPLAINT NO: FOH-LHR/000019/2025

Date of Institution: 08.09.2025

Serial No. of Order of Proceedings	Date of order of Proceedings	Order of other proceedings with Signature of Federal Ombudsperson		
		MEHWISH AHSAN	VS	AHSAN SIDDIQUE
1	2	DEPARTMENT: BENAZIR INCOME SUPPORT PROGRAMME		
16	27.02.2026	<u>SUBJECT: ORDER ON MAINTAINABILITY OF COMPLAINT</u> This order shall decide the objections raised in written defense by Ahsan Siddique, Officer Benazir Income Support Programme (Accused) on maintainability of complaint filed by Mehwish Ahsan (Complainant), under Section 8 of the Protection Against Harassment of Women at the Workplace Act, 2010 (Act of 2010). 1. The Complainant who works as a content writer in Digital Bigital Korbax, claims that the Accused got her phone hacked through technical support from his friend working in the Intelligence Bureau and that her colleagues, clients and family members have been warned of dire consequences if they contact her. Further, on 20.08.2023 her colleague Zarar was called by an individual named Faheem who extended threats to him claiming to be from the Intelligence Bureau and the same practice was repeated with her driver on 25.08.2025. Further, when she went to the food court at Packages Mall, Lahore around 3:00 p.m. to attend a scheduled business meeting, the Accused came there while the meeting was in progress and stormed/attacked her extending threats. 2. Additionally, on 14.09.2025 around 12:30 p.m. he along with others, came to her parents’ house and while shouting and using grave abusive language against her, left the house. Further, at 5:00 p.m. he went to the house of her paternal aunt Mst. Parveen Iftikhar along with his brother, where he assassinated her character and showed some videos to her, alleging them to be those of Complainant. On 15.11.2025 around 2:00 p.m. he again went to her parents’ house and threatened her of grave consequences if she did not withdraw the instant complaint. She claims that since the Accused is a government employee, he was misusing his authority and creating troubles for her to hinder her work pursuits.		

		3. In the end, she has prayed that the aforementioned incidents of harassment and abuse of authority be taken notice of and appropriate action be taken against the Accused. 4. The Accused has contested the complaint on legal and factual grounds. He claims that the complaint is not maintainable as the Complainant is his legally wedded wife and they have four minor children from the wedlock. Further, a purely matrimonial and domestic dispute has been transformed into an official matter, the sole purpose being to pressurize, malign and victimize him. Further, on the same allegations she filed an application under Sections 22-A and 22-B of the Code of Criminal Procedure, 1898 against him as the Superintendent of Police had negated her version after holding a detailed inquiry. He has denied the allegations of hacking, misuse of authority, threats or involvement of any government employee and contends that the Complainant is attempting to misuse this Forum to settle personal scores arising out of a domestic discord, which constitutes abuse of legal process. 5. The Accused has questioned maintainability of the complaint on following grounds: a. The Complainant is not a Government employee, nor she is employed in any organization falling within the statutory ambit of this Forum. b. She has no official nexus, workplace relationship or service connection with any Government department, including BISP. c. The allegations do not constitute any workplace harassment, nor do they fall under administrative misconduct provisions. d. The subject matter pertains exclusively to private matrimonial discord, which is beyond the jurisdiction of this Forum. 6. After hearing arguments and perusing the record, it is revealed that parties are married to each other and none of them has attempted to get their marriage dissolved. The Complainant has filed family suits against the Accused, which are pending adjudication. To ascertain whether the allegations against the Accused fall within the purview of the Act of 2010, definitions of the terms <i>accused</i>, <i>complainant and workplace</i> as defined in Section 2 of the Act have to be considered. The same are reproduced hereunder for ready reference:
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		<i>“(a) “accused” means an employee or employer of an organization against whom complaint has been made under this Act;”</i> <i>“(e) “complainant” means any person who has made a complaint to the Ombudsperson or to the Inquiry Committee on being aggrieved by an act of harassment and shall include a former employee who has been removed or dismissed from service or has resigned, and a parent or a guardian where the Complainant is a minor;”</i> <i>“(n) “workplace” means the place of work or any place where services are rendered or performed by professionals, including educational institutions gigs, concerts, studios, performance facilities, courts, highways, sporting facilities and gymnasiums, and shall include any building, factory, open area or a larger geographical area, where the activities of the organization or of employer are carried out and included any situation that is linked to work or activity outside the office.”</i> 7. From the above definitions it follows that a complaint can be filed by any person who is aggrieved by an act of harassment at the workplace, caused by the Accused who could be an employer or an employee of the organization. Though the Complainant and Accused are employed in different organizations, the law does not restrict the parties to be from the same organization nor there is any bar regarding the nature of organization, as definition of the word <i>“organization”</i> includes autonomous bodies and online businesses as well. It thus follows that a Complainant is not necessarily required to be a government employee or have a workplace relationship or service connection with any Government department. Suffice for filing a complaint is that the Complainant should have been harassed by the Accused at her workplace, which in the instant case allegedly was the food court at the Packages Mall, Lahore. Thus, objections pertaining to maintainability of complaint on the grounds that the Complainant is not a Government employee nor she is employed in any organization falling within the statutory ambit of this Forum and that she has no official nexus, workplace relationship or service connection with any Government department, including BISP are of no legal significance. 8. Now advertng to the objection that the allegations do not constitute any workplace harassment nor do they fall under administrative
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		misconduct, the term <i>harassment</i> is to be thoroughly examined for ascertaining this objection. The same is defined in the Act of 2010 as under: “(h) “harassment” means:- (i) <i>any unwelcome sexual advance, request for sexual favors, stalking or cyber stalking or other verbal, visual or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment; or</i> (ii) <i>discrimination on basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mind-set or notion, resulting in discriminatory behavior on basis of gender against the complainant;”</i> 9. Admittedly, the parties are married to each other and do not share any formal employer–employee relationship. The gravamen of the present complaint does not arise out of a purely matrimonial discord as the Complainant has specifically alleged that the Accused intruded upon and obstructed her professional engagement at Packages Mall, Lahore where she was present in connection with her work and attending a business meeting alongside her colleagues. The Accused stormed at the venue, disrupted the proceedings and issued threats not only to the Complainant but also to her colleagues, thereby interfering with the discharge of her professional duties. The Accused has not denied the said grievance specifically. Such conduct, <i>prima facie</i>, establishes a direct nexus with the workplace. The obstruction and intimidation did not occur in a private or domestic setting alone but at a location where the Complainant was actively engaged in her professional responsibilities. The intervention of the Accused at the workplace, coupled with the threats and disruption of an ongoing business meeting, brings the matter squarely within the ambit of workplace harassment. 10. The record also reveals that the Complainant attempted to get an FIR registered against the Accused but after conducting a detailed inquiry, the Superintendent of Police, negated her version, therefore, she approached the Sessions Court with the same allegations.
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