



**OFFICE OF THE FEDERAL OMBUDSPERSON
FOR PROTECTION AGAINST HARASSMENT OF WOMEN
AT THE WORKPLACE, ISLAMABAD**

FORM OF ORDER SHEET

Complaint No. FOH-PEW/0006/26

Mr. Muhammad Usama

V/S

Mr. Muhammad Zahid & Others

Date of Institution: 24-02-2026

**Name of Organization FG Sapper Public School No.2 (Boys) Risalpur Cantt
(Harassment)**

ORDER

Date: 16/06/2026

Sr. No: 08

1. *Mr. Muhammad Usama (hereinafter referred to as the "Complainant") is serving as an Elementary School Teacher at FG Sapper Public School No. 2 (Boys), Risalpur Cantt, under the administrative control of the Federal Government Educational Institutions (FGEIs). He has filed the instant complaint against Mr. Muhammad Zahid, Principal (Accused No. 1); Mr. Mian Fazli Subkhan, Head of Inquiry (Accused No. 2); Mr. Fazal Rehman, Principal (Accused No. 3); and Mr. Muhammad Afzal Khan (Accused No. 4) of FG Sapper Public School No. 14 (Girls), Risalpur Cantt.*
2. *According to the Complainant, on 10-04-2025, he applied for paternity leave under Section 4 of the Maternity and Paternity Leave Act, 2023; however, the same was allegedly denied by Accused No. 1 through delaying tactics and by demanding irrelevant documents. On 28-04-2025, when he raised the matter before the Regional Office, Peshawar, and the Directorate of FGEIs, the Principal allegedly misbehaved with him and asked him to leave his office. On 29-04-2025, when the Complainant visited the Regional Office, Peshawar, to meet the GSO-I and the*

Regional Director, he was asked to provide an authority letter. Upon his request for the issuance of the said letter, his application was instead forwarded to the Regional Office.

- 3. It is further alleged that on 06-05-2025, the Complainant submitted an application against Accused No. 1 through the proper channel, but no response was received. On 30-05-2025, Accused No. 2 allegedly summoned him unofficially, misbehaved with him, called him a “thug/criminal,” asked irrelevant questions, accused him of stealing documents from his personal file, and threatened to transfer him to a hard station. Subsequently, explanation letters dated 06-06-2025 and 11-06-2025 were issued to him by Accused No. 2 and 1, respectively. The Complainant submitted replies to the said letters and also filed a complaint before the Director General, FGEIs, against Accused No. 1 and 2.*
- 4. An inquiry was conducted; however, the Complainant alleges that Accused No. 3, being the Head of Inquiry, deliberately withheld documentary evidence and WhatsApp records and conducted a partial and biased inquiry. On 03-07-2025, the Complainant applied for a duplicate copy of his file, but this application was also forwarded to the Head Office without any relief.*
- 5. The Complainant has further alleged that multiple disciplinary proceedings were initiated against him and that he was ultimately transferred to FG Sapper Public School No. 4 (Girls), Risalpur Cantt. He has also referred to the conduct of the Principal of the said school (referred to as Accused No. 5), who allegedly required him to sign an order regarding the completion of the Student Information System (SIS) data. Upon seeking a reasonable time, an explanation letter was issued to him the very next day, and his reply thereto was allegedly refused.*
- 6. The Complainant contends that he was subjected to favoritism, continuous verbal humiliation, and gender-based discrimination. He asserts that while maternity leave is granted to female employees under the Act of 2023, paternity leave was denied to him as a male employee. He has further alleged that Accused No. 2 failed to act impartially and denied him the opportunity of a hearing and right of self-defense, and that Accused No. 3 failed to conduct a fair and honest inquiry, compelling him to file the present complaint.*

7. *The Accused persons appeared and denied the allegations. It was contended that the matter does not constitute gender discrimination, as paternity leave had in fact been sanctioned to the Complainant from 08-04-2025 to 06-05-2025 . It was further submitted that although the Complainant applied for leave, he continued to perform duties, including assignments with the Federal Board, until 25-04-2025 and did not avail the sanctioned leave during that period.*
8. *Arguments of both parties were heard at length, and the record was carefully examined. The Complainant also submitted written arguments through Counsel.*
9. *Harassment is defined in Section 2(h) of the Protection Against harassment of Women at Workplace Act 2010 as:*

“Any unwelcome sexual advance, request for sexual favours, 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

(ii) 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”

10. *The primary grievance of the Complainant pertains to alleged gender-based discrimination because he was denied paternity leave. However, the record does not support this contention. While the Complainant claims to have applied for leave on 10-04-2025, no such application has been produced by him. Rather, the departmental record reflects that paternity leave for one month was ultimately sanctioned in his favour vide letter No. F.8/PF/(SS)/M-Leave/3356/4000 dated 23-05-2025.*

11. S.4 of The Maternity and Paternity Leave Act 2023 provides:

“4. Paternity leave. {1} A male employee expecting his wife to give birth to a child shall, at his option, be granted paternity leave on full pay not exceeding thirty days outside his leave account from the date of its commencement.

(2) Such paternity leave may not be granted for more than three times in the entire service of the male employee, except when such leave is granted within his leave account due and admissible to him or as an extraordinary leave without pay.”

The Act of 2023 also contains a penal clause. S 5. The Act provides that whoever contravenes the provisions of this Act shall be punished with imprisonment which may extend to six months or a fine which may extend to one hundred thousand rupees. It means that provisions of this Act are mandatory and are to be construed strictly.

12. The language of S.4 clearly means that an application for availing leave must be filed when the wife of a person is expecting and not after delivery of the child. The reason is that processing of the application and its approval may take some time. In this case, the Complainant filed the application on the 10th of April. According to the record of the inquiry proceeding conducted by the department, his formal application was received on the 20th of April. Accused No 1 forwarded it for approval vide letter no. FGSPS.02/RSC/2025/5880 DATED 22ND April 2025. It was returned on 29th April with the observation that it was not accompanied by the certificate regarding the number of children during government service. It was resubmitted on the 15th of May and finally sanctioned.

13. It was argued that the delay in approval of leave amounts to a denial of leave as the complainant was not able to avail the leave. However, late submission of the application and an incomplete application without proper documentation caused a delay in the approval of the application. The delay, therefore, cannot be attributed to Accused No 1. It is not a case of denial of paternity leave. The Complainant has

produced copies of orders whereby the paternity leave applications of other employees have been sanctioned by the department. It depicts that the department is not discriminating on the basis of gender. In the case of the Complainant, the record shows that the delay was due to the circumstances mentioned above, which can be viewed as an administrative lapse rather than gender-based harassment.

14. The rest of the Accused have been nominated for issuing a back-dated explanation letter, misbehavior, conducting a partial inquiry, and misuse of authority. None of these acts falls under the definition of actionable harassment under the Act of 2010.

*15. The record further reflects that the Complainant remained on leave from 08-04-2025 to 10-04-2025 due to hospitalization of a family member and continued to perform his duties, including Board-related assignments, until 25-04-2025. **During the course of arguments, the Complainant was specifically asked whether he had applied for cancellation of his Board duties to avail paternity leave; he said he had not filed any such application.***

16. In these circumstances, any discrepancy regarding the timing of communication or sanction of leave constitutes an administrative matter and does not, by itself, establish gender-based discrimination. The essential elements of harassment, as defined under Section 2(h) of the Protection against Harassment of Women at the Workplace Act, 2010, are also not attracted in the present case.

Accordingly, the complaint is found to be devoid of merit and is hereby dismissed. The Complainant is, however, at liberty to seek redress before the appropriate forum in accordance with law.

**FAUZIA VIQAR
FEDERAL OMUDSPERSON**