



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

J U D G M E N T

1. Complaint Number: 1(112) / 2015-FOS (Reg)
2. Date of Institution: 02.02.2015
3. Date of Decision: 20.03.2015
4. Complainant: Mst. Abida Zahid
5. Opponent: Muhammad Abid, Manager Admin,
IESCO, Islamabad

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Justice (R) Yasmin Abbasey,

Ombudsman:

1. These two complaints have been filed by Mst. Abida Zahid serving in IESCO as PA to G.M and, her husband Muhammad Zahid Rashid against Muhammad Abid Manager Administration DDO, IESCO Islamabad. From perusal of record of both complainant and as expressed by complainants during argument both complaints relate to issues said to be faced by Mst. Abida Zahid with opponent Muhammad Abid Manager IESCO Islamabad. According to complainants these two complaints have been filed by them by distributing the problems faced by Mst. Abida Zahid and to explain properly.
2. According to complainants being Manager Administration and having powers of DDO opponent is creating problems for Mst. Abida Zahid by deliberately holding her files of medical bills, house hiring cases and loan granted under Prime Minister Youth Loan scheme. It is alleged that whenever he go to opponent to pursue her matters he always offer her to have dinner with her or ask her to find out some suitable lady for him to marry. Opponent clearly states that till his work will not be done he will withhold Mst. Abida Zahid's file. Opponent's attitude towards Mst. Abida Zahid was of degrading her position in office, because of that rumors affecting her modesty were surrounding in office. It is stated that complainant Mst. Abida Zahid was under mental pressure not only because of attitude of opponent but was also under apprehension that because of attitude of opponent and rumors which were circulating in office may not disturb her family life. Finally according to her, she took her husband in confidence and narrated all story to him and offers made by opponent. First her husband tried to mind opponent, but finding no way out these complaints have been filed by them.

3. Opponent in his defense filed on 10.02.2015 states that he has no direct working relationship with complainant. Allegations are incorrect. He pointed out that complainant Mst. Abida Zahid is in habit of acquiring residential accommodation bogusly and because of that inquiry is pending against her vide office order dated 19.09.2013. It is further stated that she again acquired another house having No. SN 394 Main Road Awan Colony Shamsabad, Rawalpindi w.e.f 01.10.2013 and on de-hiring move w.e.f 31.12.2014, it transpired that signature of owner are bogus, that has been confessed by complainant Mst. Abida Zahid before him that she signed the same after death of owner.
4. Complainant Mst. Abida Zahid also got approved loan of Rs. 18 lac under Prime Minister Youth Loan Scheme. Bank asked from opponent to confirm that he is serving as authorized Drawing and Disbursing Officer in organization, as a requirement for process of loan case in favor of Mst. Abida Zahid. Opponent refused to sign the same and as per his own statement in defense filed on 10.02.2015 he consumed time in correspondence to know that in case of default by employee / guarantor what will be the position. In the same para he again states that "however, keeping in view of her financial hardship the same was signed on 06.02.2015". So far case of sexual harassment is concerned, complainants should approach to the committee constituted within IESCO.
5. Heard parties and perused the record.
6. From perusal of record it transpires that issue involved in matter is misuse of power of opponent on one hand and placing incorrect facts by complainant Mst. Abida Zahid in office of opponent for de-hiring of her house 394. From record it transpired that although first house having No. SN 486 Street No. 6 Awan Colony, Rawalpindi got de-hired by her vide office order dated 04.03.2013, but on the basis of an anonymous

application dated 27.02.2013 moved by employees of IESCO, not named, after a month order for investigation of bogus hiring was passed on 18.03.2013. But still it is not understandable that why on this anonymous application said to be moved by employees of IESCO, investigation was initiated against some employees of IESCO listed in letter dated 08.03.2013, and even after passing of more than 2 years same is still pending without any progress in the matter, keeping the sword in hanging position on these employees of letter dated 08.03.2013, which is nothing but a creation of hostile work environment in the Institution.

7. Next issue is that of de-hiring of House No. 394 Mohallah Main Road Awan Colony, Shamsabad, Rawalpindi because according to complainant Mst. Abida Zahid due to some domestic problems as stated by her in her application moved on 22.12.2014 exhibit C/2 she will vacate this premises w.e.f 31.12.2014, and has prayed for de-hiring of this House No. 394 of Rawalpindi. It is alleged that this application is still pending before opponent, and for last three months rent of this house has also not been paid by institution. According to complainant Mst. Abida Zahid for disposal of case of de-hiring of House No. 394 Main Road Awan Colony, Shamsabad Rawalpindi, opponent told her to submit No Demand Certificate duly signed by landlord but as her landlord had expired by that time, therefore under impression given by opponent that it is a formal procedure she herself signed on this No Demand Certificate on behalf of owner pretending to be signed by him. Apparently this act of complainant Mst. Abida Zahid falls under forgery. But according to her she did so under bonafidely impression and on assurance given by opponent that after submission of No Demand Certificate her matter for de-hiring of house no. 394 Main Road Awan Colony Shamsabad Rawalpindi will be finalized.

8. It is stated by complainant Mst. Abida Zahid during arguments that as dispute in family of deceased landlord of House No. 394 Main Road Awan Colony, Shamsabad Rawalpindi was going on because of inheritance of deceased property, therefore neither they had intimated exact date of death of deceased landlord Malik Ejaz Hussain nor has provided his death certificate to her, therefore she did so under compelling circumstances. These arguments advance by her does not appeal to reason because she should had submitted true facts before institution and thereafter it was for institution to follow procedure whatever required in the matter. At same time it is an admitted fact that opponent was in knowledge of wrongly signing of complainant on No Demand Certificate on behalf of her deceased landlord, but no reason has been given by him that why no action was taken by him, and why he waited for such a long time and kept the application pending for de-hiring of House No. 394 Main Road Awan Colony Shamsabad Rawalpindi and another application for hiring of new house moved by her on same day i.e. 22.12.2014. It is for first time this fact has been brought on record by opponent in his defense filed on 10.02.2015. Here it is very much relevant to refer an office Note at page 54 of this file, whereby analyzing genuine grievance stated by complainant Mst. Abida Zahid in her application dated 01.04.2009 sympathetic consideration was given to it by allotting a quarter to her vide office order dated 27.11.2014. So if opponent would had any apprehension of malice act on part of complainant Mst. Abida Zahid of signing on No Demand Certificate , he had a good chance to bring this alleged forgery of signing on behalf of her deceased landlord, when file for allotment of Quarter No. D-8 at 132 KV Zero Point Grid Station Islamabad was moving through his office. But no such step was taken by opponent at that time nor file of de-hiring was cleared.
9. Third issue is of Prime Minister Youth Loan scheme which was approved in her favor in May, 2015 but further process of it has been kept pending

by opponent till date of arguments just because of his personal apprehension that if complainant Mst. Abida Zahid will not be able to repay loan amount, responsibility to repay the same will lay on IESCO, ignoring the fact with IESCO is not a guarantor of this loan but another employ of IESCO Ishtiaq Ahmed Malik is its guarantor.

10. By order dated 18.02.2015 First Women Bank Limited had sought confirmation that whether Manager Administration is authorized DDO of organization and who has been assigned power to sign as DDO, as it will help them to further process of loan case which is already delayed by seven months. In spite of that opponent kept file pending with no sufficient ground and now on 10.03.2015 copy of letter dated 10.03.2015 addressed to Branch Manager of Murree Road Branch Rawalpindi First Women Bank moved by Director General Administration has been placed on record confirming that Manager Administration is also working as Drawing and Disbursing Officer since long by virtue of his designation. This conduct of opponent to keep matter pending for long time without any reason, supports case of complainant Mst. Abida Zahid that he is unnecessary creating hostile environment in office and pressurizing her to come again and again with a request to forward her cases pending before him.
11. So far deduction in medical bill is concerned I found justification in statement of opponent that it is not he who had deducted amount. Photocopy of arrears of pay and allowances place by complainant herself show that amount of Rs. 22,598/- was approved and forwarded by opponent but in pre audit it was deducted by Assistant Manager (CA) of IESCO and approved to the extend to Rs. 13,558/-
12. In view of above I found that though complainant Mst. Abida Zahid and her husband Muhammad Zahid Rashid have alleged that opponent was mishandling cases of Mst. Abida Zahid just because to force her to favor his illegal demands to accompany with him for dinner and to find out a

women for his third marriage apparently have not been proved, but it seems to be an attitude problem of both parties.

13. However as by letter dated 10.03.2015 complainant Mst. Abida Zahid has been advice by opponent to provide No Demand Certificate of owner or legal heirs of above referred property being No. 394 for approval of de-hiring case of House No. 394 Main Road Awan Colony Shamsabad Rawalpindi. Complainant is directed to follow these instruction. So far confirmation of status of opponent, to Branch Manager First Women Bank, as DDO, for approval of loan granted to her under Prime Minister Youth Business Loan scheme, it seems that matter can be resolved amicably, after issuance of another letter of 10.03.2015 to Branch Manager, First Women Bank Limited, Murree Road Branch, Rawalpindi. Institution i.e. IESCO is directed to finalize all issues of complainant within a week time after submission of No Demand Certificate by complainant.
14. Concern organizers of IESCO are further directed that to avoid any such situation in future in between the parties they should be posted in a way that one party may not have excessive power over other.
15. After finalizing all issues in the matter, this office should be intimated as to the implementation of order within 15 days of receipt of this order.
16. Complaints are hereby disposed off accordingly.

JUSTICE (R) YASMIN ABBASEY
Federal Ombudsman