



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

FORM OF ORDER SHEET

Complaint No. 0012/2025

Ms. Rimsha Ali

V/S

Mr. Jibran Ahmed Yousafzai

Date of Institution: 11-11-2025.

**Name of Organization: Anti-Narcotics Force (ANF)
(Harassment)**

ORDER

Date: 28/04/2026

Sr. No: 17

Final Order

- Ms. Rimsha Ali (hereinafter referred to as the "Complainant") is currently serving in the Anti-Narcotics Force (ANF), Baluchistan. She has filed the instant complaint alleging workplace harassment by the Project Officer, Mr. Jibran (hereinafter referred to as the "Accused"). The Complainant submits that the Accused repeatedly called her to his office without any official purpose and made her sit there for prolonged periods. She further alleges that he made inappropriate remarks concerning her personal life, commented on her appearance, and attempted to blackmail her for sexual favours. According to the Complainant, she submitted a written complaint to the Regional Director*

(Commander), but no action was taken, thereby compelling her to initiate the present proceedings.

2. The Accused was duly summoned and has filed a written reply. He has denied all allegations of harassment and contended that the complaint has been filed with mala fide intent to obstruct the Complainant's transfer from RD ANF Baluchistan to RD ANF North, pursuant to orders issued by Headquarters ANF, Rawalpindi, dated 30th October 2024.
3. Evidence of the parties was recorded, arguments were heard, and the record has been thoroughly reviewed.
4. The Complainant appeared in person as PW-1 and submitted her affidavit (Ex. PW-1/1) in evidence. She also produced Mr. Zubair Akbar, Accountant ANF, as PW-2, and Mr. Wajid Yousaf, Deputy Director ANF, as PW-3, in support of her claim. The Complainant deposed that she had filed an application before the Inquiry Committee (Ex. PW-1/2) in the year 2023, when she was working under the supervision of the Accused. She stated that the Accused used to harass her both verbally and physically. He would pass comments on her appearance, including her eyes and figure, and made inappropriate remarks suggesting that, owing to her physical appearance, he could have a physical relationship with her. She further stated that the Accused used to touch her hands and hair, attempted to grab her, and touched her thighs. She acknowledged that she does not possess any video recording of the incidents but asserted that there was an eyewitness. She further admitted that she had not detailed the specific incidents of harassment in her 2023 application and had only referred generally to misbehavior and misconduct. She also stated that she had been threatened with loss of employment.
5. PW-2, Mr. Zubair Akbar, corroborated the Complainant's version and stated that the Accused frequently commented on the appearance, dress, and demeanor of female employees. He stated that the Accused used to ask the Complainant to remain in the office till late hours and made remarks regarding her eyes and appearance. According to him, the Complainant was often pressured to stay in the office even when she sought permission to leave. He further stated that the

Accused intended that the Complainant spend time with the Accused. He deposed that, as he resided near the office, he often worked late and, during such hours, observed the Accused verbally harassing the Complainant and physically touching her after other staff had left. He admitted that, being a subordinate, he remained silent due to fear that his Annual Confidential Report (ACR) might be adversely affected. He further stated that at the relevant time, the Complainant was the only female posted in the office, though subsequently another female employee joined. He affirmed that he was an eyewitness to the incidents narrated by the Complainant. He also stated that there was only one table in the room occupied by the Accused and that no other person ordinarily sat there. According to him, the incidents of harassment occurred on different dates and at different times.

- 6. PW-3, Mr. Wajid Yousaf, Deputy Director ANF, also supported the Complainant's contentions. He is the husband of the Complainant. He stated that, at the relevant time, the Complainant was posted in Quetta while he was stationed in Peshawar, and he would visit her approximately every two months. He observed that she would often return late from the office, appeared stressed, and initially refused to disclose the reasons. Upon his insistence, she informed him that the Accused compelled her to remain in the office after working hours, when other staff had left. She further disclosed that the Accused made inappropriate remarks about her posture, body, eyes, and hair, and attempted to touch her. He advised her to file a complaint as the conduct amounted to harassment; however, she was initially reluctant, expressing concern about her job security and the possibility of adverse posting due to her family circumstances. He further stated that he advised her to submit an application at the departmental level, namely to "Al-Nisa." She subsequently filed such an application but received no response. She also submitted an application to the Commander seeking a change of branch, which likewise elicited no response. He stated that he attempted to contact the Accused telephonically but was unable to do so. Eventually, the Complainant was posted to a Police Station after returning to Islamabad upon completion of a course. It was after attending an awareness session conducted*

by FOSPAH that she became aware of her legal remedies and filed the present complaint before this Forum. During cross-examination, he stated that he and the Complainant were separated but not yet divorced.

- 7. The Accused, in his evidence denied all allegations and maintained that the complaint was filed as a means to prevent the Complainant's transfer. He admitted that he was the immediate supervisor of the Complainant. He stated that he was serving as In-Charge, Drug Demand Reduction, and had additionally been assigned charge of Accounts in November 2024. He asserted that he did not possess the authority to transfer or post any officer. He denied having obtained a separate room in 2024. He further stated that the Complainant had previously filed harassment complaints against other officers and employees and that he had no prior enmity with her. He stated that following the filing of the application against him, he made an adverse remark in her ACR. He further stated that he remained in the office beyond official hours only when required to perform assigned duties. He denied ever asking the Complainant to stay in the office after working hours and asserted that she attended the office during 2023–2024 of her own free will. According to him, the Complainant was engaged in duties relating to women's universities and colleges. He further stated that whenever the Complainant visited his office, Assistant Director Waqar was present and subsequently, after his posting, Assistant Director Asjad used to be present there. However, none of these were produced as witnesses to support his claim.*
- 8. The Accused produced Inspector Allah Baksh, Regional Intelligence Officer, Regional Directorate ANF Quetta, as DW-2. He stated that he has never received any report about the harassment committed by the Accused. He said that he was not posted in the office of DDR from 2023 to 2024. Hira Azam, DW-3, remained posted with the Accused and Complainant during the period 2023 to 2024 and stated that she never faced any harassment from the Accused. Manzoor Hussain Naib Qasid was produced as DW-4; he performed duties within the DDR branch. He said that he used to perform duties in the branch and thereafter sit outside the office of the Accused. According to him, his office was*

easily approachable, and no secret activity could be performed there. He also stated that two Assistant Directors, Waqar and Asjad used to sit in the office of the Accused during those days.

9. From the pleadings and evidence on record, the Complainant has alleged that she was subjected to both verbal and physical sexual harassment at the workplace by the Accused. In light of the rival contentions, the following issues arise for determination:

A. Whether the Accused, by virtue of his position of authority, created a hostile working environment for the Complainant by compelling her to remain in his office without official justification and subjected her to verbal and physical harassment?

B. Whether the present complaint has been instituted mala fide as a device to obstruct or avoid the Complainant's transfer from her place of posting?

10. Sexual harassment, in its broadest legal and sociological understanding, denotes the unwelcome imposition of sexual conduct or advances within a relationship characterized by an imbalance of power, positional or social. As articulated by Catharine A. MacKinnon, it constitutes a form of sex-based discrimination wherein individuals, particularly women in subordinate employment positions, are exposed to coercive or unwelcome sexual behavior by superiors, thereby impairing their dignity and equality at the workplace.

11. It is a settled reality that incidents of verbal and physical harassment in workplace settings are seldom susceptible to direct or documentary proof. Such acts typically occur in private settings, away from public scrutiny, thereby limiting the availability of tangible evidence such as CCTV recordings or electronic communication. This evidentiary challenge is duly acknowledged in the Code of Conduct under the Protection Against Harassment of Women at the Workplace Act, 2010, which recognizes that harassment frequently occurs in isolation, making corroboration inherently difficult.

12. *The code recommends that staff report offensive behavior to someone they trust. However, it is not always possible to report it to someone they trust. It is not always possible or easy to report offensive behaviour in the workplace for a mix of structural, psychological, and cultural reasons. One of the reasons is fear of retaliation. Employees always worry about the negative consequences, such as loss of job, denial of promotion, poor evaluation, or social isolation. When the accused holds a position of authority, this fear becomes even stronger. Hierarchical workplaces can discourage challenging authority. Particularly in conservative or close-knit environments, individuals may fear being judged, blamed, or labelled as “troublemakers,” which discourages reporting.*
13. *Furthermore, a lack of awareness regarding the legal framework governing workplace harassment contributes significantly to underreporting. Victims may endure misconduct in silence due to uncertainty about available remedies or institutional mechanisms. In such circumstances, the evidentiary burden is often discharged through circumstantial evidence and testimony of colleagues who were present or had knowledge of the relevant events during the material period.*
14. *In the present case, it stands admitted that both parties were posted in the same office during the relevant period and that the Accused held a supervisory position over the Complainant, thereby placing him in a position of authority. To substantiate her allegations, the Complainant has relied upon her own testimony as well as the statements of two witnesses.*
15. *Mr. Zubair Akbar, PW-2 categorically deposed that, at the relevant time, the Complainant was initially the sole female employee in the office, a fact which has remained unchallenged. He corroborated the Complainant’s assertion that she was required by the Accused to remain in his office/room beyond working hours without justification. His presence in the office during late hours has been plausibly explained on account of his residence being in close proximity, a fact not controverted by the defence. Significantly, he claimed to be an eyewitness to instances of verbal and physical harassment. Although he did not intervene or report the conduct, his explanation—that he feared adverse consequences in his Annual Confidential Report—is both reasonable and consistent with workplace*

realities. The defence has failed to demonstrate any animus, inconsistency, or ulterior motive on his part that would undermine his credibility.

- 16. Mr. Wajid Yousaf, Deputy Director ANF, PW-3, the husband of the Complainant, also supported her version. Although not an eyewitness, his testimony is relevant in establishing the contemporaneous disclosure made by the Complainant and the psychological impact of the alleged harassment. He deposed regarding her late returns from the office, visible distress, and eventual disclosure of the Accused's conduct. Notably, it has emerged during cross-examination that the Complainant and PW-3 are presently separated, thereby negating any presumption of bias or collusion in favour of the Complainant. His testimony, therefore, carries probative value as corroborative evidence.*
- 17. The contention of the defence that PW-3's testimony is unreliable on account of his failure to lodge a complaint at the relevant time is untenable. The mere absence of immediate reporting does not render such testimony inadmissible or unreliable, particularly in light of the well-documented social and institutional barriers associated with reporting harassment. In the absence of any demonstrated motive to falsely implicate the Accused, his evidence cannot be discarded. In this regard, the Code of Conduct under the Act explicitly acknowledges,*

(xii) “the harassment usually occurs between colleagues when they are alone, therefore usually it is difficult to produce evidence. It is strongly recommended that staff should report an offensive behavior immediately to someone they trust, even if they do not wish to make a formal complaint at the time. Although not reporting immediately shall not affect the merits of the case; and”.

Consequently, the absence of an immediate complaint cannot, by itself, be construed as a ground to discard otherwise credible and corroborative evidence, particularly where no motive for false implication has been established against the witness.

18. *In his defence, the Accused (DW-1) has primarily relied upon the plea that the complaint is motivated and was filed to impede the Complainant's transfer. While he admitted his supervisory role, he asserted that two Additional Directors were regularly present in his office and denied all allegations of misconduct. However, despite making such assertions, he failed to produce the said officers as witnesses. Moreover, although he alleged that the Complainant had issues relating to discipline and attendance, no documentary evidence was produced to substantiate these claims. Even otherwise, any such issues ought to have been addressed through formal departmental procedures, for which no record has been placed before this Forum.*
19. *The testimony of Inspector Allah Baksh, Regional Intelligence Officer, DW-2 is of limited evidentiary value, as he neither worked in the relevant office during the material period nor possessed any direct knowledge of the alleged incidents. His statement is, therefore, purely formal in nature. Similarly, Hira Azam, DW-3 stated that she did not personally witness any harassment and admitted that she never visited the Accused's office when he was alone with the Complainant. Her general remarks regarding alleged grievances against the Complainant remain vague and unsubstantiated.*
20. *The evidence of DW-4 is materially inconsistent. While he initially stated that two Additional Directors were present in the Accused's office, he subsequently conceded that one of them was allotted a separate office and was unable to specify the relevant timeframe. His inability to provide a coherent account diminishes the reliability of his testimony. Likewise, DW-5 had no association with the parties during the relevant period and merely deposed in general terms, rendering her testimony inconsequential to the issues in question.*
21. *A cumulative assessment of the defence evidence reveals that it is largely generic and fails to address or rebut the specific allegations levelled by the Complainant. Notably, the Accused has not produced any independent witness who was present in his office during the relevant period, despite asserting that other officers regularly shared the space. The defence has also failed to discredit the testimony of PW-2, whose account remains consistent and unrebutted. The*

allegation that the complaint was filed with mala fide intent to obstruct transfer has not been substantiated by any cogent evidence.

22. *The written submissions filed by the Accused, emphasizing his professional competence and the confidence reposed in him by his superiors, do not materially advance his defence in the present proceedings, which are confined to specific allegations of harassment. The argument regarding delay in filing the complaint is likewise devoid of merit. The Complainant has adequately explained that she became aware of her legal remedies only after attending an awareness session conducted by this Forum and that her prior attempts to seek redress within the department were unsuccessful. It is well settled that delay, in isolation, does not invalidate a complaint of harassment, particularly where plausible explanations exist.*
23. *In view of the foregoing analysis, this Forum is satisfied that the Complainant has successfully established, on the balance of probabilities, that she was subjected to harassment within the meaning of Section 2(h) read with Section 4 of the Protection against Harassment of Women at the Workplace Act, 2010. Consequently, the Accused is found guilty of harassment under Section 4 of the Act. **Having regard to the nature and gravity of the offence, a minor penalty in the form of withholding of two annual increments is imposed upon the Accused under Section 4(1)(b). Additionally, he is directed to pay a sum of Rs. 50,000/- to the Complainant as compensation under Section 4(1)(d).***
24. *The Complainant has also filed a separate application alleging retaliation in the form of denial of residential accommodation at the workplace. However, it is an admitted position that the issue of her transfer is presently sub judice before the Service Tribunal. The matter relating to allotment or retention of official accommodation is intrinsically linked to the question of transfer and does not, in the circumstances, fall within the ambit of retaliation as contemplated under the Act. This Forum, therefore, declines to adjudicate upon the said issue, and the application is accordingly dismissed. Reliance is placed on **Nadia Naz v. Federation of Islamic Republic of Pakistan (PLD 2021 SC 784)** and **Rizwan Dalia Vs Ombudsman Sindh (PLD 2022 Sindh 213.)***

Further Directives:

In order to ensure compliance with statutory obligations, the Anti-Narcotics Force (ANF) is hereby directed to:

- i. Constitute an Inquiry Committee strictly in accordance with Section 3(2) of the Act;*
- ii. Prominently display the names and contact details of the members of the Inquiry Committee within the premises and*
- iii. Ensure that the Workplace Code of Conduct is exhibited in both English and Urdu at conspicuous locations, in terms of Section 11(2) of the Act.*

A compliance report shall be submitted to this Forum within fifteen (15) days of issuance of this order.

With the observations made above, the instant complaint is disposed of.

**FAUZIA VIQAR
FEDERAL OMBUDSPERSON**