



FEDERAL OMBUDSMAN
For Protection against Harassment of Women at Workplace
Islamabad

J U D G M E N T

1. Complaint Number: 1(299) / 2016-FOS (Reg)
2. Date of Institution: 26-10-2016
3. Date of Decision: 27-01-2017
4. Complainant: Mst. Sana Rasheed
W/o Khurram Shahzad Butt
House No. 190-BB, Street No. 4
Mohalla Karimpura, Rawalpindi
5. Opponents: Muhammad Jamil Naz
Assistant Post Master (Registry Branch)
Rawalpindi GPO, Rawalpindi

Justice (R) Yasmin Abbasey,

Federal Ombudsman:

Complaint No. 1(299)/ 2016-FOS.

1. Complainant Sana Rasheed employer of Customer Care Center GPO Rawalpindi has filed this application against Chaudhary Muhammad Jamil Naz Senior Deputy Post Master GPO Rawalpindi stating that on every month from 8 to 25 when Muhammad Fayaz Clerk of Philatelic branch is on field duty for bill collection she perform additional duty of his seat also. It is alleged that when Muhammad Fayaz Clerk was on field duty and she was all alone in her branch opponent along with a customer came in her branch and started interfering in her official work. He was restrained and advice not to do same, but he misbehaved and harassed her. He expressed to collect application from different persons against her and will also get her terminated from service. It is stated that in spite of repeated restrain when opponent did not stop, she inform about his attitude to Chief Post Master Rawalpindi GPO Ehsan Ullah Marwat. Chief Post Master called opponent from her room, but still in office of Chief Post Master opponent has raised hue and cry. Opponent was warned by Chief Post Master that he should not come in complaint section and do not interfere in official work of complainant, because complainant direct comes within supervision of Chief Post Master Rawalpindi GPO. In spite of direction of Chief Post Master on 28-09-2016 opponent again came along with another customer in her branch when she was all alone in customer care center and Muhamamd Fayaz Clerk Philatelic branch had gone for bill collection in field. Opponent just after coming in her branch had demanded tickets. She informed that stock of tickets demanded by him has been finished and if he wants to purchase those tickets he should make demand and as soon Treasury branch will open, same will be provided to him. Complainant's reply made opponent annoyed and in spite of direction of Chief Post Master Rawalpindi GPO he again started interfering in official work of complainant. Opponent come in her office with preplanned manner as he was well aware of working hours of all branches.
2. On 28-09-2016 she moved complaint against opponent to Chief Post Master Rawalpindi GPO. After presentation of complaint opponent's act of harassment and interfering in her official work increased. As customer care clerk she has to contact with all branches of GPO, therefore on 17-10-2016 when she had

contacted to registry branch on phone just make enquiry about a lost letter, opponent disconnected her call, which has delayed her work and was an interference in complainant's work performance. It is stated that when she had personally gone to registry branch about inquiry of lost letter and requested disposal clerk to inform about that, request was returned by opponent and he further directed that no dispatch record be provided to complainant. Opponent in these ways had interfered in her official work performance. This attitude of opponent was brought in notice of supervisor Senior Post Master savings Rawalpindi GPO through phone as well as through application dated 17-10-2016, but no action was taken thereon. Opponent also harassed her husband who is serving as Postal Clerk in Rawalpindi GPO. This fact was also brought in knowledge of Chief Post Master, but instead of taking any action against opponent her husband was transferred from post. Opponent has also link with union of GPO Rawalpindi and in that capacity he through union member Iftikhar has pressurized her husband to withdraw harassment case filed against him.

3. On complaint of complainant inquiry officer was appointed but he has not conducted any inquiry, hence this complaint.
4. Opponent in his defense has taken certain legal objections as to filing of complaint on simple paper instead of following rules and regulations of Pakistan Post Office. He alleged complainant as blackmailer and Postal clerk Khurram Shehzad as Fraudster. It is stated that as per rules and regulations he is not supposed to appear before this forum, but just because of Chief Post Master Ehsan Ullah Marwat, Senior Post Master Fahad Nazer, Haji Muhammad Raja Iftikhar, General Secretary CBA Union and higher authorities of GPO is appearing so that their status should not be defame because of complainant and her husband. In another statement filed on 24-11-2016 opponent beside giving his family status and qualification of his family members has stated that complainant and her husband has made false allegations against him. When complainant's husband was serving under his subordination he misappropriated in utility bills because of which action was taken against him. Complaint be dismissed.
5. Main grievance of complainant against opponent is that he use defamatory language and interfere in her official work. According to complainant twice when she was all alone in her branch opponent came there along with some customer

and made unnecessary interference in her work and use foul language. Matter was reported to Chief Post Master Rawalpindi GPO Ehsan Ullah Marwat. Though Chief Post Master General warned opponent and also directed him not to enter in complainant's office, as in case of complaint he i.e. Chief Post Master is competent authority to resolve issue, but in spite of that it is alleged that on 28-09-2016 when she was working in her branch opponent along with a person came there and ask for certain tickets for customer. She informed that required tickets have been finished and if he want he may submit his demand. On opening of treasury branch same will be provided to him or he can collect same on next morning. Opponent did not listen to her and used indecent language and interfered in her work performance and also harassed her. Report was made to Chief Post Master Rawalpindi GPO on 28-09-2016, but no action was taken thereon. In reply opponent has denied facts stated by complainant and named her as blackmailer. According to him by getting news published in Daily Jang an login same on facebook complainant has defamed prestige and honor of opponent and his family members.

6. According to opponent one customer namely Col. Waqar Ahmad came to him with complaint of complainant's misbehavior therefore he had taken Col. Waqar Ahmad to office of Chief Post Master, but as Chief Post Master was not in his room, therefore he directly came to complainant's customer room. When he was asked as to why he had gone to complainant's office in spite of restraining order of Chief Post Master his reply was that in absence of CPM he is incharge of postal services and has to look after affairs of department, but neither any such order whereby in absence of Chief Post Master opponent is authorized to supervise postal service sections has been placed on record nor it is case of opponent that Chief Post Master was absent or was on leave on that particular day. It is admitted by him in cross that when he was with complainant on that particular day complainant called to Chief Post Master on phone about arrival of Col. Waqar Ahmed and opponent's attitude towards her, Chief Post Mater immediately call both parties and Col. Waqar Ahmed in his room. Therefore act of opponent in spite of admission that complainant is under direct supervision of Chief Post Master, to enter in room of complainant without any reason and taking advantage of his position is an act of interference in complainant's office working. Even otherwise no application of Col. Waqar Ahmed has been placed on record by opponent nor he has been produced as his witness to support

alleged misbehavior of complainant with customer.

7. Even in hierarchy of seniority list produced by opponent himself placed at Page 110 of file designation of Senior Deputy Post Master does not have any place therein, just below to CPM he take over charge of him in his absence. Irrespective of all this, language used by opponent in his defense as well as in his statement in chief is very highly objectionable. In case of any conflict to what extent that may be, use of words against each other is of higher importance which reflects conduct and character of a person and I to some extent an agreeable with complainant that if language used by opponent at judicial forum is such it can be expected that what defamatory or immoral language he use in direct contact. How much refute annoyance one should have for other but using of words particularly against a woman as of آوارہ خاتون، بلیک میلنگ، مکار، فریبی، جھوٹی are highly condemnable and amounts to harassment.
8. Opponent's statement naming relation of husband and wife is an immoral relation by calling them that complainant use to sit for hours with نا محرم person namely Khurram Shehzad is again a defaming act which falls within definition of Section 2(h) of Act of 2010 by opponent towards complainant. This conduct of opponent has also countered by her wife Mst. Shamim Akhtar through application moved by her in office of Federal Ombudsman Islamabad at Page-51 of file. That application is not eligible but so far what can be gathered is that she has also leveled allegation against complainant of having immoral relations with Khurram Shehzad. Inquiry was conducted on this complaint of Mst. Shamim Akhtar. As per report dated 12-11-2016 Mst. Shamim Akhtar in spite of repeated approach by inquiry committee members did not appear before inquiry committee to support allegations leveled by her, therefore on basis of record available with them it was observed by inquiry committee that "complainant and to whom complaint was lodged are both rival parties and have personal rifts against them. Both parties may very kindly be directed to get inquired / settle their personal disputes from Honorable Wafaqi Mohtasib Islamabad".
9. Record further shows that this is not fist incident when Mst. Shamim Akhtar who is wife of opponent has come forward to support her husband but in past also such statements were moved by her on 22-10-2016 against one Raza Mirza with whom there was dispute of her husband Jamil Naz the opponent. And conduct of opponent has also been placed on record through statement duly

signed by different persons at page-61 of file.

10. So far objection raised by opponent that complaint moved by complainant before Federal Ombudsman was on simple paper, therefore in terms of Rules of Pakistan Postal Service it is liable to be rejected. It is clarified that object of office of Federal Ombudsman is to provide service justice free of cost and without any delay. Therefore while filing complaint or defense before Federal Ombudsman neither any court fee is required nor parties have to submit their statements on any stamp paper. Protection has been provided to parties from any financial burden for seeking justice.
11. Upshot of above discussion is that opponent is in habit of creating trouble in the organization and taking benefit of his position whatever he has, he tried to overpower on the persons lower in rank to him.
12. In view of above I hereby allowed complaint of complainant and penalize opponent under Section 4 Sub-section 4-i(a)(b). Organization should issue letter of censure to opponent to mend his behavior and also withhold his promotion for one year. Organization is hereby directed to implement judgment within period of 15 days of receipt of this judgment and intimate to this office accordingly.
13. Application disposed of accordingly.
14. Parties be informed.

JUSTICE (R) YASMIN ABBASEY
Federal Ombudsman