



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

J U D G M E N T

1. Complaint Number: 1(217) / 2015-FOS (Reg)
2. Date of Institution: 08.10.2015
3. Date of Decision: 08.12.2015
4. Complainant: Ms. Shabnam Noor
Producer, PTV
Peshawar Center
5. Opponent: Umer Draz
Accountant, PTV
Peshawar Center

Justice (R) Yasmin Abbasey,

Ombudsman:

Complaint No. 1(217)/ 2015-FOS.

1. Complainant serving in Pakistan Television Center (PTV) Peshawar as Producer in current affairs has filed this complaint against Umer Draz Accountant of very office of PTV Peshawar. It is alleged that on one pretext or other, opponent is attempting to harass her. She made verbal complaints to Finance Manager, Secretary Officer and General Manager of PTV Peshawar. In spite of that opponent's ill activities are continuing on. On 18.06.2014 she moved a written complaint to Managing Director of PTV, but no action was taken thereon. Complainant again moved an application on 29.08.2014 to Managing Director as reminder. On 19.09.2014 committee was constituted thereon. Complainant submitted her case before inquiry committee and has also provided them mobile numbers through which opponent used to harass her even after filing written complaints against him. Opponent has also served legal notice on her which was also brought in notice of inquiry committee. Through this notice opponent is trying to pressurize complainant to withdraw her case. It is alleged that inquiry committee is also pressurizing complainant to withdraw her case on pretext that opponent can harm her. Opponent also avoided to appear before inquiry committee and finally after issuance of warning letter he appeared before inquiry committee. Decision of inquiry committee has not been communicated to complainant. According to complainant she is still receiving threats from opponent and seeks

protection.

2. Opponent in his defense has denied allegations. It is stated that complainant has filed frivolous complaint to Managing Director PTV Headquarter office Islamabad on 22.01.2014 and during pendency of proceeding of that complaint before inquiry committee, complainant has approached this forum, therefore this complaint is not maintainable as no act can prosecuted twice. Complainant has filed this application with malafide intention to harass and humiliate opponent. He reserved his right for damages. Case does not fall within jurisdiction of this forum as it relates to civil rights of two individuals. Opponent may be exempted from personal hearing. Complaint be dismissed.

3. Both parties have not produced any verbal evidence and had relied on documents filed by them on record. Heard arguments. My findings are as under:

After going through documents produced by parties and hearing them in person, I reached to the conclusion that dispute in between parties arose when a proposal for marriage given by opponent for complainant was not accepted by her and it is thereafter litigation started in between them either by filing complaint by complainant before her department or by issuance of legal notice by opponent, wherein beside the issue pointed out above delay in payment of financial bill of complainant by opponent has also been raised that as complainant refused opponent's proposal therefore he is creating problems for her. To support her instance

complainant has referred statement of Aftab Hussain and admission of opponent at page 46 of file about delay in payment of bills of complainant from December 2013 to May 2014 and further admission of opponent to own mobile number referred by complainant through which opponent allegedly harass her. It is because of that complaint was moved to Managing Director on 29.08.2015.

4. I have gone through Inquiry Committee report but they have not been able to reach to any conclusion about act of allege harassment by opponent towards complainant and it is because of that it was observed that Umer Draz is not found guilty to harassment to Ms. Shabnam Noor but what so far has come on record is that very refusal of proposal of marriage given by opponent to complainant is the mile stone of this dispute which has developed in present litigation. In these circumstance, proper course to avoid any further incident is that Management should strictly monitor the situation and an arrangement be made in a way that either of party may not have any interaction in between them for official purpose which may include temporarily changing of opponent's office at some other place till matter is cooled down. Management of PTV Peshawar is directed to implement the order and report within 15 days.
5. With this observation complaint is hereby disposed off.
6. Announced in open court.

JUSTICE (R) YASMIN ABBASEY
Federal Ombudsman

