OFFICE OF THE FEDERAL OMBUDSPERSON
FOR PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE, REGIONAL OFFICE, SINDH

FORM OF ORDER SHEET

Complaint No. 532/2025/FOSPAH-REG/KHI

Date of Institution: 21.10.2025

Serial No/ of Order of Proceedings	Date of order of Proceedings	Order of other proceedings with Signature of Federal Ombudsperson			
		TITLE	**DR ZUBAIR UDDIN SIDDIQUI**	**VS**	**WAQAS QURESHI & OTHERS**
		DEPARTMENT: ENGRO FERTILIZERS			
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06	**23.12.2025**	**Subject: Order on Maintainability of the Complaint** 1. The present complaint has been filed by Dr. Zubair Uddin Siddiqui, who was serving as Manager, Laboratory, ENGRO Fertilizers, Daharki (hereinafter referred to as "the Complainant") against Waqar Quraishi (GM Process Engineering, ENGRO) referred to as Accused No. 1, Aneeq (Head of Manufacturing, ENGRO) referred to as Accused No. 2, Ahsan Javaid (GM Electrical and Instrumentation, ENGRO) referred to as Accused No. 3, and Muzammil Mahmood (Resident Internal Audit, ENGRO) referred to as Accused No. 4, alleging character assassination of a sexual nature and the spreading of rumors. 2. Briefly stated, the Complainant alleges that he confirmed the employment of a female Laboratory Chemist Employee X (name withheld for confidentiality as she is not a party to the present proceedings) through established procedures. Employee X completed her two-year training and			

		was thereafter inducted as a permanent Chemist. Upon her posting at ENGRO Laboratory, she was allegedly pressured by members of the ENGRO Union to join the Union, which she was reluctant to. After seeking guidance from the Complainant, she was advised that the union membership was optional and she was free to decline. 3. The Complainant principally alleges two categories of harassment: a. **Physical assault:** He states that around seven to eight union members entered his office during working hours in an attempt to threaten and intimidate him. **b. Circulation of sexually suggestive rumors and intrusive personal questioning:** He alleges that false and defamatory statements were spread regarding an alleged relationship between him and Employee X. These included remarks such as: “Ap dono Multan sath gaye the,” “Wo aur ap aik sath aik ghar me rehte hain,” “Ap unki taangen dabate hain,” “Wo apki biwi hai,” “Ap relationship me hain,” “Ap unko phal (fruits) khilate hain,” “Ap aik sath pakre gaye the,” etc. To corroborate his allegation that officials engaged in inappropriate personal questioning designed to insinuate an improper relationship, the Complainant has placed on record minutes of the meeting dated 24.01.2025. He relies on point 9 of the minutes, which records that “when asked about any tour to Multan, DZU declined to disclose the occurrence or details of any personal travel or tour during his off time.” It is the Complainant’s stance that the acts complained of fall within the meaning of “harassment” under Section 2(h) of the Protection against Harassment of Women at the Workplace Act, 2010 and fall within Clause 2(c) and Clause 11 of the Code of Conduct framed thereunder.

		4. The Accused have submitted a written response challenging the maintainability of the complaint on the ground that the Complainant lacks locus standi before this Forum. They assert that the grievance articulated by the Complainant, at its core, pertains to his employment and service-related matters, for which the appropriate forum lies elsewhere in civil courts or other competent authorities. 5. The Accused persons contend that the Complainant has attempted to give a colour of harassment to what is, in substance, a personal and service related dispute, solely to invoke the jurisdiction of this Forum. It is further their case that the Complainant habitually levels false and unfounded allegations whenever his so called “illegal” or “irrelevant” demands are not acceded to by the organization. According to the Accused persons, the allegations of harassment, insofar as they seek to attract the provisions of the Act of 2010, are an afterthought and constitute a material improvement upon the Complainant’s earlier version. In support, reliance is placed on the legal notice dated 08.04.2025 issued by the Complainant, which contained no allegation of harassment and was confined solely to his termination from service, to which the organization replied on 16.04.2025. It is their stance that the subsequent introduction of allegations of sexual and workplace harassment in the present proceedings demonstrates mala fide intent. 6. The Accused persons further submit that a total of twenty nine complaints were lodged against the Complainant within the organization, in respect of which credible and satisfactory material was placed on record, while the Complainant failed to offer any satisfactory explanation. It is stated that in March 2024, the organization received a complaint alleging behavioural misconduct and administrative irregularities against the Complainant; however, as the allegations could not be substantiated at that stage, no action was taken. Thereafter, from September 2024 onwards, multiple complaints against the Complainant were submitted on the organization’s internal “Speak Out” platform. In all, twenty nine allegations were raised through eleven complaints, which were consolidated for the purposes of

		inquiry. These allegations were categorized under four broad heads: a. misuse of the laboratory budget by the Complainant; b. travel of Employee X to Rahim Yar Khan after marking half days, at laboratory expense; c. misbehaviour by the Complainant with laboratory staff; and d. intentional interference by the Complainant with the learning plans of Trainee Associates. 7. The Accused persons further elaborate upon the four categories of allegations previously raised against the Complainant within the organization. It is submitted that several employees reported instances of favouritism shown by the Complainant towards Employee X, which caused discomfort among other staff members. Regarding the Multan trip, it is stated that the visit took place on 28.10.2024 and involved only female Trainee Associates. These Trainee Associates later reported that the arrangement was inappropriate, discriminatory, and suggestive of preferential treatment towards Employee X. It is further stated that they were instructed not to disclose the trip to anyone within the organization and that the concerned security supervisor was not informed, giving rise to concerns regarding propriety and transparency. 8. A detailed internal inquiry was conducted into the allegations against the Complainant, as a result of which allegations one to three were found substantiated, while allegation four was held to be unsubstantiated. Action against the Complainant was initiated only after multiple complaints, supported by material on record, had emerged, and his services were terminated based on these findings. It is the case of the Accused that these complaints demonstrate a consistent pattern of misconduct by the Complainant, rather than any act that could fall within the definition of harassment under the 2010 Act. According to the Accused persons, the present proceedings mark the first occasion on which the Complainant has raised allegations of harassment. 9. They further state that after the termination of the Complainant's services, a legal notice was received from

		him. A perusal of the notice shows that it pertains exclusively to his employment status and financial claims, and no allegation of inappropriate questioning, harassment, or misconduct was raised therein. They submit that the Complainant thereafter remained silent for approximately seven months before raising allegations of harassment in the present proceedings, which, according to them, undermines the credibility of his assertions. The Accused persons also contend that it is unlikely that the management of the organization would harass an employee for refusing to join a union, as unions ordinarily organize in opposition to management rather than seek the inclusion of management personnel. 10. With regard to the first allegation raised by the Complainant, the Accused persons submit that, even if accepted at face value, it does not fall within the definition of harassment under the Act of 2010. As regards the second allegation, it is their case that no questions carrying any sexual connotation were put to the Complainant. They submit that point nine of the minutes of the meeting dated 24.01.2025 discloses no impropriety. Reliance is also placed on the emailed minutes of the meeting, to which the Complainant responded without raising any objection or indicating that the questioning was inappropriate in nature. It is further contended that the Complainant was not questioned about any personal travel undertaken during his private time. 11. The Accused persons state that the complaints against the Complainant, including those made by the Trainee Associates, related specifically to the Multan trip undertaken with a group of female Trainee Associates, who reported that they were instructed not to disclose the trip. It is stated that these Trainee Associates considered the arrangement inappropriate, questioned the absence of male Trainee Associates, and thereby triggered the internal inquiry. According to the Accused persons, the questions put to the Complainant were necessary to afford him an opportunity to respond to the allegations and defend himself. They further submit that the Complainant has not denied that the Multan trip took place and has offered no explanation as to why the Trainee Associates from the Daharki facility would fabricate such an incident.

		12. After hearing the parties and perusing the material on record, this Forum has examined the preliminary objection raised by the Accused persons regarding the maintainability of the complaint. The objection is that the Complainant lacks locus standi and that the grievance essentially relates to his employment, including matters of discipline, administrative control, and termination. It is further asserted that the complaint has been framed as one of harassment solely to invoke the jurisdiction of this Forum under the Act of 2010. 13. In order to determine this objection, the question before this Forum is whether the allegations disclose the ingredients of harassment as defined in Section 2(h) of the Act of 2010 so as to confer jurisdiction upon this Forum. The statutory definition encompasses unwelcome sexual advances, requests for sexual favours, and other verbal or written communication or physical conduct of a sexual nature, as well as gender based discrimination, as introduced by the 2022 amendment. 14. The Complainant's first allegation pertains to an incident of physical intimidation by union members. Even if this allegation is taken at face value, it does not disclose any element that falls within the statutory definition of harassment under Section 2(h) of the 2010 Act. There is no suggestion that the conduct was sexual in nature, nor does the Complainant assert that the alleged intimidation was motivated by, or directed at him on account of, his gender. The Act does not treat every incident of hostility, workplace friction, or coercive behaviour as "harassment." Section 2(h)(i) requires conduct of a sexual nature, whereas Section 2(h)(ii), introduced through the 2022 amendment, requires discriminatory treatment rooted in gender. The allegation in question satisfies neither. It raises matters of workplace discipline and internal control, which fall within the domain of administrative or disciplinary processes, not the jurisdiction of this Forum. 15. The second set of allegations relates to rumours and insinuations about a purported relationship between the Complainant and Employee X, and to questions posed to the Complainant during an internal inquiry. The Complainant asserts that such insinuations amounted to character assassination of a sexual nature. The clause of the Code of Conduct on which the Complainant relies

		pertains to retaliation, which presupposes an underlying act of harassment under Section 2(h)(i) or Section 2(h)(ii) of the 2010 Act. Only where an act first qualifies as harassment does subsequent conduct, such as gossip or rumour-mongering, acquire the character of retaliation. Gossip alone does not meet the statutory threshold of harassment. 16. The record shows that the questions the Complainant complains of arose from concerns raised by female Trainee Associates regarding the propriety of a trip to Multan. These questions must be viewed in the context of pending administrative complaints. Point number nine of the minutes dated 24.01.2025, relied upon by the Complainant, contains no language that, on its face, suggests sexual insinuation or a gender-based undertone. The Complainant's response to those minutes raises no objection or indication that he regarded the questions as sexually inappropriate or harassing. The mere fact that the organization inquired into an incident forming part of an internal investigation does not convert such inquiry into harassment. The Complainant, being a male employee, does not allege that any conduct was directed at him because of his gender. Even if accepted in its entirety, the allegations do not disclose any element capable of attracting Section 2(h)(i) or Section 2(h)(ii) of the 2010 Act. 17. What emerges instead is a service-related dispute arising out of administrative complaints, disciplinary proceedings, and eventual termination. Such matters, even if contested, do not fall within the jurisdiction of this Forum. Accordingly, for the reasons stated above, the objection to maintainability succeeds. The present complaint does not fall within the ambit of Section 2(h) of the 2010 Act and is therefore not maintainable before this Forum. The complaint is dismissed as being outside the jurisdiction of this Forum. The Complainant remains at liberty to pursue any remedies available to him before the appropriate forum of competent jurisdiction. 18. Before parting with this order, it is necessary to address the retaliation application dated 05.12.2025 filed by the Accused persons. In the application, they seek action against the Complainant on the grounds that he circulated details of the present complaint on social media, allegedly to malign the organization and the

		Accused persons, and simultaneously lodged a complaint before the National Commission for Human Rights based on the same allegations, which reportedly involved police officials. 19. Confidentiality is a cornerstone of proceedings under the 2010 Act. Parties must refrain from disseminating or publicizing material related to ongoing proceedings, as such conduct can undermine the integrity of the process and the statutory protections afforded to all individuals. The Complainant is cautioned to adhere strictly to confidentiality under the Act and the Code of Conduct. Any further breach may expose him to appropriate action before the competent forum. 20. In view of the findings above, whereby the original complaint has been dismissed for lack of jurisdiction, no further consideration of the retaliation application is required. The application is disposed of accordingly. **FEDERAL OMBUDSPERSON**