

OFFICE OF THE FEDERAL OMBUDSPERSON

FOR PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE, ISLAMABAD

FORM OF ORDER SHEET

Complaint No. **FOH-HQR-H/0341/2025**

Date of Institution: 04-08-2025

Serial No. of Order of Proceedings	Date of order of Proceedings	Order of other proceedings with Signature of Federal Ombudsperson			
		TITLE:	Dr. Shehzad Ali Khan	VS	Dr. Ayesha Khan
		Department: Health Services Academy			
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19	13-02-2026	Subject: <u>FINAL ORDER.</u> 1. Two separate complaints of harassment were filed between Prof. Dr. Shehzad Ali Khan, Vice Chancellor, Health Services Academy (HSA) (hereinafter referred to as the <i>Complainant</i>), and Ms. Ayesha Khan, Research Assistant at HSA (hereinafter referred to as the <i>Accused/Respondent</i>). As both complaints arose out of the same factual matrix and involved substantially similar allegations, they were consolidated for joint inquiry and adjudication. Since the complaint filed by Prof. Dr. Shehzad Ali Khan was prior in time, he is referred to as the <i>Complainant</i> for this consolidated proceeding. Case of the Complainant: 2. The Complainant stated that the Accused was engaged at HSA on a contractual basis and that, following an internal inquiry into repeated acts of misconduct and misuse of office, her services were terminated. Despite termination, the Accused allegedly continued to portray herself as a permanent government officer, issued			

		threats, maligned senior officials, and harassed HSA staff through fabricated narratives. 3. It was averred that the Accused honey trapped him, exploiting personal proximity and professional access, blackmailed the Complainant over a prolonged period, and extracted an amount totaling Rs. 27.44 million under coercive threats and manipulation, purportedly for investment in real estate. The Complainant alleged that the Accused employed emotional manipulation, created psychological dependency, and sought undue benefits, including job recommendations, foreign placement facilitation, and grade manipulation. 4. The Complainant further alleged that the Accused unlawfully entered his official residence in a government vehicle, threatened his wife with kidnapping and murder while demanding Rs. 30 million, and that FIRs were registered and pending before the relevant police stations. It was also alleged that the Accused retained possession of an official vehicle without authorization and filed a false FIR against the Complainant to pressure HSA into reinstating her. 5. According to the Complainant, during her academic tenure, which began in 2021, classmates reported issues regarding the Accused's conduct, and she was counseled in her capacity as a student and class representative. Over time, she developed a professional rapport with HSA officials and accompanied official delegations to various high-level state institutions. Having trust been established, the Complainant invested funds through the Accused for real estate purposes, including proceeds
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		from the sale of his vehicles, which were allegedly misappropriated and used to register properties in her own name. 6. It was further alleged that the Accused unlawfully accessed and cloned the Complainant's mobile phone, sent unauthorized messages to his family, and engaged in conduct amounting to harassment and intimidation. The Complainant denied any personal or inappropriate relationship and prayed for an inquiry, protection of himself and his family, and directions restraining the Accused from public sector employment. Case of the Accused: 7. The Accused contested the complaint, asserting that the Complainant, being Vice Chancellor and a senior official, exercised authority and institutional power over her when she was his student and later junior colleague. She denied allegations of honey-trapping and blackmail, terming them defamatory and intended to stigmatize her. 8. She alleged that the Complainant initiated intimacy, made inappropriate remarks, like "zalim princess, gudaa," shared personal marital issues, promised marriage, visited her family, and exploited her financially by using her bank account and accepting gifts. She claimed that when she resisted further exploitation, retaliatory actions were taken against her, including termination of service and registration of FIRs. 9. The Accused filed a separate harassment complaint alleging repeated verbal and physical harassment at the workplace, including an incident dated 17-07-2025 involving alleged assault in an official vehicle, following
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		which she sought registration of an FIR and obtained a medical examination. She alleged misuse of official influence by the complainant to obstruct registration of the FIR and to undermine her professional career, including termination of service and cancellation of academic enrolment. She prayed for a thorough investigation and appropriate legal action against the Complainant. Defense of the Complainant: 10. In reply, the Complainant denied all allegations of harassment, asserting that the Respondent was never regularized and remained a contractual employee. He contended that the harassment complaint was filed after termination and was retaliatory in nature. He denied authorship of alleged WhatsApp messages, foreign travel in a personal capacity, promises of marriage, or misuse of authority. 11. He maintained that the Respondent misappropriated funds, unlawfully retained a government vehicle, and lodged false FIRs to extort money and exert pressure. He prayed for dismissal of the complaint filed by the Respondent. 12. As both complaints pertained to the same transactions and allegations, they were jointly investigated. Evidence was recorded from both sides, arguments were heard, written submissions were filed, and the record was examined. 13. Counsel for the Complainant argued that the Respondent narrated materially different, mutually destructive, and irreconcilable versions of the incident dated 17-07-2025
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		before multiple forums, including the Provincial Ombudsperson, Khyber Pakhtunkhwa, which undermines her credibility. It was argued that the complaint was filed only after termination of service and that the Respondent relied solely on screenshots without forensic verification. It was contended that the Complainant had proved his case. 14. Conversely, the Respondent argued that she was consistently harassed by the Complainant, who misused his authority, developed relations under a promise of marriage, and resorted to violence when she demanded fulfillment of that promise. She alleged that termination of service was retaliatory. 15. The question which need determination in these complaints is: Whether the complaints disclose harassment? If so, who is the perpetrator? Before examining the merits of the present case, it is appropriate to briefly discuss the legal concept of harassment. 16. There are two primary forms of workplace harassment. The first, <i>quid pro quo</i> harassment (meaning “this for that”), involves explicit or implicit demands for sexual favours in exchange for job-related benefits or the avoidance of adverse consequences. The second, <i>hostile work environment</i> harassment, occurs where unwelcome sexual conduct or conduct rooted in gender creates an intimidating, hostile, or offensive work environment that interferes with an employee’s ability to work (ref: <i>Muhammad Din v. Province of Punjab</i>, PLD 2025 SC
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		354). In the present proceedings, both parties have alleged <i>quid pro quo</i> harassment against each other. Core Elements of Quid Pro Quo Harassment: 17.The essential elements of <i>quid pro quo</i> harassment, discernible from Sexual Harassment of Working Women. A Case of Sex Discrimination by Catherine A. ..Mackinnon, and the judgment of US Supreme Court in the case of: Meritor Savings Bank Vs. Vinson (477 US 57 1986) are: 1. Position of Authority: The respondent must occupy a position that enables him or her to: i. grant or deny employment, promotion, grades, contracts, or other benefits; ii. control assignments, evaluations, academic progression, or access; or iii. influence institutional decisions affecting the complainant. Absolute authority is not required; effective influence is sufficient. 2. Demand, Expectation, or Implicit Conditioning: There must be: i. an explicit demand, or ii. an implicit expectation reasonably understood by the complainant. Such demand need not be verbal or direct. Courts recognize repeated “requests,” emotional pressure, promises of protection or advancement, threats of termination, exclusion, or retaliation. Silence, innuendo, or conduct may suffice where a power imbalance exists. 3. Link Between Compliance and Benefit or Harm: causal nexus must exist between:
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		i. compliance and benefit, protection, or continuation; or ii. refusal and harm, retaliation, or adverse action. The benefit or harm may include appointment, extension, grades, travel, exposure, protection from inquiry or termination, withdrawal of support, demotion, isolation, or dismissal. Actual grant or denial is not required; the conditioning itself constitutes harassment. <i>(Karibian v. Columbia University (1994) - 2nd Circuit)</i> 4. Abuse of Authority: <i>Quid pro quo</i> harassment is inherently an abuse of authority. The illegality does not arise from intimacy per se, but from the leveraging of institutional power for personal gain. Consent and <i>Quid Pro Quo</i> Harassment: Consent is not a valid defense where: i. A clear power imbalance exists. ii. Professional dependency is present; or iii. Compliance is motivated by fear of consequences or hope of benefit. 18. In such relationships, apparent willingness is often coerced consent, which the law does not recognize as free consent. Even where interaction appears voluntary at inception, its continuation under threat or expectation can convert it into <i>quid pro quo</i> harassment.
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		In light of these principles, both complaints are examined below. Allegation of “Honey-Trapping”: 19. The first allegation of the Complainant is that the Accused indulged in “honey-trapping.” According to the complaint, the Accused sought admission to the MSc Public Health Programme in 2021. During her first semester, her classmates raised concerns regarding her attitude and conduct. The Complainant, being a senior official, counselled the Accused and her peers to resolve their disputes amicably. After being elected as class representative, the Accused began making frequent visits to the Complainant’s office. 20. In 2022, during the Complainant’s confirmation process, the Accused displayed exceptional commitment by assisting with team activities and institutional events. Over time, she developed close professional proximity with the Complainant and other senior colleagues. She accompanied HSA officials to high-level meetings at prestigious forums, including the President’s Office, the Prime Minister’s Secretariat, the Senate, the National Assembly, the SIFC, and the Army Medical Corps. It is admitted by the Complainant that the Accused provided significant assistance and support during his confirmation as Vice Chancellor. It is alleged that during this period she cultivated relationships with influential individuals while presenting herself as naïve and innocent. 21. Upon examination of the record, it is evident that the Complainant occupied a position of substantial authority over the Respondent, initially as her teacher and
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		subsequently as Vice Chancellor. During cross-examination, he admitted that he possessed hiring and firing powers and exercised supervisory control. He denied appointing her as class representative, stating that such a position is elected by students and approved by the concerned teacher. However, he admitted that he appointed her as a coordinator to his office himself, while she was still a student. 22. The Complainant was senior in rank, an official of HSA, and a teacher of the Accused. The onus lay upon him to establish that he did not harass a student over whom he exercised a dominant and authoritative position (ref: Fahad Qureshi v. SABIST, 2019 PCrLJ 806 Sindh). No explanation has been furnished as to why the Accused was given preference over other students or why she was kept in such proximity, particularly when the Complainant alleges that she attempted to seduce him. 23. The Complainant is a mature, married individual with vast professional experience. There is no plausible basis to accept that he was incapable of discerning the intentions of a young student. It is no defence for a teacher, in such a situation, to urge that the student provoked the allegedly delinquent behaviour on his part. Students may be impressionable, and infatuation, towards a teacher, on the part of a student, is not an unknown phenomenon. It may be pardonable for a student to harbour such an infatuation towards the teacher; it is, however, entirely unpardonable for the teacher to succumb to the infatuation and reciprocate. (Ajay Tiwari vs University of Delhi & others WP (C) 1288/2012 dated 25.11.2019).
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		24. Subsequently, the Complainant appointed the Accused in HSA and further appointed her as his Staff Officer. He admitted in evidence that he also appointed her as Deputy Director. If the Accused was manipulating him or committing financial fraud, the Complainant could have immediately removed her; however, he continued to grant her benefits of his own volition. 25. The evidence establishes that the Respondent was granted extraordinary access, proximity, and professional privileges, including appointments, assignments, and representation at high-level forums, without any formal notification. Multiple witnesses confirmed an atmosphere of undue influence and exceptional indulgence. This position is corroborated by the Complainant's own witness, PW-5 Brigadier (Retd.) Mehboob Qadir. 26. PW-5 testified that the Respondent functioned as Staff Officer to the Complainant and exercised unusual control over the affairs of the Vice Chancellor's office. He narrated that in September 2024, he heard a loud noise emanating from the Vice Chancellor's gallery and observed the Registrar counselling the Respondent to calm down, followed by the sight of broken frames inside the office. He was informed that the Respondent had become furious, yet matters returned to normal, and work continued without consequence. 27. This testimony significantly weakens the Complainant's case, as it is highly unusual for an officer in Grade-18 to engage in such conduct without disciplinary action. 28. PW-5 further narrated an incident in July 2025 when the Respondent forcibly took the keys of the Vice
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		Chancellor's office, occupied his chair, and used the official telephone. When asked to return the keys, she refused. Anticipating her return, the locks were changed. Upon finding the locks altered the following day, she kicked the door in anger. Although the Complainant claimed during cross-examination that a show-cause notice was issued, no such notice was produced on record. 29.PW-5 further stated that he initially believed the Respondent had been formally appointed as Staff Officer, but later discovered that no such notification existed. The action against the accused was initiated only after the incident in July, when the criminal disputes between parties had started. WhatsApp Messages and Intimacy Evidence: 30.The Accused produced WhatsApp messages sent from the Complainant's number in which she was addressed as "Zalim Princess." One such message dated 10 April 2022 reads: "Zalim Princess, let me know if anything is needed or if you need to go anywhere; I will take ten minutes to reach at any time, ok?" 31.It is undisputed that this message was sent from the Complainant's number at a time when the Accused was a student. No explanation has been offered regarding her alleged access to his device. The screenshots were compared with data on the Accused's mobile phone. 32.Additional messages addressed her as "Lallo Jeenu, Meenu, Love you good night, I know it's hard without
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		you”.,” including intimate messages sent at midnight on 27 September 2022, were also produced, along with poetic expressions of emotional intimacy. “Apni tanhai meray naam pay abad kray, kon hoga jo mujhay uski trah yaad kray”. Numerous such communications indicate personal overtures by the Complainant. 33. The Complainant’s defense that the Accused cloned his phone and impersonated him lacks credibility, particularly as no action was taken to restrict her access or initiate proceedings at the relevant time. 34. The timing, nature, and content of these messages undermine the allegation of “honey-trapping” and instead demonstrate sustained personal initiation from a position of authority. The invocation of “honey-trapping” is often a post-facto attempt to deflect responsibility in cases involving abuse of power by a senior over a junior. FIR Incident and Video Evidence: 35. The Accused and Complainant have narrated divergent versions of incidents for which criminal proceedings are pending. The Complainant alleged threats, attempted abduction, and disruption at the Ministry of NHR&C on 17-07-2025. A video produced by him was reviewed; however, it does not depict shouting or screaming. Instead, both parties are seen walking together while holding hands. As an FIR relating to this incident is
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		pending, no further findings are recorded to avoid prejudice. Allegation of Financial Misappropriation: 36.The second allegation against the Accused is that she misappropriated the Complainant's funds, which were allegedly entrusted to her for the purchase of real estate intended to secure a residence for the Complainant's retirement. It was asserted that payments were made in monthly instalments and transferred into the Accused's bank account. 37.It was further alleged that in 2023, the Accused arranged for her cousin, Mubashar Khan, to sell two vehicles belonging to the Complainant for a total consideration of Rs. 10 million, the proceeds of which were handed over to her. The Accused admitted receipt of the said amount but claimed that it had been invested on the Complainant's behalf with an assurance of future profits. The Complainant neither received the principal amount nor any return thereon. In 2024, the Complainant claimed to have discovered that immovable property had been registered in the Accused's own name using these funds, which, according to him, amounted to breach of trust and financial fraud. 38.However, upon scrutiny of the record, the Complainant has failed to substantiate these allegations through cogent and reliable evidence. No agreement, written arrangement, or contemporaneous material has been produced to establish that the Accused was acting as a property dealer or possessed expertise in real estate to justify the alleged entrustment of funds. Although a
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		WhatsApp conversation was produced indicating that the sale proceeds of the vehicles were deposited into the Accused's account on the Complainant's own directions, no plausible explanation has been offered as to why such funds were transferred in this manner or why no immediate steps were taken to recover the amount. 39. Moreover, the Complainant did not initiate any civil, criminal, or recovery proceedings in respect of the alleged misappropriation before 17-07-2025. While several bank transactions were placed on record, no material evidence was produced to establish the purpose of these transfers or to demonstrate dishonest misappropriation by the Accused. 40. In the absence of documentary corroboration, contemporaneous complaint, or timely legal action, the allegation of financial embezzlement remains unproven and does not inspire confidence. The question that now arises is whether the relationship between the complainant and the accused was consensual. 41. In order to determine this fact, we have to consider the element of abuse of authority. According to the Code of Conduct under the 2010 Act, 'Abuse of Authority' is a significant manifestation of harassment within the workplace. It has been defined as: "A demand by a person in authority, such as a supervisor, for sexual favors in exchange for job benefits, whether that be a wage increase, promotion, training opportunity, transfer, or the job itself."
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		42. The fact that the Complainant complied with these demands is irrelevant. The US Supreme Court has affirmed this in the case titled <i>Meritor Savings Bank Vs. Vinson (477 US 57 1986)</i>: “...the fact that sex-related conduct was "voluntary," in the sense that the complainant was not forced to participate against her will, is not a defense to a sexual harassment suit...” 43. The consent cannot be implied in a case involving a senior and a junior at a workplace. In the present case, from the time she was enrolled as a student, the Complainant's actions clearly reveal that he abused his authority repeatedly to develop a relationship with the Accused. The Complainant was in a position of authority. He was in a position to give benefits to the Accused. Such behavior creates a hostile working environment, as is evident from the evidence produced in this case. Various incidents have been narrated that caused embarrassment for the office of the VC as well as for the organization. In <i>Prof. Ajay Tiwari v. University of Delhi & Others. (Decided in July 2019)</i>, The Delhi High Court dismissed an appeal by a professor against his compulsory retirement following sexual harassment allegations by a student. The court upheld the disciplinary action, affirming that the inquiry complied with natural justice and highlighted the sanctity of teacher-student relationships. The Court observes that “The relationship between student and teacher is sacred. It partakes of divinity. The, judgement goes on to state that: “It is true that the definition of “sexual harassment”, as ordinarily understood, and as
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		defined in Clause 2 (viii) of Ordinance XV-D, refers to “unwelcome” acts. That, however, might be a factor to be taken into the reckoning, where the allegation of sexual harassment is between two adult colleagues, or two adults working in the University. It can never apply to the equation between the teacher and a student. This is essentially because sexually coloured conduct or behaviour, towards a student, by a teacher, is completely proscribed, morally as well as legally. Any such conduct, therefore, if committed or exhibited, can never be defended on the ground that the conduct was not unwelcome to the student”. In light of the judgment of the superior courts, the consent in such a relationship cannot be considered voluntary. 44. The complainant abused his authority, lured the accused into inappropriate relations with him, used her in his campaign for the post of VC, and gave undue benefits to him, causing quid pro harassment to the Complainant. 45. In the cases of harassment, the existence of sexual harassment in light of the record as a whole and the totality of the circumstances is to be considered. The standard of proof required in these cases is preponderance of probabilities, but in this case, it has been proved beyond a shadow of doubt that the complainant is guilty of sexual harassment. The complaint filed by the complainant is therefore dismissed, whereas the complaint filed by the accused is accepted as it is proved on the record that the complainant, Dr. Shehzad Ali Khan, while working as a VC, misused his
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		authority, developed inappropriate relations with his student and later a junior colleague, and indulged in quid pro quo harassment. If he is allowed to remain as VC, he is likely to repeat such incidents with any other student. He is found guilty of harassment and is sentenced under section 4(ii)(c)&4(ii)(e) with removal from service. FEDERAL OMBUDSPERSON
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