



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

**J U D G M E N T**

1. Complaint Number: 1(156) / 2015-FOS (Reg)
2. Date of Institution: 01.06.2015
3. Date of Decision: 23.06.2015
4. Complainant: Mr. Muhammad Afzal,  
Ex-Manager (Admn-PRIMACO),  
House No. 915, Street No. 71,  
Sector G-10/4  
Islamabad
5. Opponent: Brig (R) Amjad Ali Jan,  
Chief Executive Officer (CEO),  
PRIMACO, 2<sup>nd</sup> Floor, EOBI House,  
Plot No. 32-34, Mauve Area, G-10/4  
Islamabad

**Justice (R) Yasmin Abbasey,**

**Ombudsman:**

**Complaint No. 1(156)/ 2015-FOS.**

1. According to complainant, he was in service of EOBI (parent department of PRIMACO company). After creation of PRIMACO in 2006, he joined PRIMACO and served there for about twelve years. After appointment of opponent Brig. (R) Amjad Ali Jan, he interviewed employees of all departments of PRIMACO. He directed Assistant Manager HR to issue transfer order of complainant from REM Division to Administration Department as Administration Manager. Complainant took over charge of Administration Manager on 26.02.2015. After his posting as Manager Admn, opponent of and on use to have venereal talks with him and also attempted sexual harassment. On his resistance he use to harass him for dire consequences and also termination from service. On 08.04.2013 when opponent was sitting in his office along with 3 senior officers of PRIMACO named Saqib Butt (AGM F&A), Mussarrat (AGM Engg.) and Bilal Azmat (Internal Auditor) opponent again shouted on complainant that many people of EOBI are complaining against him and threatened him several times to teach him lesson through ISI and other agencies. Complainant finally resigned on 08.04.2015, thereafter he moved application to Secretary Overseas Pakistanis and HRD, Chairman EOBI and all BOD / BOT members for justice, but nobody paid any head to his request. It is prayed by complainant that after termination he is jobless, therefore he be reinstated on his job.
2. Opponent in his defense has denied all allegations of his character assassination, it is stated that complainant is right man of Ex-Chairman of EOBI who is in custody of FIA. CEO is surfacing all irregularities in real estate and construction projects with great determination, confidence and thus have many enemies behind him. Ministry of OP&HRD as well as

EOBI can carry out any investigation against opponent in respect of allegation made by complainant, this complaint is a product of sick mind with matching repetition. ISI does not work under instruction of retired Brigadier as alleged by complainant.

3. Complainant has produced himself in proof of allegation made by him in complaint. Almost same statement has been made by him in examination in chief, but while in cross he was asked to produce any evidence, he has named four persons to support his version but none of them have been produced by him and finally complainant accepted that he cannot produce any further evidence except his statement.
4. It is correct that usually such attempts of sexual nature happens when both parties are all alone, therefore usually it is difficult to produce any direct evidence as stated in present case. However even if statement of complainant for the sake of argument is taken to be correct then no reason has been assigned by complainant that when this immoral attempts of opponent towards him were sole reason of his resignation why he had not stated them in his resignation on 08.04.2015 and simply wrote that "I am unable to continue my service in a leadership of new management" and what was the reasons behind, that on very day a detail letter with state of allegations, as have been made by complainant in his complaint before this FOS, was dispatched to Secretary Ministry of OP&HRD Islamabad.
5. During course of arguments, opponent has stated that as he is investigating fraud case of allotment of plots against Zafar Gondal Ex-Chairman EOBI and Ch. Tahir Contractor and that is now pending before Supreme Court, therefore this complainant who is known as right man of Ex-Chairman of EOBI has been brought forward to scandalize opponent and pressurize him to back out, to investigate and pursue that fraud case against Ex-Chairman EOBI and Ch. Tahir Contractor.

This statement of opponent somehow finds support from letters issued to Ch. Imran Personal Assistant of EOBI and to complainant on 23.04.2015. Contents of both letters show that after tender of resignation and moving application in nature of complaint to Secretary Ministry of OP&HRD on same day of his resignation, that application was circulated / distributed in the office to defame opponent.

6. No reply of Ch. Imran Personal Assistant EOBI has been placed on record but complainant through his counsel had replied that letter on 30.04.2015, but with no concrete reply. Even otherwise, complainant has been not been able to proof that, in fact this application addressed to Ministry of OP&HRD was drafted to dispatch to Secretary OP&HRD or to just circulate in the office to defame opponent, as no proof of tender of this application to Ministry of OP&HRD has been placed on record by complainant.
7. In the circumstances of case and from documents whatever has been placed on record, I do not find any sufficient ground to believe statement of complainant. Complaint is hereby dismissed having no merit.
8. Announced in open court.

**JUSTICE (R) YASMIN ABBASEY**  
**Federal Ombudsman**