

About Pakistan Law Hub

Pakistan Law Hub (pakistanlawhub.com) is Pakistan's dedicated digital platform for legal exam preparation, built to support aspirants preparing for the Civil Judge / Judiciary Examinations, LAW GAT, LAW LAT, CSS, PMS, FPSC, SPSC, NTS, STS, and other one-paper competitive law and legal-apptitude tests across Pakistan.

Our mission is simple: to make high-quality, structured, and affordable legal education accessible to every student — regardless of their city, resources, or background. We believe that with the right guidance, practice material, and community support, every serious aspirant deserves a fair shot at qualifying for Pakistan's most competitive judicial and legal examinations.

At Pakistan Law Hub, we offer:

- Extensive MCQ Banks & Practice Tests — covering constitutional law, civil and criminal procedure, Urdu, English, Islamic Studies, Pakistan Studies, general knowledge, and subject-specific content for LAW GAT, LAW LAT, CSS, and judiciary exams.
- One-Paper Competitive Test Preparation — focused practice for FPSC, SPSC, NTS, STS, and similar recruitment tests.
- Drafting Samples & Courses — practical legal drafting resources for civil, criminal, and corporate matters, curated by subject experts.
- Taxation Course & Filing Guidance — practical modules covering Pakistani tax law and return-filing procedures.
- Typing Master Practice — tools to help candidates build the typing speed and accuracy required for competitive exams.
- Personal Student Dashboard — a space for every aspirant to track their progress, performance, and preparation journey.
- Community Forum — a dedicated space where judiciary aspirants, LAW GAT candidates, CSS aspirants, and others can connect, discuss, share resources, and support one another.

All content on Pakistan Law Hub is developed and reviewed under the guidance of legal professionals and subject-matter experts, ensuring accuracy, relevance, and exam-oriented quality.

We are more than a test-prep website — we are a growing community of aspirants who believe in helping each other succeed. Whether you're just starting your preparation or in your final stretch before the exam, Pakistan Law Hub is built to be part of your journey.

Follow our whatsapp channel for future updates

<https://whatsapp.com/channel/0029VbDIbUJ9RZAdbBwfRe1g>

*Join us. Learn with us. Qualify with us.
Be a part of Pakistan Law Hub.*

Copyright Notice

© 2026 Pakistan Law Hub (pakistanlawhub.com). All Rights Reserved.

All content published on this website — including but not limited to MCQs, quizzes, question banks, drafting samples, course material, taxation guides, articles, notes, graphics, logos, and the overall design and structure of the platform — is the intellectual property of Pakistan Law Hub, unless otherwise stated.

No part of this website's content may be reproduced, copied, distributed, republished, sold, or used for commercial purposes without prior written permission from Pakistan Law Hub, except where explicitly marked as free-to-share or open-access material.

Unauthorized use, reproduction, or distribution of this content, in whole or in part, may result in legal action under applicable copyright and intellectual property laws of Pakistan.

For permissions, licensing inquiries, or reporting unauthorized use of content, please contact us at advocatesajidmir@gmail.com

Protection Against Harassment of Women at the Workplace Act, 2010

1. Short Title, Extent and Commencement (Section 1) The Act is officially called the Protection against Harassment of Women at the Workplace Act, 2010, enacted as Act No. IV of 2010, having received Presidential assent on 9th March 2010. It extends to the whole of Pakistan, making it a federal law of nationwide application, distinguishing it from provincial legislation like the Sindh Consumer Protection Act. It came into force at once upon notification. This is Pakistan's first legislative instrument specifically defining and addressing workplace harassment, filling a previously significant legal gap. Understanding its nationwide, federal character is foundational before examining its substantive provisions.

2. Preamble and Constitutional Basis The Act's preamble explicitly recognizes that the Constitution of the Islamic Republic of Pakistan guarantees citizens the fundamental right to dignity of person, and states it is expedient to legislate specifically to protect women from workplace harassment. This grounds the Act directly in Article 14 of the Constitution (dignity of person), giving it clear constitutional legitimacy beyond mere ordinary legislative policy. The Statement of Objects and Reasons further ties the Act to Pakistan's international commitments, including CEDAW and ILO Conventions 100 and 111, and states it adheres to principles of Islam and other religions regarding women's dignity. This constitutional and international grounding is frequently cited in judicial interpretation of the Act. Understanding this foundational framing is useful for contextualizing the Act's purpose in an interview setting.

3. Accused (Section 2(a)) "Accused" is defined as an employee or employer of an organization against whom a complaint has been made under the Act. This definition is notably gender-neutral regarding who may be accused, though the Act's overall protective focus is specifically on women complainants. The accused is entitled to specific procedural protections under Section 4, including notice of charges and opportunity to submit a written defense. Understanding this definition is essential to correctly identifying who may be subject to inquiry proceedings under the Act. This remains a foundational definitional term used consistently throughout the inquiry and appeal provisions.

4. Complainant (Section 2(e)) "Complainant" means a woman or man who has made a complaint to the Ombudsman or Inquiry Committee on being aggrieved by an act of harassment. This definition is notably gender-neutral on its face, allowing both women and men to file complaints, despite the Act's title specifically referencing protection of women. This apparent tension between the Act's stated protective purpose (women) and its neutrally worded complainant definition has been a subject of academic and judicial discussion. Understanding this definitional nuance is important for accurately explaining the Act's actual scope versus its titular framing. This remains a frequently discussed point of interpretive debate regarding the Act's true beneficiary class.

5. Employee (Section 2(f)) "Employee" means a regular or contractual employee, whether employed on a daily, weekly, monthly, or hourly basis, and includes an intern or an apprentice. This broad definition ensures the Act's protections extend beyond permanent staff to cover casual, contractual, and even unpaid or minimally compensated trainees and interns. Pakistani courts, including in the *Asif Saleem v Chairman BOG University of Lahore* line of cases, have further extended interpretation to cover students in educational institutions, even though not literal "employees," reflecting the Act's broad protective purpose. This expansive definitional

approach reflects the legislature's intent to close potential coverage gaps in vulnerable working relationships. This remains a significant and judicially expanded definitional provision.

6. Employer (Section 2(g)) "Employer" is extensively defined to include any person or body of persons who employs workers under a contract of employment or otherwise, and specifically includes heirs, successors, or assigns; persons responsible for direction and management; designated authorities in government ministries/departments; office bearers of local authorities; proprietors, directors, managers, secretaries, or agents of other organizations; and even contractors who procure labor or services for use by another organization. This deliberately expansive definition ensures accountability attaches to the full range of persons who may exercise managerial or directional control, preventing evasion through corporate structuring or subcontracting arrangements. This comprehensive approach reflects the Act's intent to ensure meaningful accountability regardless of the specific organizational or contractual structure involved. This remains one of the most detailed and broadly constructed definitions in the Act.

7. Harassment (Section 2(h)) "Harassment" is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile, or offensive work environment, or an attempt to punish the complainant for refusing such a request, or where compliance is made a condition for employment. This definition closely tracks the framework established under CEDAW General Recommendation No. 19, reflecting Pakistan's international commitments regarding gender-based discrimination. Critics have noted this definition confines "harassment" specifically to conduct of a sexual nature, potentially excluding other forms of gender-based or general workplace harassment not sexual in character, a limitation later addressed by the 2022 amendment. This definitional scope is one of the most frequently discussed and critically examined provisions of the Act. Understanding both its content and its academically noted limitations is important for a nuanced interview response.

8. Organization (Section 2(l)) "Organization" is broadly defined to include Federal or Provincial Government Ministries, Divisions, or departments; corporations; autonomous or semi-autonomous bodies; educational institutes; medical facilities; registered civil society associations; privately managed commercial or industrial establishments; companies as defined under the Companies Ordinance, 1984; and any other registered private sector organization or institution. This comprehensive definition ensures the Act applies uniformly across public sector, private sector, and civil society settings. The explicit inclusion of "Educational Institutes" was significant in later case law confirming universities fall within the Act's coverage. This broad definitional scope reflects the legislature's intent for near-universal application across Pakistan's diverse employment and institutional landscape. This remains a foundational definition determining the Act's practical reach.

9. Workplace (Section 2(n)) "Workplace" means the place of work or premises where an organization or employer operates, including buildings, factories, open areas, or larger geographical areas where organizational activities are carried out, and includes any situation linked to official work or official activity outside the office. This extended definition ensures the Act's protection is not confined merely to a fixed physical office but extends to work-related situations occurring elsewhere, such as official travel or field work. The Federal Ombudsman, in relevant case law, confirmed that this definition extends to educational institutions, treating them as workplaces for students engaged in "work" in the broader sense. This definitional

flexibility has been important in extending meaningful protection beyond narrow, literal office-based settings. This remains a significant and judicially interpreted provision determining the Act's geographic and situational scope.

10. Code of Conduct (Section 2(c) & Schedule) The "Code" refers to the Code of Conduct annexed to the Act as its Schedule, referenced under Sections 2(c) and 11, which every organization must adopt and display as part of its management policy. The Code provides behavioral guidelines for all employees, management, and owners, aiming to ensure a harassment-free work environment, and explains the three key manifestations of harassment: abuse of authority, creating a hostile environment, and retaliation. This Code represents the Act's practical, organization-level implementation mechanism, translating the statutory definition of harassment into concrete behavioral guidance. Organizations are required to display the Code in English and in a language understood by the majority of employees, at a conspicuous place, within six months of the Act's commencement. This remains a critical and frequently overlooked implementation requirement carrying direct legal consequences for employer non-compliance.

11. Competent Authority (Section 2(d)) "Competent Authority" means the authority designated by the management of an organization for purposes of the Act, responsible for imposing penalties following the Inquiry Committee's recommendations. Where no competent authority has been designated, Section 3(4) requires the organization to designate one within thirty days of the Act's enactment. This role is distinct from the Inquiry Committee itself, which investigates and recommends, while the Competent Authority formally imposes the penalty within one week of receiving the Committee's recommendations. Understanding this division of investigative versus decision-making authority is essential to correctly navigating the Act's internal organizational enforcement mechanism. This remains a key structural feature of the Act's two-stage internal disciplinary process.

12. Constitution of Inquiry Committee (Section 3) Section 3 requires each organization to constitute an Inquiry Committee within thirty days of the Act's enactment, to enquire into harassment complaints. The Committee must consist of three members, of whom at least one must be a woman, with one member from senior management and one a senior employee representative (or CBA representative where applicable), with a Chairperson designated from among them. Where an organization cannot designate three internal members, one or more members may be co-opted from outside the organization. If a complaint is made against a Committee member, that member must be replaced by another for that specific case. This provision establishes the foundational institutional mechanism through which most harassment complaints under the Act are actually processed and resolved.

13. Procedure for Holding Inquiry — Timeline (Section 4(1)) Section 4(1) requires the Inquiry Committee, within three days of receiving a written complaint, to communicate the charges and allegations to the accused, with formal written receipt given. The accused must submit a written defense within seven days of the charge being communicated, failing which the Committee proceeds ex-parte. The Committee then inquires into the charge, examining oral or documentary evidence, with each party entitled to cross-examine witnesses against them. This tight statutory timeline reflects the Act's emphasis on speedy resolution of harassment complaints, minimizing prolonged uncertainty for both complainant and accused. Understanding these specific, short timeframes (three days, seven days) is frequently tested given their practical importance to the Act's expedited procedural design.

14. Confidentiality of Inquiry Proceedings (Section 4(3)(a) & Section 5(4)) The Act requires that statements and other evidence acquired during the inquiry process be treated as confidential, and the Inquiry Committee has specific power under Section 5(4) to instruct that proceedings be treated as confidential. This confidentiality protection is essential to encouraging complainants to come forward without fear of public exposure, and equally protects the accused from reputational harm before any finding of guilt. This reflects a careful balance between transparency in the investigative process and protection of both parties' privacy and dignity throughout what can be a sensitive proceeding. This remains a significant procedural safeguard central to the Act's overall protective design.

15. Right to Representation (Section 4(3)(c)) Both the complainant and the accused have the right to be represented or accompanied by a Collective Bargaining Agent representative, a friend, or a colleague during inquiry proceedings. This provision ensures neither party must navigate the potentially intimidating inquiry process entirely alone, providing meaningful support during what can be an emotionally difficult proceeding. This right operates alongside the broader procedural fairness protections built into the inquiry framework, including the right to cross-examine witnesses. This remains an important due process safeguard ensuring both parties receive fair treatment throughout the internal organizational proceedings.

16. Protection Against Retaliation and Hostile Environment (Section 4(3)(d)-(e)) The Act specifically requires that adverse action shall not be taken against the complainant or witnesses, and mandates that the Inquiry Committee ensure the employer or accused does not create a hostile environment intended to pressure the complainant from freely pursuing her complaint. This anti-retaliation protection is critical to the Act's practical effectiveness, since fear of workplace reprisal is a major deterrent preventing genuine victims from filing complaints. This provision reflects international best practice in workplace harassment legislation, recognizing that protection against retaliation is as important as the underlying substantive harassment prohibition itself. This remains one of the most practically significant protective mechanisms within the Act's procedural framework.

17. Minor Penalties (Section 4(4)(i)) Where the Inquiry Committee finds the accused guilty, it may recommend minor penalties including censure, withholding of promotion or increment for a specific period, stoppage at an efficiency bar in the time-scale (other than for genuine unfitness), or recovery of compensation payable to the complainant from the accused's pay or other resources. These minor penalties are appropriate for less severe instances of harassment, providing a graduated disciplinary response proportionate to the offence's severity. This graduated penalty structure allows organizations to calibrate consequences appropriately rather than applying a uniform, potentially disproportionate response to all violations. This remains an important practical mechanism for organizational-level disciplinary flexibility under the Act.

18. Major Penalties (Section 4(4)(ii)) For more serious violations, the Inquiry Committee may recommend major penalties including reduction to a lower post or time-scale, compulsory retirement, removal from service, dismissal from service, or a fine (of which part may be used as compensation for the complainant, and which is payable directly to the complainant in the case of an owner-accused). These major penalties reflect the Act's recognition that serious harassment warrants correspondingly serious professional and financial consequences. The specific provision allowing fines to directly benefit the complainant reflects a restorative, victim-centered dimension within the Act's penalty structure. This remains a critical enforcement mechanism providing meaningful deterrent consequences for serious violations.

19. Timeline for Committee Findings and Competent Authority Action (Section 4(4)-(5))

The Inquiry Committee must submit its findings and recommendations to the Competent Authority within thirty days of initiating the inquiry, and the Competent Authority must then impose the recommended penalty within one week of receiving those recommendations. This creates a comprehensive, tightly time-bound process from initial complaint through final penalty imposition, reflecting the Act's overall emphasis on expeditious resolution. Understanding this complete procedural timeline (three days to communicate charges, seven days for defense, thirty days for findings, one week for penalty imposition) is frequently tested as a comprehensive procedural sequence. This remains one of the most practically significant aspects of the Act's operational design.

20. Continued Monitoring and Support for Complainant (Section 4(6)-(8))

The Inquiry Committee must meet regularly and monitor the situation until satisfied its recommendations have been implemented, reflecting ongoing oversight beyond the mere issuance of findings. Where the complainant is in trauma, the organization must arrange psycho-social counseling or medical treatment and additional medical leave, and may also offer compensation for loss of salary or other damages. These provisions reflect a holistic, welfare-oriented approach extending beyond mere punitive consequences for the accused to address the complainant's actual wellbeing and recovery. This represents a progressive and relatively unique feature of the Act, addressing the practical, human consequences of harassment beyond formal disciplinary outcomes.

21. Powers of the Inquiry Committee (Section 5)

Section 5 grants the Inquiry Committee power to summon and enforce attendance of any person and examine them on oath, require discovery and production of documents, receive evidence on affidavits, and record evidence generally. The Committee may also arrange for medical examination of the complainant or accused by an authorized doctor where necessary. Where allegations against the accused are found to be false and made with mala fide intentions, the Committee may recommend appropriate action against the complainant to the Ombudsman. This grant of quasi-judicial investigative powers to an internal organizational body is a distinctive feature, empowering meaningful fact-finding despite the Committee's non-judicial composition. This remains an important provision establishing the Committee's practical investigative authority.

22. Protection Against False and Mala Fide Complaints (Section 5(3))

Section 5(3) provides an important safeguard for accused persons, empowering the Inquiry Committee to recommend action to the Ombudsman against a complainant where allegations are found false and made with mala fide intent. This provision balances the Act's primary protective purpose for genuine harassment victims against the legitimate need to protect the accused from malicious or fabricated complaints. This reflects the Act's attempt to maintain overall fairness and credibility of the complaint mechanism, discouraging misuse for personal or professional vendettas unrelated to genuine harassment. This remains a significant, though less frequently invoked, safeguard within the Act's protective architecture.

23. Appeal Against Minor and Major Penalties (Section 6)

Section 6 allows any party aggrieved by the Competent Authority's decision imposing a minor or major penalty to appeal to the Ombudsman within thirty days of written communication of the decision. A complainant aggrieved by the Competent Authority's decision may similarly appeal within thirty days. The Ombudsman (as Appellate Authority) may confirm, set aside, vary, or modify the decision within thirty days of the appeal, communicating the decision to both parties and the employer. This appellate mechanism ensures decisions at the organizational level remain subject to

independent, external review, preventing potential internal bias or inadequate handling from being the final word. This remains a critical safeguard ensuring meaningful accountability beyond the internal organizational process.

24. Interim Jurisdiction of District Court Pending Ombudsman Appointment (Section 6(4)-(5)) Section 6(4) provides that until an Ombudsman is appointed, the District Court has jurisdiction to hear appeals against Competent Authority decisions, applying the same procedural framework as would apply to Ombudsman appeals. Once the Ombudsman is subsequently appointed, all appeals pending before the District Court are transferred to the Ombudsman, who continues proceedings from the stage they had reached. This transitional provision ensured the Act's appellate mechanism remained functional even before Ombudsman offices were actually established and staffed following the Act's initial enactment. This provision is particularly relevant for Civil Judge Sindh aspirants, since District Courts (and their judicial officers) have historically exercised, and may still exercise in specific circumstances, this appellate jurisdiction under the Act.

25. Appointment and Qualification of Ombudsman (Section 7) Section 7 requires the respective Federal and Provincial Governments to appoint an Ombudsman at their respective levels. A person is qualified for appointment as Ombudsman if they have been a judge of a High Court or are qualified to be appointed as a High Court judge, reflecting the seniority and legal expertise expected of this office. The Ombudsman may recruit necessary staff to fulfill the Act's purposes, with finances provided by the respective government. This high qualification threshold reflects the significant quasi-judicial authority and responsibility vested in the Ombudsman's office under subsequent provisions of the Act. This remains an important structural provision establishing the seniority and independence of this key enforcement office.

26. Option to File Complaint Directly with Ombudsman (Section 8(1)) Section 8(1) provides that any employee has the option to prefer a complaint either to the Ombudsman directly, or to the Inquiry Committee, rather than being required to exhaust the internal Inquiry Committee process first. This dual-track option gives complainants meaningful choice, particularly valuable where they may lack confidence in their organization's internal Inquiry Committee, perhaps due to conflicts of interest or perceived bias. This flexibility is an important protective feature distinguishing the Act's approach from purely internal, employer-controlled grievance mechanisms. This remains a significant procedural choice available to complainants seeking the most appropriate and trusted forum for their specific circumstances.

27. Ombudsman's Inquiry Procedure (Section 8(2)-(3)) Upon receiving a complaint, the Ombudsman must issue a written show-cause notice to the accused within three days, who must submit a written defense within five days, failing which the Ombudsman may proceed ex-parte. Both parties may represent themselves before the Ombudsman, and the Ombudsman conducts the inquiry according to rules made under the Act, following procedures deemed proper. This establishes a parallel, though somewhat abbreviated, procedural timeline compared to the Inquiry Committee process, reflecting the Ombudsman's more senior, judicially-qualified status potentially allowing more streamlined proceedings. Understanding this specific timeline (three days for notice, five days for defense) alongside the Inquiry Committee's timeline is useful for accurately comparing the two available complaint pathways. This remains an important procedural framework for direct Ombudsman-level complaints.

28. Ombudsman's Investigative Powers (Section 8(4)) For purposes of investigation, the Ombudsman may require any office or member of the concerned organization to furnish

information or produce documents considered relevant and helpful to the investigation. This provision ensures the Ombudsman possesses meaningful practical authority to compel cooperation from organizations under investigation, beyond merely the general Civil Court-equivalent powers detailed under Section 10. This targeted investigative power specifically addresses the practical challenge of accessing organizationally-held information relevant to harassment complaints. This remains a significant tool ensuring the Ombudsman's inquiry function operates with genuine practical effectiveness.

29. Ombudsman's Decision and Implementation (Section 8(5)) The Ombudsman must record their decision and inform both parties and the management of the concerned organization for implementation of the orders. This provision ensures the Ombudsman's decision translates into practical action at the organizational level, rather than remaining merely an advisory or symbolic pronouncement. This creates a direct implementation obligation on the organization's management, reinforcing the binding, enforceable character of Ombudsman decisions under the Act. This remains an important provision ensuring the practical effectiveness of the Ombudsman's adjudicatory role.

30. Representation to President or Governor (Section 9) Any person aggrieved by an Ombudsman decision under Section 8(5) may, within thirty days, make a representation to the President (for Federal Ombudsman decisions) or the Governor (for Provincial Ombudsman decisions), who may pass such order as deemed fit. This provision reflects the traditional Pakistani ombudsman model, where the ultimate check on an Ombudsman's decision lies with the relevant constitutional executive head rather than an ordinary appellate court. This structure reflects the broader institutional design of ombudsman offices in Pakistan generally, distinct from the ordinary judicial appellate hierarchy. Understanding this unique representation mechanism, rather than a conventional court appeal, is an important and frequently tested distinguishing feature of the Act's enforcement architecture.

31. Ombudsman's Civil Court Powers (Section 10(1)) Section 10 grants the Ombudsman the same powers as a Civil Court under the Code of Civil Procedure, 1908, including summoning and enforcing attendance of any person and examining them on oath, compelling production of evidence, receiving evidence on affidavits, issuing commissions for examination of witnesses, and entering any premises for inspection or investigation where relevant information may be found. This extensive grant of quasi-judicial powers reflects the serious, formal nature of the Ombudsman's adjudicatory function under the Act. This provision mirrors similar Civil Court-equivalent powers granted to the Sindh Consumer Court, reflecting a common legislative drafting pattern across various specialized Pakistani tribunals. This remains a critically important provision establishing the Ombudsman's substantial investigative and adjudicatory authority.

32. Ombudsman's Contempt Power (Section 10(1)(vi)) Section 10(1)(vi) specifically grants the Ombudsman the same power as the High Court to punish any person for contempt. This is a notably significant and powerful provision, placing the Ombudsman's authority to enforce compliance and respect for its proceedings on par with the High Court itself in this specific respect. This power ensures the Ombudsman's proceedings and orders are treated with appropriate seriousness by all parties, deterring obstruction or disrespect toward the process. This remains one of the most powerful and distinctive provisions of the Act, frequently highlighted given its unusual elevation of an Ombudsman's authority to High Court-equivalent status specifically regarding contempt.

33. Ombudsman's Penalty Powers (Section 10(2)) When deciding a complaint, the Ombudsman may impose any of the minor or major penalties specified under Section 4(4), mirroring the same penalty framework available to the Competent Authority following an Inquiry Committee recommendation. This ensures consistency in the range of available consequences regardless of whether a complaint proceeds through the internal Inquiry Committee pathway or directly to the Ombudsman. This parallel penalty structure across both enforcement pathways reflects coherent legislative design ensuring comparable outcomes are available through either complaint route. This remains an important provision ensuring substantive consistency across the Act's dual-track enforcement mechanism.

34. Responsibility of Employer — General Implementation Duty (Section 11(1)) Section 11(1) places responsibility on the employer to ensure implementation of the Act, including incorporating the Code of Conduct as part of management policy, forming the Inquiry Committee under Section 3, and designating a Competent Authority under Section 4. This provision consolidates the employer's overall compliance obligations under the Act into a single, clearly stated responsibility provision. This creates a clear, identifiable point of accountability for organizational compliance, rather than leaving implementation obligations scattered without a unifying responsible party. This remains a foundational provision establishing the employer's comprehensive duty to operationalize the Act's protective framework.

35. Display of Code of Conduct (Section 11(2)) Section 11(2) requires management to display copies of the Code of Conduct in English as well as in a language understood by the majority of employees, at a conspicuous place in the organization and workplace, within six months of the Act's commencement. This provision ensures genuine, practical awareness of the Code among the actual workforce, rather than mere technical or symbolic compliance through an English-only document inaccessible to many employees. This linguistic accessibility requirement reflects sound practical policy, recognizing Pakistan's linguistic diversity and that many workers may not be fluent in English. This remains a frequently overlooked but legally mandatory implementation requirement carrying direct consequences for non-compliance.

36. Penalty for Employer Non-Compliance (Section 11(3)) Where an employer fails to comply with the provisions of Section 11 (implementing the Act, forming the Inquiry Committee, or displaying the Code), any employee may file a petition before the District Court, and upon the employer being found guilty, they are liable to a fine of not less than twenty-five thousand rupees, extending up to one hundred thousand rupees. This provision creates direct, individually enforceable accountability for employer non-compliance with the Act's basic implementation requirements, independent of any specific harassment complaint. This is a particularly significant and sometimes overlooked provision, since it applies even where no harassment has actually occurred but the employer simply failed to establish the required internal compliance infrastructure. This remains an important enforcement mechanism ensuring genuine organizational-level implementation of the Act's protective framework, and is directly relevant to District Court jurisdiction.

37. Act in Addition to, Not in Derogation of, Other Law (Section 12) Section 12 provides that the Act's provisions are in addition to, and not in derogation of, any other law for the time being in force. This ensures the Act supplements rather than displaces other available legal remedies, such as criminal prosecution under relevant Pakistan Penal Code provisions (e.g., Section 509 dealing with insulting modesty) or civil remedies for defamation or tort. This cumulative, non-exclusive remedial approach allows a genuine harassment victim to pursue

whichever combination of legal avenues best serves their interests and circumstances. This provision mirrors the identical structural approach found in Section 3 of the Sindh Consumer Protection Act, reflecting a common Pakistani legislative drafting pattern. This remains an important interpretive principle for understanding the Act's relationship to the broader legal framework.

38. Power to Make Rules (Section 13) Section 13 empowers the Federal Government to make rules to carry out the purposes of the Act, providing the enabling legal basis for more detailed procedural regulations supplementing the Act's core statutory framework. This is a standard rule-making enabling provision found at the conclusion of the Act, similar in function to equivalent provisions in other Pakistani statutes discussed previously. Understanding that detailed procedural rules may exist beyond the bare Act's text is important, though specific rule content would require separate verification. This remains a standard closing provision typical of modern Pakistani legislative drafting.

39. The Schedule — Code of Conduct (Overview) The Schedule, referenced under Sections 2(c) and 11, contains the full Code of Conduct for Protection Against Harassment of Women at the Workplace, providing detailed behavioral guidelines and procedural guidance supplementing the Act's core statutory text. It restates the definition of harassment (mirroring Section 2(h)) and explains three key manifestations of harassment in practical terms: abuse of authority, creating a hostile environment, and retaliation. This Schedule effectively operationalizes the Act's abstract legal definitions into concrete, actionable guidance for organizations and employees. This remains an integral part of the Act's overall legal framework, not merely supplementary guidance, given its formal statutory status as an annexed Schedule.

40. Abuse of Authority (Schedule, Explanation (a)) The Code explains "abuse of authority" as a demand by a person in authority, such as a supervisor, for sexual favors in exchange for the complainant keeping or obtaining certain job benefits, such as a wage increase, promotion, training opportunity, transfer, or the job itself. This manifestation captures the classic "quid pro quo" form of sexual harassment, involving explicit or implicit conditioning of employment benefits on sexual compliance. This represents one of the most clearly identifiable and serious forms of workplace harassment, given the direct abuse of positional power involved. This remains a foundational conceptual category for understanding the practical forms harassment may take under the Act.

41. Creating a Hostile Environment (Schedule, Explanation (b)) The Code explains "creating a hostile environment" as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature that interferes with an individual's work performance or creates an intimidating, hostile, abusive, or offensive work environment. The Code notes that a typical hostile environment claim generally requires a pattern of offensive conduct, though a single, particularly severe incident (such as one involving physical contact) can constitute a violation on its own. This distinction between pattern-based and single-incident-based hostile environment claims is an important nuance for understanding the evidentiary threshold applicable to different types of alleged conduct. This remains a significant and practically important category, given hostile environment claims are likely the most commonly encountered form of workplace harassment complaint.

42. Retaliation (Schedule, Explanation (c)) The Code explains "retaliation" as adverse consequences flowing from a refusal to grant a sexual favor, which may include limiting future

promotion or training options, distorting evaluation reports, generating gossip against the employee, or other means of limiting access to the employee's rights. The Code explicitly states such retaliatory behavior itself constitutes a form of harassment under the Act. This provision closes an important potential loophole, ensuring that even indirect, retaliatory consequences following a refusal are captured within the Act's protective scope, not merely the initial improper advance itself. This remains a critical protective category ensuring comprehensive coverage of the full harassment cycle, from initial advance through any subsequent retaliatory consequences.

43. Informal Resolution Mechanism (Schedule, Clauses (iii)-(v)) The Code provides for an informal approach to resolving harassment complaints through mediation and confidential advice/counseling, allowing a complainant to report an incident informally to a supervisor or Inquiry Committee member, who may address the issue at their discretion. If taken up at the informal level, a senior manager conducts the investigation confidentially, approaching the accused with the intention of resolving the matter without necessarily proceeding to full formal disciplinary action. This informal pathway provides a less adversarial, potentially faster resolution option for complainants who may not wish to immediately pursue full formal proceedings. This remains an important, flexible complement to the Act's more formal statutory inquiry mechanisms, reflecting practical, victim-centered design.

44. Formal Complaint Option — No Requirement to First Pursue Informal Resolution (Schedule, Clause (vii)) The Code explicitly clarifies that a complainant does not necessarily have to pursue the informal channel first and may launch a formal complaint at any time she chooses. This ensures the informal resolution option remains genuinely optional rather than a mandatory prerequisite that might otherwise delay or discourage access to the Act's formal protective mechanisms. This provision protects complainant autonomy, allowing each individual to choose the resolution pathway most appropriate to their specific circumstances and comfort level. This remains an important safeguard ensuring the informal mechanism supplements rather than restricts access to formal protection under the Act.

45. Workplace Adjustments During Investigation (Schedule, Clause (x)) The Code requires the employer to make temporary adjustments ensuring the accused and complainant do not have to interact for official purposes during the investigation period, potentially including temporarily changing office arrangements or removing any extra authority one party might hold over the other's job conditions. The employer may also send the accused on leave or suspend them in accordance with applicable misconduct procedures, if required. This practical protective measure prevents ongoing exposure or potential intimidation of the complainant during what can be a lengthy investigation process. This remains a significant practical safeguard ensuring the investigation process itself does not become a source of continued harm or discomfort for the complainant.

46. Documentation and Reporting Challenges (Schedule, Clause (xii)) The Code acknowledges that harassment typically occurs between colleagues when alone, making evidence difficult to produce, and strongly recommends that staff report offensive behavior immediately to someone they trust, even without wishing to make a formal complaint at that time. Importantly, the Code clarifies that a delay in reporting shall not affect the merits of the underlying case. This provision reflects realistic, practical understanding of the genuine evidentiary challenges inherent in harassment cases, while explicitly protecting complainants from having delayed reporting held against them. This remains an important and progressive

evidentiary principle, recognizing common patterns in how harassment victims process and eventually report their experiences.

47. Code as Minimum Standard (Schedule, Clause (xiii)) The Code explicitly states it lays down minimum standards of behavior regarding protection from harassment, and will not affect any better arrangement an organization may have already developed, nor bar employees from securing additional protections through negotiation with their employers. This "floor, not ceiling" approach ensures the Act's protections represent a baseline that organizations may exceed but not fall below, encouraging progressive employers to adopt even stronger protective measures. This provision reflects sound regulatory design, allowing the Act to function as a universal minimum safeguard while not discouraging superior voluntary organizational practices. This remains an important interpretive principle when assessing whether an organization's specific policies comply with, or potentially exceed, the Act's baseline requirements.

48. Judicial Interpretation — Extension to Educational Institutions Pakistani courts, including notably the Federal Ombudsman and subsequently affirmed through relevant case law, have held that educational institutions qualify as "organizations" under Section 2(l), and consequently fall within the meaning of "workplace" under Section 2(n). This judicial interpretation further established that a student need not be a formal "employee" of the institution to bring a complaint, since "work" was interpreted broadly to include the physical and mental effort directed toward accomplishing an educational task or undertaking. This significant judicial expansion demonstrates how courts have applied a purposive, protective interpretation to extend the Act's coverage beyond its most literal textual scope. This remains an important and frequently cited example of progressive judicial interpretation broadening the Act's practical protective reach.

49. The 2022 Amendment — Expanded Scope (Contextual Awareness) Following growing recognition of the original Act's limitations, particularly its narrow definitions of "harassment" (confined to conduct of a sexual nature) and "workplace" and "employee," an amendment was introduced in 2022 that expanded the Act's scope to address broader forms of harassment beyond strictly sexual conduct, and extended protection to additional categories of persons not clearly covered under the original text. I have not verified the precise amended section text directly against the bare amended statute, so specific section numbers or exact amended wording should be independently confirmed before being cited verbatim in an interview. What can be confidently stated is that this amendment reflects legislative responsiveness to identified gaps, including judicial and academic criticism regarding the original Act's narrow sexual-harassment-only framing. Candidates should mention awareness of this 2022 amendment's existence and general direction, while being appropriately cautious about citing unverified specific amended provisions.

50. Overall Significance and Institutional Design The Act represents Pakistan's first comprehensive legislative framework specifically defining and remedying workplace harassment, establishing a three-tier accountability structure: internal organizational Inquiry Committees and Competent Authorities (first instance), the Ombudsman (appeal and direct complaint option, with quasi-judicial Civil Court and contempt powers), and representation to the President/Governor (final executive-level check). This layered design balances accessible, organization-level resolution against the need for independent, authoritative oversight where internal processes prove inadequate or where a party remains aggrieved. The Act's grounding in constitutional dignity rights, combined with its detailed Schedule-based Code of Conduct,

reflects a deliberate effort to combine strong legal accountability with practical, actionable behavioral guidance. Understanding this overall three-tier institutional architecture, and how it compares structurally to other specialized Pakistani statutory frameworks (such as the Sindh Consumer Protection Act's Authority-Court-Council structure), demonstrates comprehensive and comparative legal understanding valuable in a Civil Judge Sindh interview.