



Republic of Mauritius

27th Annual Report

of the

OMBUDSMAN

January - December 2000
No. 7 of 2001

27th
Annual Report
of the
Ombudsman

2000

OFFICE OF THE OMBUDSMAN

OMB. 13/04 Vol. XXVII

*Ombudsman's Office,
Bank of Baroda Building,
4th Floor,
Sir William Newton Street,
Port Louis,
Mauritius.*

29 May 2001

**Mr. Cassam Uteem, G.C.S.K.,
President of the Republic of Mauritius,
State House,
Le Reduit**

Mr. President,

In accordance with the provisions of Section 101(3) of the Constitution of Mauritius I have the honour, pleasure and privilege to present to you the 27th Annual Report of the Ombudsman which concerns the discharge of my functions during the period 1 January to 31 December 2000.

The Report is to be laid before the National Assembly.

Yours respectfully,

(Soleman M. HATTEEA)
Ombudsman

TABLE OF CONTENTS

						<i>Page</i>
Introduction	...	...	...	...	...	1
Statistics	...	...	...	...	...	1
Rodrigues	...	...	...	...	...	1
General remarks	...	...	...	...	...	2
Managing an Ombudsman Office investigation ...				...	...	3
Acknowledgements	...	...	...	...	...	6
Appendices	...	...	...	...	...	7

APPENDICES

Appendix A

	<i>Page</i>
Chapter IX of the Constitution — The Ombudsman	8

Appendix B

The Ombudsman Act	13
--------------------------	----

Appendix C

Selected Complaints	15
Accountant General	15
Economic Development, Productivity and Regional Development	15
Education and Scientific Research (3)	16
Environment, Human Resource Development and Employment (2)	18
Environment and Urban and Rural Development	19
Finance (2)	20
Health and Quality of Life (4)	21
Land Transport, Shipping and Port Development (2)	23
Local Government and Environment	24
Police (3)	26
Public Utilities (3)	27
Registrar-General	29
Rodrigues (6)	30
Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions	33
Women's Rights, Child Development and Family Welfare	34

Annual Report of the Ombudsman

January – December 2000

Introduction

This is the 27th Annual Report of the Ombudsman. It concerns the discharge of my functions during the period 1 January to 31 December 2000 - therefore the first Ombudsman's Report of the new millenium.

Statistics

Cases pending as at 31 December 1999	...	...	...	...	...	...	...	...	422
Case intake in 2000	...	...	...	...	...	...	...	...	288
Cases dealt with in 2000	...	...	...	...	...	...	...	...	710
Cases rectified	...	...	...	...	...	...	...	...	130
Cases not justified	...	...	...	...	...	...	...	...	56
Cases explained	...	...	...	...	...	...	...	...	133
Cases discontinued	...	...	...	...	...	...	...	...	51
Cases not entertained	...	...	...	...	...	...	...	...	2
Cases not investigated	...	...	...	...	...	...	...	...	5
Cases pending as at 31 December 2000...	...	...	...	...	...	...	...	...	333

The above table shows the situation of complaints dealt with during the year under review and their outcome.

Apart from the 288 new cases within jurisdiction we also received 133 copies of complaints addressed to other bodies and 208 letters which raised issues that were outside the Ombudsman's jurisdiction. As far as possible and in deserving cases we follow up such non-jurisdictional matters or else we advise the writers on the manner to proceed.

Rodrigues

During the period under review I repaired to Rodrigues twice on working trips, accompanied by the Secretary of my Office. We go there for the specific purpose of collecting new complaints and to follow up cases already started. It also happens that we receive complaints which can be dealt with on the spot, with the cooperation of the Island Secretary. In such cases we need not even open a file but we just bring a solution to the problem raised. In the same way we deal with complaints from detainees whenever we visit the prison at Pointe La Guele.

Rodriguans are always informed in advance of our visits through the local media and by way of a notice placarded on the board of the Central Administration in Port Mathurin.

In the year 2000 Government has had to fork out just over one million rupees to complainants who lodged their cases before me and whose complaints were found to be justified. I must here be thankful to the Island Secretary who has to "mettre les bouchées doubles" during our visits with limited resources available to him.

General remarks

Mauritius can pride itself to have an Ombudsman institution as this shows our country's commitment to democracy, the rule of law, good governance and respect for the rights of its citizens. Indeed it is a healthy sign to have such an institution set up by government to inquire its own actions or omissions. This means that whenever a complaint of maladministration is made to the Ombudsman and, after inquiry, it is found that such a complaint is justified, government is prepared to listen, acknowledge its mistake and take remedial measures to correct any injustice or prejudice that may have been caused to the complainant. Moreover a complaint made to the Ombudsman entails no cost as opposed to court cases where litigants have to sustain lawyers' and other fees.

Therefore it may be said that the mission of the Ombudsman is to serve citizens of this country who choose to address their complaints to him. However, the Ombudsman is also empowered to start an investigation of his own volition whenever it appears to him (normally through press articles) that a member of the public or a group of persons have suffered an injustice as a consequence of maladministration. I may also add that sometimes a recommendation of the Ombudsman benefits not only the person who has lodged a successful complaint but others who are or would have been in the same situation as the complainant.

And all this is done in total independence, as the Constitution provides that in the discharge of his functions the Ombudsman is not subject to the direction or control of any person or authority.

It must be stressed however that the service provided by the Ombudsman assumes a non-adversarial character in the resolution of disputes. Indeed the Ombudsman always strives for a solution to a problem instead of looking for guilt, although I do not hesitate to report to whomsoever concerned any act of gross negligence or serious departure from accepted norms of conduct on the part of any public officer. It is by adopting such an approach that complaints can be dealt with speedily and can result in greater satisfaction for the complainants as well as for the departments concerned.

Every government department which is the subject of an inquiry by the Ombudsman in respect of a complaint lodged before him must ensure that it makes a full revelation of all pertinent facts and should certainly not be ashamed of doing so where it has erred. Such an attitude can only be beneficial for the future inasmuch as the department will discover where it has gone wrong or otherwise this will be pointed out by the Ombudsman himself. Thus the likelihood for the department concerned of repeating the same mistake is considerably reduced. In the end it is the administration itself which stands to gain in that it will carry out more effectively the mission entrusted to it by the State.

Exceptionally, the Ombudsman may also request that a decision, although taken by the administration in strict compliance with the law, be cancelled, reversed or varied where it appears to the Ombudsman that such a decision produces an unfair or unreasonable result. In such a case the Ombudsman makes a recommendation in equity. I hasten to add that such cases are not considered as precedents but each case is considered on its own merits.

For the same reason the Ombudsman is empowered to recommend a reconsideration or even the amendment of a law on which a particular decision is based.

Thus, the success and effectiveness of the Ombudsman institution depends on Government's commitment to uphold the independence of the institution and to give it the support it needs in fulfilling its mandate and mission.

Managing an Ombudsman Office investigation

In order to help people understand how we function I am reproducing hereunder large extracts of a paper presented by me at the 6th Africa Regional Ombudsman Conference held in Windhoek, Namibia in October 1999.

Such conferences are held once every two years and bring together Ombudsmen of the Africa region. They are a valuable forum for discussion, exploration of new ideas, sharing experiences, raising concerns and paying attention to changes and challenges of the future.

.....
Justice is the key word in our functions. What is Justice: simply the maintenance of right, fairness, fair treatment. To be able to render justice we must first and foremost be independent. But not only be independent but also be seen to be independent. When the Ombudsman knows for himself that he is discharging his functions in an independent and impartial manner he alone can rest content, have a good conscience and sleep well. But when he is perceived as and reputed to be independent then everybody can sleep well.

True it is that our mission and objective is more or less the same everywhere but we still have differences and a lot to learn from them. When I hear or read about the difficulties encountered by some colleagues of our continent in the performance of their functions I cannot but express my sense of admiration for them. Here I have in mind economic difficulties, social difficulties, language difficulties and sometimes even geographical problems in reaching out to people in remote places.

I shall now come to the topic I have been allocated i.e. "Managing an Ombudsman investigation". Needless to say that I shall speak on the situation in Mauritius and try to share my own experience with you.

.....
Before people can complain to us they must first of all be aware of our existence. Speaking for my own country I am in a good position to say that the Ombudsman is fairly well known in Mauritius. This is due to its sheer small size and relatively small population and also, if I may say so very humbly, to the high degree of literacy we have attained. There is of course the usual from-mouth-to-ear method but more importantly people get to know about the Ombudsman through the press. Our annual reports are also another way in which we reach our population as they are sent all over the island so to speak: not only to the official authorities like the central and local government departments, village councils but also all secondary schools, libraries, the University and other institutes, trade unions and of course to the Press. Again I may say that we are not only well known but we are easily accessible, being located in one of the main streets of the capital city, Port Louis. Public transport poses no problem nor does our road network.

Coming to investigation proper I have to say that although the Office of Ombudsman is created by the Constitution which also lays down its powers, jurisdiction, etc., the manner of formulating a complaint before the Ombudsman is provided for in the Ombudsman Act which stipulates that a complaint must be in writing and a copy to be communicated to a member of the National Assembly.

Two things here: written complaint and member of the Assembly.

I would first say that almost all complaints we receive are made by way of a simple letter to our Office. Yet there is the exceptional occasion when someone would drop in without any letter because he cannot express himself or herself well in writing but who all the same has a grievance to formulate. In that case we record his complaint in writing and ask him to sign or affix his thumbprint. There are also instances when we are contacted by telephone but in those cases we either ask the person to address a letter to us or to come to our Office for purposes of discussion. If on our part we can solve a problem by phone we certainly do it. In fact we have done it on a number of occasions.

As regard communication of a copy of the complaint to a member of the National Assembly we do not unnecessarily lose time in asking whether this has been done. An inquiry within an inquiry as it were. Inasmuch as the Constitution empowers the Ombudsman to start an investigation on his own motion this part presents no problem.

The first question which arises is of course that of jurisdiction. On that point the position may differ from country to country. In Mauritius the law clearly lays down a list of authorities over which the Ombudsman has jurisdiction : very briefly they are –

- (a) any government department,
- (b) the Police,
- (c) the Prisons,
- (d) the Central Tender Board.

Excluded from jurisdiction are the following –

- (a) the President and his personal staff,
- (b) the Chief Justice,
- (c) Service Commissions or persons to whom they have delegated their powers, and
- (d) the Director of Public Prosecutions

For the moment I shall deal with cases within jurisdiction. The next thing we have to decide is whether the complainant has exhausted the remedy or remedies available to him. Here again I have to say that although our law says that where a person aggrieved has a remedy in a court of law that person should seek his remedy there, I frequently avail myself of the proviso to that provision whereby the Ombudsman may conduct an investigation where he is satisfied that it would not be reasonable to expect that person to go to court. I show a lot of flexibility concerning this point.

Once we are satisfied that we can start an investigation we will inform the complainant and notify the administrative head or other senior official of the department concerned so as to allow him to make his comment on the complaint. Now this may take some time, depending on the nature and complexity of the complaint. Normally, to start with, we allow a period of between two weeks to one month for a reply. In urgent cases we request an immediate reply. I would say that on an average cases take from one to four months to be determined except where certain works need to be undertaken or extensive searches have to be made.

In the light of the facts and information communicated to us we then analyse the complaint in order to find out whether we can identify any flaw in the decision or action taken by the administration.

It very often happens that an error committed by the administration, which forms the basis and subject-matter of the complaint, is readily acknowledged by the department, in which case immediate action is taken to remedy the situation and the complainant informed accordingly. Where this is not so and, if the complaint is found to be justified, we try and work out a negotiated solution and if that also fails then we make a proper recommendation to the very department we have investigated.

Such a recommendation is made without fear or favour and, if not accepted by responsible officer of the department concerned, it can go up to the Minister to whom responsibility for the subject-matter is entrusted and eventually to the Prime Minister and the National Assembly. So far we have not had to go up to the Assembly but in a case or two we have had to go to the Minister and the Prime Minister. Our recommendations were accepted.

It goes without saying that we cannot deal with cases which are outside our jurisdiction. However in deserving cases we refer the matter to the appropriate body or authority and follow up the matter.

In all cases, though, the result of our intervention is communicated to the complainant in writing.

To manage an investigation demands some flair also. This may be acquired over time.

I have always found it useful to try and discover the person who complains through his own writings. It is good to already have an idea of the kind of person we are dealing with. Of course there are cases when we have to summon the writer before starting to investigate. This happens when for instance there is a legal point against him of which he is not aware or an administrative rule has to be explained to him or still that similar cases have been received before and treated unsuccessfully. In such cases they withdraw their complaint there and then.

Our approach vis-à-vis the department against which there is a complaint is also very important. We do not try to create a conflictual situation whereby time and energy are unnecessarily wasted. Persuasion on our part is what is needed. Somebody has said that it is easier to catch flies with honey than with vinegar. I believe that our administrators in Mauritius have fully seized the important role played by the Ombudsman in a democratic society and are always ready and willing to cooperate. The Ombudsman himself must first of all be above board and maintain high professional and ethical standards. He must not indulge in activities that would bring his Office into disrepute.

I must say that this trust between the Ombudsman and the administration has not come about on a plate. We have had to forge such a relation and make the administration understand that at the end of the day it is the citizen that counts. Misuse or abuse of power leads to further problems. On the contrary we have to strive to be part of the solution not part of the problem.

There are a few things which we must strictly observe during an investigation which I would like to mention at this stage.

First there is the question of confidentiality - our law i.e. the Ombudsman Act requires the Ombudsman to take an oath to the effect that not only will he perform his duties faithfully and impartially but also that he will not divulge information received by him in the exercise of his duties. Other members of the Ombudsman's staff also are bound by this secrecy obligation for which they too have to take an oath.

Secondly there is the requirement under our Constitution that every investigation shall be conducted in private. It is evident however that for an investigation to progress we have to inform the department or agency concerned about the details of the case i.e. the name of the complainant, the nature of his complaint and so on and so forth. But this is as far as we can go. The investigation cannot be otherwise publicised. Our Constitution further provides that the conduct of the investigation shall be such as the Ombudsman considers appropriate in the circumstances of the case. He is further empowered to determine whether any person may be represented by a lawyer or another person during the investigation.

Next, our Ombudsman Act also provides that the conduct of an investigation does not affect any action taken or any further action by the department concerned in respect of any matter which is the subject of the investigation. However, in practice, we try to use our best endeavours to preserve the status quo as far as possible. For that we rely heavily on the responsible officer of the department.

My last point is that, in determining whether to initiate, continue or discontinue an investigation, the Ombudsman acts according to his discretion. But you can rest assured that we do not act according to our whims and caprices but exercise our discretion judiciously. And whenever we are in doubt we would rather favour the start or continuance of an investigation.

We all want the Ombudsman to succeed in his mission. However, as I have said before, we may have limitations on the capacity of our offices to fulfil our mission. Nor does the Ombudsman have a magic wand in his hands, which, unfortunately, some people still believe, at least judging by the nature of certain complaints. I have myself personally been faced with fanciful requests ranging from an invitation to inquire into a case of sexual harassment in a private enterprise to one of causing the Prime Minister to be arrested, which have been of course turned down, with explanation. What is the solution? Certainly not a compromise on the quality of the service we offer. We must therefore devise other ways and means of achieving our objective. More especially we must do our utmost to maintain public confidence in our institutions."

Acknowledgements

My thanks go first and foremost to my staff for their commitment and continued support throughout the year. The preparation of this report is also the result of the combined effort of one and all at my Office.

I would also like to express my appreciation for the cooperation extended to me by the Supervising Officers of the Ministries/Departments whose actions came under my scrutiny.

I am also thankful to all those of my colleagues throughout the world who send me copies of their own annual reports, which of course I reciprocate. Such reports are a very useful source of information about the different ways in which Ombudsman or other similar complaint-handling institutions, by whatever name called, operate in their own environment. There are many similarities but there also exist some differences. Basically we all have the same mission: the protection of the citizen against abuse or misuse of powers.

Finally, I would like to thank the International Ombudsman Institute which is the world body of Ombudsman, the African Ombudsman Centre and the "Association des Ombudsmans et Médiateurs de la Francophonie" for keeping me abreast with developments and events in the ombudsman world. Mauritius is a voting member of all three organisations and also a member of the governing body of the last-mentioned one.

Appendices

Appendix A reproduces Chapter IX of the Constitution which relates to the establishment, appointment, jurisdiction and powers of the Ombudsman.

Appendix B reproduces the Ombudsman Act which provides for the oath to be taken by the Ombudsman and his staff upon assumption of office, the procedure for lodging a complaint and other ancillary matters. The Act also makes it an offence for any person who influences or attempts to influence the decision of the Ombudsman with regard to a complaint made to or an investigation carried out by the Ombudsman, and similarly for any person who wilfully gives false or misleading information to the Ombudsman.

Appendix C contains summaries of a number of selected complaints against an array of government departments/ministries.

Appendix D is a statistical summary of the complaints received according to the department/ministry concerned.

Appendix E gives a quick idea of the nature of the complaint, the department/ministry concerned and the result of the case.

It will be noticed that sometimes a particular Ministry appears under different appellations, e.g.

1^o Housing, Lands and Town and Country Planning

2^o Housing and Land Development

3^o Housing and Lands

This is due to the change in appellation decided by the government of the day, but, for purposes of the Annual Report, I keep the appellation which was current at the time of the opening of a file.

Date: 29 May 2001

(S.M. HATTEEA)

Ombudsman

CHAPTER IX — THE OMBUDSMAN

96. Office of Ombudsman

- (1) There shall be an Ombudsman, whose office shall be a public office.
- (2) The Ombudsman shall be appointed by the President, acting after consultation with the Prime Minister, the Leader of the Opposition and such other persons, if any, as appear to the President, acting in his own deliberate judgment, to be leaders of parties in the Assembly.
- (3) No person shall be qualified for appointment as Ombudsman if he is a member of, or a candidate for election to, the Assembly or any local authority or is a local government officer, and no person holding the office of Ombudsman shall perform the functions of any other public office.
- (4) The offices of the staff of the Ombudsman shall be public offices and shall consist of that of a Senior Investigations Officer and such other offices as may be prescribed by the President, acting after consultation with the Prime Minister.

97. Investigations by Ombudsman.

- (1) Subject to this section, the Ombudsman may investigate any action taken by any officer or authority to which this section applies in the exercise of administrative functions of that officer or authority, in any case in which a member of the public claims, or appears to the Ombudsman, to have sustained injustice in consequence of maladministration in connection with the action so taken and in which —
 - (a) a complaint under this section is made.
 - (b) he is invited to do so by any Minister or other member of the Assembly; or
 - (c) he considers it desirable to do so of his own motion.
- (2) This section applies to the following officers and authorities —
 - (a) any department of the Government;
 - (b) the Police Force or any member thereof;
 - (c) the Mauritius Prison Service or any other service maintained and controlled by the government or any officer or authority of any such service;
 - (d) any authority empowered to determine the person with whom any contract or class of contracts is to be entered into by or on behalf of the Government or any such officer or authority;
 - (e) such other officers or authorities as may be prescribed by Parliament:

Provided that it shall not apply in relation to any of the following officers and authorities--

- (i) the President or his personal staff;
- (ii) the Chief Justice;
- (iii) any Commission established by this Constitution or its staff;
- (iv) the Director of Public Prosecutions or any person acting in accordance with his instructions;
- (v) any person exercising powers delegated to him by the Public Service Commission or the Disciplined Forces Service Commission, being powers the exercise of which is subject to review or confirmation by the Commission by which they were delegated.

(3) A complaint under this section may be made by an individual, or by any body of persons whether incorporated or not, not being --

- (a) an authority of the government or a local authority or other authority or body constituted for purposes of the public service or local government; or
- (b) any other authority or body whose members are appointed by the President or by a Minister or whose revenues consist wholly or mainly of money provided from public funds.

(4) Where any person by whom a complaint might have been made under subsection (3) has died or is for any reason unable to act for himself, the complaint may be made by his personal representative or by a member of his family or other individual suitable to represent him; but except as specified in this subsection, a complaint shall not be entertained unless made by the person aggrieved himself.

(5) The Ombudsman shall not conduct an investigation in respect of any complaint under this section unless the person aggrieved is resident in Mauritius (or, if he is dead, was so resident at the time of his death) or the complaint relates to action taken in relation to him while he was present in Mauritius or in relation to rights or obligations that accrued or arose in Mauritius.

(6) The Ombudsman shall not conduct an investigation under this section in respect of any complaint under this section in so far as it relates to --

- (a) any action in respect of which the person aggrieved has or had a right of appeal, reference or review to or before a tribunal constituted by or under any law in force in Mauritius; or
- (b) any action in respect of which the person aggrieved has or had a remedy by way of proceedings in any court of law:

Provided that

- (i) the Ombudsman may conduct such an investigation notwithstanding that the person aggrieved has or had such a right or remedy if satisfied that in the particular circumstances it is not reasonable to expect him to avail himself or to have availed himself of that right or remedy; and

- (ii) nothing in this subsection shall preclude the Ombudsman from conducting any investigation as to whether any of the provisions of Chapter II has been contravened.

(7) The Ombudsman shall not conduct an investigation in respect of any complaint made under this section in respect of any action if he is given notice in writing by the Prime Minister that the action was taken by a Minister in person in the exercise of his own deliberate judgment.

(8) The Ombudsman shall not conduct an investigation in respect of any complaint made under this section where it appears to him –

- (a) that the complaint is merely frivolous or vexatious;
- (b) that the subject-matter of the complaint is trivial;
- (c) that the person aggrieved has no sufficient interest in the subject-matter of the complaint; or
- (d) that the making of the complaint has, without reasonable cause, been delayed for more than 12 months.

(9) The Ombudsman shall not conduct an investigation under this section in respect of any matter where he is given notice by the Prime Minister that the investigation of that matter would not be in the interests of the security of Mauritius.

(10) In this section, “action” includes failure to act.

98. Procedure in respect of investigations.

(1) Where the Ombudsman proposes to conduct an investigation under section 97, he shall afford to the principal officer of any department or authority concerned, and to any other person who is alleged to have taken or authorised the action in question, an opportunity to comment on any allegations made to the Ombudsman in respect of it.

(2) Every such investigation shall be conducted in private but, except as provided in this Constitution or as prescribed under section 102, the procedure for conducting an investigation shall be such as the Ombudsman considers appropriate in the circumstances of the case; and without prejudice to subsection (1), the Ombudsman may obtain information from such persons and in such manner, and make such enquiries, as he thinks fit, and may determine whether any person may be represented, by counsel or attorney or otherwise, in the investigation.

99. Disclosure of information.

(1) For the purposes of an investigation under section 97, the Ombudsman may require any Minister, officer or member of any department or authority concerned or any other person who in his opinion is able to furnish information or produce documents relevant to the investigation to furnish any such information or produce any such document.

(2) For the purposes of any such investigation, the Ombudsman shall have the same powers as the Supreme Court in respect of the attendance and examination of witnesses (including the administration of oaths and the examination of witnesses abroad) and in respect of the production of documents.

(3) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in the public service imposed by any law in force in Mauritius or any rule of law shall apply to the disclosure of information for the purposes of any such investigation, and the State shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

(4) No person shall be required or authorised by virtue of this section to furnish any information or answer any question or produce any document relating to proceedings of the Cabinet or any committee of Cabinet, and for the purposes of this subsection, a certificate issued by the Secretary to the Cabinet with the approval of the Prime Minister and certifying that any information, question or document so relates shall be conclusive.

(5) The Attorney-General may give notice to the Ombudsman, with respect to any document or information specified in the notice, or any class of documents or information so specified, that in his opinion the disclosure of that document or information, or of documents or information of that class, would be contrary to the public interest in relation to defence, external relations or internal security; and where such a notice is given nothing in this section shall be construed as authorising or requiring the Ombudsman or any member of his staff to communicate to any person for any purpose any document or information specified in the notice, or any document or information of a class so specified.

(6) Subject to subsection (3), no person shall be compelled for the purposes of an investigation under section 97 to give any evidence or produce any document which he could not be compelled to give or produce in proceedings before the Supreme Court.

100. Proceedings after investigation.

(1) This section shall apply in every case where, after making an investigation, the Ombudsman is of opinion that the action that was the subject-matter of investigation was —

- (a) contrary to law;
- (b) based wholly or partly on a mistake of law or fact;
- (c) unreasonably delayed; or
- (d) otherwise unjust or manifestly unreasonable.

(2) Where in any case to which this section applies the Ombudsman is of opinion —

- (a) that the matter should be given further consideration;
- (b) that an omission should be rectified;
- (c) that a decision should be cancelled, reversed or varied;
- (d) that any practice on which the act, omission, decision or recommendation was based should be altered;
- (e) that any law on which the act, omission, decision or recommendation was based should be reconsidered;
- (f) that reasons should have been given for the decision; or
- (g) that any other steps should be taken.

the Ombudsman shall report his opinion, and his reasons, to the principal officer of any department or authority concerned, and may make such recommendations as he thinks fit; he may request that officer to notify him, within a specified time, of any steps that it is proposed to take to give effect to his recommendations; and he shall also send a copy of his report and recommendations to the Prime Minister and to any Minister concerned.

(3) Where within a reasonable time after the report is made no action is taken which seems to the Ombudsman to be adequate and appropriate, the Ombudsman, if he thinks fit, after considering any comments made by or on behalf of any department, authority, body or person affected, may send a copy of the report and recommendations to the Prime Minister and to any Minister concerned, and may thereafter make such further report to the Assembly on the matter as he thinks fit.

101. Discharge of functions of Ombudsman.

(1) In the discharge of his functions, the Ombudsman shall not be subject to the direction or control of any other person or authority and no proceedings of the Ombudsman shall be called in question in any court of law.

(2) In determining whether to initiate, to continue or discontinue an investigation under section 97, the Ombudsman shall act in accordance with his own discretion, and any question whether a complaint is duly made for the purposes of that section shall be determined by the Ombudsman.

(3) The Ombudsman shall make an annual report to the President concerning the discharge of his functions, which shall be laid before the Assembly.

102. Supplementary and ancillary provision.

There shall be such provision as may be prescribed for such supplementary and ancillary matters as may appear necessary or expedient in consequence of any of the provisions of this Chapter, including (without prejudice to the generality of the foregoing power) provision –

- (a) for the procedure to be observed by the Ombudsman in performing his functions;
- (b) for the manner in which complaints under section 97 may be made (including a requirement that such complaints should be transmitted to the Ombudsman through the intermediary of a member of the Assembly);
- (c) for the payment of fees in respect of any complaint or investigation;
- (d) for the powers, protection and privileges of the Ombudsman and his staff or of other persons or authorities with respect to any investigation or report by the Ombudsman, including the privilege of communications to and from the Ombudsman and his staff; and
- (e) the definition and trial of offences connected with the functions of the Ombudsman and his staff and the imposition of penalties for such offences.

THE OMBUDSMAN ACT**1. Short title.**

This Act may be cited as the Ombudsman Act.

2. Oaths of office.

(1) Before performing the duties of their respective offices, the Ombudsman and the Senior Investigation Officer shall take an oath before a Judge that they will faithfully and impartially perform the duties of their offices and that they will not, except in accordance with Chapter IX of the Constitution and this Act, divulge any information received by them in the exercise of their duties.

(2) The other members of the staff of the Ombudsman shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their duties.

(3) Every person mentioned in subsection (2) shall, before entering upon the exercise of his duties, take an oath to be administered by the Ombudsman, that he will not, except in accordance with Chapter IX of the Constitution and this Act, divulge any information received by him in the exercise of his duties.

3. Procedure.

(1) Any complaint made to the Ombudsman shall be in writing and, subject to subsection (2), a copy of the complaint shall be communicated to a member of the Assembly.

(2) Notwithstanding any other enactment, where a letter is written to the Ombudsman by a person who is in legal custody or is an inmate of a mental hospital or other similar institution, the person in charge of the place where the writer of the letter is detained or is an inmate shall forward the letter unopened immediately to the Ombudsman.

4. Action by department not affected by investigation.

The conduct of an investigation by the Ombudsman shall not affect any action taken by the department or authority concerned, or any power or duty of that department or authority to take further action with respect to any matter which is the subject of the investigation.

5. Privilege of communication.

For the purposes of any enactment relating to defamation, the publication, by the Ombudsman or by any member of his staff, of any report or communication and the publication to the Ombudsman or to any member of his staff of any complaint or other matter shall, if made in accordance with Chapter IX of the Constitution and this Act, be absolutely privileged.

6. Offences.

(1) Any person who, otherwise than in the course of his duty, directly or indirectly, by himself or by any other person, in any manner influences or attempts to influence the decision of the Ombudsman with regard to any complaint made to him or to any investigation made by him, shall commit an offence.

(2) Subject to Chapter IX of the Constitution, any person who is requested by the Ombudsman or by any member of his staff, acting in the exercise of his duties, to furnish any information or to produce any document and who wilfully fails to furnish the information or to produce the document, shall commit an offence.

(3) Any person who, in connection with any matter which lies within the province of the Ombudsman, wilfully gives him any information which is false or misleading in a material particular, shall commit an offence.

(4) Any person who commits an offence under this section shall be liable, on conviction, to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding 12 months.

7. Expenses and allowances.

The Ombudsman may, where he thinks fit, pay to any person by whom a complaint has been made or to any person who attends, or furnishes information for the purposes of, an investigation, sums in respect of expenses properly incurred or by way of allowance or compensation for loss of time, in accordance with such scales and subject to such conditions as may be prescribed.

8. Administrative expenses.

The administrative expenses of the office of the Ombudsman together with such other expenses as may be authorised under this Act shall, with the approval of Parliament, be charged on the Consolidated Fund.

9. Regulations.

(1) The Cabinet may make such regulations as it thinks fit for the purposes of this Act.

(2) Notwithstanding the generality of subsection (1), such regulations may provide for the scale according to which any sum may be paid to complainants or to persons attending, or furnishing information for the purposes of, an investigation.

SELECTED COMPLAINTS

ACCOUNTANT GENERAL

C/26/2000

Retirement benefits of retired officer adjusted

C.P.R., a retired civil servant complained that his retirement benefits had been wrongly computed inasmuch as the amount he received was based on his appointment as from 1972 whereas in truth and in fact he had joined the civil service on 20 March 1964.

According to him he was given to understand that this was due to the fact that his Ministry had lost all records of his attendance for the missing period.

He reported the matter to the Accountant General's Office but received no response. He therefore requested me to look into the matter and take remedial action.

I took up the matter with the Accountant General who requested information from the said Ministry and who assured me that C.P.R.'s benefits will be revised and payment effected.

Indeed I was subsequently informed that an amount of Rs 43,178.82 representing the balance of revised pension, bonus and gratuity had been credited to the bank account of C.P.R.

The latter confirmed having received same and stated he was satisfied.

**ECONOMIC DEVELOPMENT, PRODUCTIVITY
AND REGIONAL DEVELOPMENT**

C/307/99

Action taken for filling of vacant posts

Six Economists at the Ministry of Economic Development, Productivity and Regional Development complained to me in September 1998 that they were being penalised by the unduly long delays in the filling of vacancies in the grade of Senior Economists.

I must at the very outset emphasize that matters of appointment and promotion fall exclusively within the powers of the Public Service Commission which is a body that falls outside my jurisdiction and therefore whose actions cannot be questioned by me. The matter was however tackled by me at the Ministry's level for failure to take action to fill the posts of Senior Economists.

According to the complainants 8 posts of Senior Economists had been vacant for more than five years but no action had been taken by the management to fill such vacancies despite several representations made by them. They further alleged that they reckoned over 20 years' service and are fully qualified for the posts.

In October 1998 the Director of the Ministry informed me that it had been decided unanimously at the last Departmental Whitley Council held in June 1998 that recommendations for the filling of the vacant posts would be considered after the publication of the PRB Report 1998. However this could not be done immediately after such publication

as he was away on mission. He informed me however that he was processing the papers to be submitted to the Public Service Commission as he had strong concern about the filling of vacant posts in his Ministry.

Unfortunately no action was taken until he informed me in September 1999 i.e. nearly a year later, that the Ministry was proceeding with a full technical audit of the operations of the Ministry in order to adapt to the new changes. In that connection the Commonwealth Fund for Technical Cooperation (CFTC) had been approached for the services of a Consultant for this assignment. The appointment/promotion exercise was therefore put on hold until the organisational structure was finalised.

After receiving several letters of protest from the complainants I requested the Director to inform me of the situation. Indeed in May 2000 he informed me that the technical audit was completed and the Report from the Commonwealth Secretariat Consultant had been received. The Report had been submitted to the Union of the Government Economists as well as to the Ministry of Civil Service Affairs and Administrative Reform for their views and observations.

In the meantime one of the complainants wrote to me informing me that he was due to retire on 20 July 2000. I pressed the Director for action in his case at least and finally he informed me that he had submitted a recommendation for that complainant to the Public Service Commission to appoint him as Senior Economist, which was done with effect from 9 June 1995 (the date the Scheme of Service for the post was amended).

As for the five other complainants they are still awaiting for the promotion exercise to be carried out.

EDUCATION AND SCIENTIFIC RESEARCH

C/16/2000

Deputy Head Teacher relieved of teaching duties

D.P., a Deputy Head Teacher (DHT) since 1994, who was nearing the age of retirement complained about the fact that, except for a brief period and unlike other DHTs, he has had to take charge of classes year in year out, thus resenting being still treated as a teacher.

He drew my attention to the Scheme of Service for DHT (General Purpose) according to which taking charge of a class in case of casual absence of teachers ranked 17th among the 18 duties listed. He wanted to be relieved of such duties and therefore sought my help.

The official version of the Ministry was that there were 1000 posts of DHTs for 217 government schools. So the policy was to post at least one DHT per school to assist the Headteacher. The remaining DHTs were assigned teaching duties as and when necessary - a far cry from what the complainant alleged to have undergone.

All the same, arrangements were made to relieve D.P. of teaching duties. He was consequently made a floating DHT i.e. not in charge of any class.

This is what D.P. had to say in the end: *"When I first wrote to you, I thought it was too late and nothing could be done. But now I know, when people like you are in authority, it is never too late to stop and even reverse the course of injustice."*

C/37/2000

“Injustice” remedied

Mrs. N.D. wrote to me on 16 February 2000 to complain about what she called an injustice committed in respect of her son by the Ministry of Education and Scientific Research.

Her story was that her son ranked 171st at the last CPE Examinations and was admitted at Royal College Port Louis (RCPL). As they lived in Curepipe she filled in a request for the transfer of her son to Royal College Curepipe (RCC). However, a few weeks later, she came to know that another boy who ranked 189th and who had also been admitted at RCPL had been transferred to RCC. She believed this was unfair and that justice had not been done to her son. She therefore sought my intervention.

My inquiry revealed that the father of the other boy, who had also requested for a similar transfer, had heavy responsibilities as a public officer and had to be in his office early in the morning and finished late in the evening and sometimes at night. His request was exceptionally acceded to. This practice was also resorted to in cases of requests from expatriate staff working in foreign missions in Mauritius and also where special treatment is warranted. The Permanent Secretary of the Ministry reassured me that the case of the complainant's son must not be looked at as a case of injustice. That was on 8 March 2000.

However, I requested that the possibility of transferring the complainant's son be looked at again on occasion arising, and fortunately, within a short period of time, complainant's son was transferred to RCC as a vacancy arose there following the transfer of another student from RCC to another school.

N.D.'s feeling of injustice was therefore lifted.

C/54/2000

Child admitted to a particular school on humanitarian grounds

C.S. has three children and they live in Goodlands. One was doing the C.P.E. and another one was in Standard IV, both at the D.H. Government School, less than 200 metres from their residence.

He logically sought admission in Standard I for his third child at the same school for the year 2000 intake but this was refused to him. He thus had to send the third child to another school outside his catchment area at a monthly cost of Rs 150/- towards transport.

In spite of representations made by him at the Ministry nothing was done.

C.S. claimed to be a victim of the February 1999 riots and had lost EVERYTHING - house and belongings. He sincerely believed that he was treated in an inhuman way and saw no plausible reason for this except his appurtenance to a particular community.

Furthermore he alleged that pupils outside his catchment area had been admitted to D.H. Government School.

The official version was that the documentary evidence - CWA and CEB bills - produced by the mother of the child were neither in her name nor that of her husband, the complainant. Nor was any rent book produced. Indeed it would appear that no blame could be laid at the door of the Ministry.

All the same I requested the Ministry to make a physical check of the actual place of residence of the family.

Finally I was informed that the third child of the complainant had also been admitted to D.H. Government School on humanitarian grounds.

I am particularly pleased to have been of some assistance to such a destitute family.

ENVIRONMENT, HUMAN RESOURCE DEVELOPMENT AND EMPLOYMENT

C/27/99

Remedial measures taken to abate nuisances

Considerable nuisances were caused to the inhabitants of surrounding villages of a sugar factory. First, the noise emanating from its boiler unit and secondly, the dust coming from its bagasse conveyor belt.

I received a letter of complaint to that effect in January 1999.

I first took up the matter with the then Ministry of Environment, Human Resource Development and Employment which informed me that it had requested the management of that factory to take the following remedial measures –

- (i) the boiler unit to be equipped with silencers to suppress the noise, and
- (ii) the bagasse conveyor belt to be enclosed and the dust coming therefrom to be continuously sprayed.

These measures were to be taken prior to the 1999 crop season.

Inasmuch as the enforcement agency in such matters is the Ministry of Health and Quality of Life I followed up the matter with that Ministry and requested them to monitor the situation.

A site visit effected in April 1999 revealed that –

- (a) the windward side of the conveyor belt had been enclosed with corrugated iron sheets;
- (b) water jets had been fixed at the region of one of the bagasse drop-channels; and
- (c) a green belt of trees had been planted around the periphery of the bagasse stockpile to act as a barrier against airborne particulates.

It turned out however that the factory did not operate during the 1999 crop season but follow up visits continued all the same with a view to solving the problems once and for all before the following crop season.

Indeed in December 1999 I was informed that the factory had already installed one silencer and, well before the year 2000 crop season a second silencer had been installed. Officers of the Ministry of Health and Quality of Life effected a visit in October 2000 and reported that the silencers were functioning satisfactorily.

An inquiry among the inhabitants of one neighbouring village disclosed that they were satisfied and had no more complaint to make with regard to noise or dust.

C/298/99

Sewerage works completed within a very short time to the great relief of complainants

R.P. and other inhabitants of Cité Ducray wrote to me on 1 September 1999 to complain about the absence of an effective sewerage system in their area with the result that on rainy days their houses are flooded with filthy water causing damage to their property and furniture, not to mention the health hazard created by such a situation.

My inquiry revealed that the house of R.P. himself could not be connected to a new sewerage network at La Briquetterie CHA Estates as some buildings stood in the way.

State land was identified for an alternative pipe route but part of it had been leased to a benevolent society. On that part there stood a building. Permission had to be applied for to lay the proposed sewer line and in October 1999 sewerage works were completed.

Prompt action has been taken to remedy the situation.

ENVIRONMENT AND URBAN & RURAL DEVELOPMENT

C/111/2000

Remedial measures taken to abate nuisances

This is an own-motion case following an article which appeared in the press.

Inhabitants of Morcellement Ilois, La Tour Koenig, Pointe aux Sables, were experiencing problems since an industrial zone opened there some three years back. One of them described their plight as follows: "*Nous avons une odeur d'huile insupportable toute la journée et le soir; nous constatons une fine couche de poussière noire sur nos meubles.*" Sometimes they have to close all their windows.

The two factories (A and B) which were accused of causing these problems denied that they were in any way responsible for such a state of affairs, arguing that they complied with all the conditions laid down by the authorities. A representative of the Ministry of Environment and Urban and Rural Development did not agree with them and pointed out that there was no strict compliance with the Environment Impact Assessment licence.

I queried the Ministry on this affair and it was reported that in the case of factory A they had found dyehouse effluent spillage, noise, boiler stack emissions and odour nuisance, whereas in the case of factory B it was boiler stack emissions and odour nuisance.

The two enterprises were requested to implement remedial measures immediately and three follow up visits were effected. The measures taken are indicated below –

Factory A

<i>Nuisance</i>	<i>Measures proposed</i>	<i>Remarks</i>
(a) Dyehouse effluent spillage	Defective water tank causing overflow to be repaired	Action taken
(b) Noise	The shutters of the boiler house to be kept permanently closed	Action taken
(c) Boiler stack emissions	Regular servicing and tuning to be effected to the boiler	Action taken
(d) Odour	Aeration of effluent basin to be effected continuously instead of intermittently	Action taken

Factory B

<i>Nuisance</i>	<i>Measures proposed</i>	<i>Remarks</i>
(a) Boiler stack emissions	Regular servicing and tuning to be effected to the boiler	Action taken
(b) Odour	Exhaust steam from factory operations to be brought down to ground level and cooled with a blower fan causing condensation	Measure being implemented

Following the implementation of the above measures no further complaint was reported.

FINANCE

C/35/2000 & C/36/2000

Penalties remitted and other duties reduced following Ombudsman's intervention

One G.J. requested my intervention in the matter of a petition he had made to the Minister of Finance for total remission of the penalty claimed from him following the reassessment of property he and his wife had sold to Mr. and Mrs. A.S.B.

He produced a letter from the Ministry of Finance informing him of a partial remission of 50% of the penalty. His request was that the remaining 50% be also remitted.

The version of the Ministry of Finance was that G.J. had purchased in September 1989 a plot of land of 1350.68m² together with a building under construction for Rs 600,000/-. G.J. then sold the property in 1990 to A.S.B. for Rs 700,000/- and according to the title deed there was a storeyed building and a building under construction on the land. The Registrar General reassessed the value of the property at Rs 2 million. G.J. objected to the proposed value and the matter was referred to the Tax Appeal Tribunal for determination. The Tribunal maintained the value of Rs 2 million. Consequently additional land transfer tax of Rs 65,000 and a penalty of Rs 130,000 was claimed from G.J.

As for the purchaser, A.S.B., he was claimed additional registration duty of Rs 171,600 and a penalty of Rs 343,200. He also had written to me along the same lines and made a similar request as G.J.

Following my intervention, the Minister, after reconsideration, remitted the penalties claimed from both G.J. and A.S.B.

Then, in a joint letter to me, both G.J. and A.S.B. claimed that the Government had wrongly evaluated the property at Rs 2 million on the basis that there were two buildings thereon, whereas in fact there was only one building. Indeed the Chief Government Valuer confirmed that there was only one building on the property.

Therefore the additional land transfer tax claimed from G.J. was reduced to Rs 6,250 and the additional registration duty claimed from A.S.B. was reduced to Rs 6,600.

HEALTH AND QUALITY OF LIFE

C/53/2000

Doctor authorised to dispense Ayurvedic medicine

Dr. S.K. had applied to the Ministry of Health and Quality of Life for permission to dispense Ayurvedic medicine. No reply came. Some two months later he sent a reminder. Still no reply. So he petitioned me for appropriate remedial action.

According to the Ministry the application was still under consideration and the complainant had been requested to provide some "additional information." I wish to point out here that this request was only made after I had queried the Ministry about the reason for such a delay.

The "additional information" requested was as follows –

- 1^o Copy of registration certificate as an Ayurved Doctor.
- 2^o Details of source of Ayurvedic medicines to be dispensed at your shop.
- 3^o A lay-out plan of the pharmacy."

Two remarks I have to make:

- (a) In the absence of any other request for information I would hardly call the request made as a request for "additional information":
- (b) The Ministry assumed wrongly that the doctor was operating from a shop or pharmacy.

Indeed, section 17(3) of the Pharmacy Act stipulates that –

"A medical practitioner may sell any medicine or drug if he does not keep open shop and there is no pharmacy within a distance of 3 miles from the place where he attends a patient."

Small wonder therefore when the Ministry reworded its request for information as follows –

- 1^o A copy of your registration certificate from the Medical Council.
- 2^o The source of supply of the Ayurvedic medicines to be dispensed by you.

One can see that any reference to "shop" or "pharmacy" was dropped.

Finally the reply of the Ministry came in which complainant was informed that he may dispense Ayurvedic medicines as a practising Ayurved Doctor.

C/68/2000

Offending workshop ceases its activities

R.U. lodged a complaint on 19 March 2000 against the presence of a furniture workshop in the vicinity of his house.

He averred that he had had to put up for years with the noise emanating from its machines and the smell of paint used.

A site visit was effected on 23 March 2000 and it was found that the author of the nuisance was not in possession of a trade licence. Hence a contravention was established against him.

However, as it too often happens, offenders continue their activities in the face of contraventions established against them. So I requested the Ministry to cause a surprise check to be made. This was done on 24 May 2000 but it was found that the workshop was not in operation.

The offender pleaded guilty and was fined. He has been further warned not to operate the said workshop unless he is in possession of the required trade licence.

No other complaint was registered.

C/104/2000

Illegal operation of workshop stopped

This is a case of a furniture workshop operating without permit. Both complainant and offender were occupying the same building. The complainant was occupying the ground floor whereas the offender was operating the workshop on the floor above.

According to the complainant the workshop was being operated between 1500 hrs and 2100 hrs on week days and full day during week-ends. Although he has amicably asked the offender to cease his activities which caused a lot of stress the latter refused.

Inquiry revealed that V.A. who was operating the workshop had no trade licence and he was warned not to do so in future. A hot line was even provided to the complainant in the event he found the workshop being operated again.

The Municipality for the region also booked V.A. for illegal operation of workshop.

A follow-up visit some time later disclosed that V.A. had ceased his activities.

Complainant stated that he was satisfied.

C/122/2000

Specialist/Senior Specialist reinstated in his post

A letter dated 12 May 2000 from the Government Medical and Dental Officers Association (GMDOA) was addressed to the Permanent Secretary, Ministry of Health and Quality of Life and copied, inter alia, to me.

It was in respect of Dr. P.R., Specialist/Senior Specialist (General Medicine) who had been interdicted since 11 November 1999 on an accusation of illegal possession of dangerous drugs and who was still under interdiction five months later without further ado. The Association was seeking the immediate and unconditional reinstatement of the doctor.

I sought the explanation of the Permanent Secretary, Ministry of Health and Quality of Life who informed me that the Ministry had been advised by the Police that all the drugs were expired and that the Director of Public Prosecutions had advised no action against Dr. P.R. save a warning to be administered to him to destroy all expired drugs after the expiry date.

In the circumstances the Ministry sought the approval of the Public Service Commission for the reinstatement of the doctor. Indeed in June 2000 the said Commission decided that the doctor should be reinstated and the latter was informed accordingly in the beginning of July.

LAND TRANSPORT, SHIPPING AND PORT DEVELOPMENT

C/56/2000

Rear seating capacity of taxi car increased from 3 to 4

V.L.'s problem was that his taxi car had been authorised by the National Transport Authority to carry only 3 passengers instead of 4 on its rear seat.

He made several points as follows –

- (i) his previous taxi car was given a seating capacity of 4 persons on the rear seat which measured 56 inches between the two back doors internally, whereas in his present taxi car the measurement is 57½ inches and it is given a lesser seating capacity;
- (ii) at least three other cars with a measurement of 56 inches between their back doors have been granted a seating capacity of 4 persons at the rear;
- (iii) he had produced a certificate from the importers of the car to the effect that the rear passenger seat measured 57½ inches;
- (iv) he was losing revenue every day because he could only carry 3 persons at the rear;
- (v) he had written a letter of protest in July 1999 but received no reply.

I took up the matter with the Ministry of Land Transport, Shipping and Port Development and some time later complainant was called for a fresh measurement at the Mechanical Workshop of the Ministry of Public Infrastructure. There he was explained the facts which are taken into account before authorising taxis to carry 4 passengers at the rear. According to him, after examination he was informed that his car had satisfied all the criteria and that the needful would be done soon.

Unfortunately two months elapsed and he received no communication.

I again had to query the Ministry of Land Transport, Shipping and Port Development which confirmed that the National Transport Authority was making arrangements for the seating capacity of complainant's car to be amended from 1+3 to 1+4 i.e. 4 passengers at the rear.

As I did not hear from the complainant again I can safely assume that he obtained satisfaction.

C/165/2000

Transfer of taxi licence from father to son approved

S.T. had applied to the National Transport Authority for the transfer of the Public Service Vehicle (Taxi) Licence held by his father on to his name. As no reply was forthcoming he sought my intervention.

He related to me that his father was seriously ill with renal problem. The family has to spend Rs 500 weekly on transport for his father to go to Port Louis for dialysis. He was himself a part-time hawker but could not bear the burden of the whole family.

My inquiry revealed that the application had been made some three and a half months ago but no final decision had been taken yet. The Permanent Secretary of the parent Ministry assured me that the National Transport Authority will arrange for an early decision following my intervention.

Indeed one month later the N.T.A. approved the application and communicated its decision to the complainant immediately.

LOCAL GOVERNMENT AND ENVIRONMENT

C/270/97

Long-standing problem solved

An article which appeared in the issue of the 'Sun' of 30 July 1997 caught my eyes.

It described the nightmarish plight of the inhabitants of Shivala Branch Road, Triolet, where there are about fifty houses. That road had become impassable since four months due to its deterioration caused by the movement of heavy vehicles during certain works effected in that part of the village. Furthermore trenches had been dug in the ground for the installation of telephone cables but repairs were not effected. When it rains the road is flooded thus giving rise to bad smell and the proliferation of mosquitoes.

As that road fell under the jurisdiction of the Pamplémousses/Rivière du Rempart District Council I called upon the then Ministry of Local Government and Environment to liaise with the said Council with a view to remedy the situation.

After a long delay the Council informed the Ministry that –

- "1) The Shivala Road had been reinstated by the Telecommunications Services.*
- 2) Another repair was effected to the road in February 1998.*
- 3) However in rainy season there is likelihood of water accumulation due to the topography of the land. Council felt that two absorption pits should be dug. Up to now the process of obtaining authorisation from the Shivala for the putting up of the pit has proved vain.*

The problem along the main roads are being taken by the Ministry of Public Infrastructure."

Indeed reference was also made to *"the main roads"* because it would appear that water from such roads flow into Shivala Branch Road when it rains.

Therefore I took up the matter with the Ministry of Public Infrastructure (MPI) which took the following measures –

- (a) cleaning of the drains along the main road*
- (b) absorption pits provided where possible.*

Furthermore, MPI informed me that they had included in their work programme for the year 1998 the construction of drains from Triolet to Trou aux Biches.

On 30 December 1998 the MPI further informed me that 3km of drains from Trou aux Biches to the vicinity of the Shivala of Triolet at a cost of about Rs 5m will be constructed as soon as the Ministry of Finance would release funds.

I thus made it a point to follow up the matter.

Works started in January 1999 and were to be carried out in three phases as follows -

- Phase I : drains along the main road in Trou aux Biches starting next to the public beach;
- Phase II : from Shivala road in Triolet to the newly constructed drains at Trou aux Biches;
- Phase III : from the newly constructed drains at Trou aux Biches to the Aquarium

Phases I and II were completed in 1999 whilst Phase III was completed in 2000.

An end has thus been put to the enormous difficulties that stood in the way of inhabitants of that road and, of course, other users.

POLICE

C/105/94

New passport issued to complainant whose passport was seized six years before

On 15 July 1994 the complainant informed me that his passport had been seized by the Airport Police ever since 15 January 1993 and had not yet been returned to him.

My inquiry revealed that the impounding of the passport was effected following instructions from the Secretary for Home Affairs (SHA).

According to the Police, the complainant, who resided in Paris, had proclaimed himself the First President of the Republic of Mauritius in exile and had been circulating a leaflet containing allegations of a malicious character.

Upon being queried by me the Police advised me that they were awaiting further instructions from the SHA.

As from 23 March 1998 I dealt directly with the SHA who informed me that an inquiry was being carried out in the matter. A medical certificate attesting the complainant's fitness had also been asked for by the SHA. It was in November 1999 that I was informed that the complainant had produced a medical certificate from a private practitioner certifying that he was medically, physically and mentally fit. The SHA however required a medical certificate from the Ministry of Health.

I can only assume that this was produced inasmuch as on 16 December 1999 I was informed that the grant of a new passport to the complainant had been approved and the Passport and Immigration Officer informed accordingly.

I requested the complainant to liaise with the latter but I never heard from him again.

His case stands as rectified.

C/3/2000

No reply to application for learner's licence

In early January 2000 B.S. sought my intervention in respect of an application he had made since April 1999 for a taxi car driving licence.

He alleged that after seven months' silence on the part of the police he could not wait any longer and called personally at the police station where he had lodged his application. There a police constable told him that he would receive a reply within two weeks. Unfortunately that was not to be, hence his recourse to me.

Upon my intervention the Traffic Branch approved his application and he was called at the Licensing Office with his personal documents for follow up action and test purposes. He confirmed this by way of a statement to the police on 17 April 2000.

His long wait had thus ended.

C/72/2000

Complainant gets his motor cycle back

J.W.T., owner of a motor cycle, left Mauritius for Australia on 6 December 1999 and returned on 29 February 2000. He left his motor cycle under the care of his brother.

On 1 January 2000 his brother-in-law borrowed the motor cycle from the brother and was arrested by the Police in connection with certain offences. The motor cycle was seized by the Police.

Upon his return, the complainant tried to get his motor cycle back but in vain.

The version of the Police was that the brother-in-law had been arrested following a search effected at his place. Various articles, including a revolver, were found there and secured. The motor cycle was in the yard and was also secured as the Police suspected it could have been used in the commission of larcenies with violence. Furthermore the brother-in-law could not produce any document in respect of the motor cycle.

Later, upon the advice of the Director of Public Prosecutions, the motor cycle was returned to its owner, who indeed could not be held vicariously responsible for the doings of his brother-in-law.

Complainant gave a statement confirming having received his motor cycle and stated he was satisfied.

PUBLIC UTILITIES

C/27/2000

Problem of sewerage overflow solved

On 9 February 2000 R.T. wrote to me to complain about a problem of sewerage overflow from a pumping station near his residence since December 1998.

According to him he had written to the ministries of Health, Environment, Public Infrastructure and to the Waste Water Authority but "*no serious action has been undertaken.*"

He however averred that the Ministry of Public Infrastructure did some cleaning of roads in January 2000 but part of the road from the pumping station over a distance of about 100 ft. had not been cleaned. That part was daily being used for the discharge of waste water to the sea and as the side of the road had not been cleaned for almost a year waste water overflows onto the main road thus causing a lot of nuisance.

I enlisted the help of the Ministry of Public Utilities in the matter and it was reported that indeed the pumps at the pumping station had been giving rise to problems since two years. According to the Ministry either the winding was burnt out or the mechanical seals and bearings were worn out. So a rewinding of the motor was done and the mechanical seals and bearings replaced. Still the pumps failed again in August 1999 and were found to be beyond repairs. A contract was thus awarded to a private company for the replacement of the pumps and associated works. In the meantime the services of cesspool emptiers were provided.

A few months later I was informed that new pumps had been installed and there was no longer any overflow - to the complainant's great relief.

C/39/2000

Nuisance immediately abated

I picked up an article from newspaper "L'Express" of 23 February 2000 entitled "Une eau putride irrite la région de Montée S." It was a case of overflowing of filthy industrial effluents.

One inhabitant of that region described the situation as follows –

"Cela fait plus d'un mois que ça dure. Cette odeur nauséabonde nous empêche de dormir et incommode les vieux et les jeunes sans compter ceux qui vont entrer en période de jeûne pour le Maha Shivaratree ce dimanche."

According to the inhabitants of the locality they have reported the matter to the Ministry of Health, the Waste Water Authority, the Ministry of Environment and the Municipality of Port Louis but nothing had been done.

On the same day the article appeared I took up the matter with the Ministry of Public Utilities.

According to that Ministry this was a case of blockage caused by the overflowing wastewater which occurred in neighbouring fields and which ended some 1 km away.

Remedial works were undertaken and completed on the same day i.e. 23 February 2000.

C/211/2000

Delay in the supply of information reduced following Ombudsman's intervention

D. Ltd. is a firm of consulting engineers operating in Mauritius since December 1997. It provides consultancy services on water issues to small, medium and large-scale planters. It is also the standing consultant of the Mauritius Chamber of Agriculture which groups and looks after the interests of big and medium sugar cane planters of Mauritius on matters relating to the beneficial use of water resources. It is further regularly called upon to furnish updated information on ground and surface water resources available for use for irrigation purposes.

On 12 June 2000 D. Ltd. made a request to the Supervising Officer of the Water Resources Unit (WRU) to be informed about the recent boreholes which had been drilled in Mauritius so as to allow the company to locate same on its map.

A reply was made by the WRU on 18 July 2000 to the effect that the details (LCO Coordinates) would be made available in its forthcoming Hydrology Data Book under preparation which can be purchased after its publication.

On 22 July 2000 the company wrote back to ask (i) for the date of publication of the book and (ii) whether LCO Coordinates of all boreholes drilled and used as at December 1999 would be available in the book inasmuch as the previous book covered the period 1992 to 1995.

The WRU replied on 8 August 2000 and said that the exact date of publication was not known and that the new book may include the LCO Coordinates of all boreholes drilled as at December 1999.

The company interpreted this reply as a refusal to cooperate and made it known to the WRU. Thereupon the company lodged a complaint dated 25 August 2000 before me.

I took up the matter with the Permanent Secretary of the Ministry of Public Utilities and on 10 October 2000 the Permanent Secretary wrote to the company informing it that the Hydrology Data Book containing data up to October 1999 was scheduled to be finalised in October 2000 itself but the details had to be verified and validated before publication. The exercise was expected to be completed by the end of the year.

Unhappy with this situation I pressed the Ministry for prompt action and requested them to inform me why the information could not be made available to the company immediately.

Finally on 27 November 2000 the Ministry informed me that the WRU had just completed the validation of the location of boreholes and that the information may now be made available to the company.

The company wrote to thank us and also added that *"We are now proud to note that there are still some organisations like the Ombudsman's Office which operate in a clear and transparent manner helping those who are in need of earning their living honestly."*

These words can only encourage us to continue our mission in earnest.

REGISTRAR GENERAL

C/65/99

Complainant obtains refund of registration duty of Rs 110000

Mrs. K.D.B.A. acquired a residential campement at Rivière Noire for the sum of Rs 6 million. On the property there stood two buildings: the campement and the caretaker's house.

She made a claim under S. 45A(3) of the Land (Duties and Taxes) Act (hereinafter referred to as the Act) for a reduction of Rs 110000/- on registration duties as a first-time buyer. This was refused by the Receiver of Registration Duties. She made an appeal to the Receiver for a reconsideration of the matter on 17 February 1999. The Receiver turned down the appeal and she had no choice but to pay the full registration fee under protest. She felt that she had suffered an injustice due to a misinterpretation of the law, to wit S. 45A of the Act. Therefore she lodged a complaint before me on 25 February 1999.

I raised the matter with the Registrar General whose version was that the deed of sale witnessing the transfer of the property to the complainant speaks of:

- “(a) Une résidence d'un étage en blocs de ciment sous dalles en béton armé d'une superficie de deux cent soixante cinq mètres carrés etc.
- (b) Une dépendance en blocs de ciment sous dalles en béton, d'une superficie de trente mètres carrés, accessoire a la susdite résidence etc.
- (c) Et un kiosque en béton.”

Therefore, according to the Registrar General, by virtue of S. 45A(3) of the Act, the deed did not qualify for the reduction as there were two buildings and a kiosk on the property.

However, the Registrar referred the matter to the Financial Secretary for advice on the representation made by the complainant. The Financial Secretary rejected the claim for reduction on 3 May 1999.

As I did not agree with the Financial Secretary's decision I wrote to him and informed him accordingly, stating that in my view a too restrictive meaning had been ascribed to the words "a residential building." My point was that the deed referred to a main building of an extent of 265 square metres and a "dépendance" of an extent of 30 square metres "accessoire à la susdite résidence." That "dépendance" served as the caretaker's quarters and was not the sort of building which the legislator had in mind. I requested the Financial Secretary to look at the property as a whole especially in view of the characteristics of certain bungalows in Mauritius.

The Financial Secretary referred the matter to the State Law Office for legal advice and, in the light of the advice received, agreed to refund the sum of Rs 110000 to the complainant.

It is also interesting to quote here from the judgment of the Supreme Court in the case of Gibling Ducray v. Minister of Finance (1994) MR 43 as follows –

"... the existence of separate adjoining servants quarters would not, in principle, disqualify a "one and only residence" from retaining its character."

and in which it was held that account should be taken of conditions traditional in our country where people have servants living in service quarters, although these may be separate from the building which the owner uses for his own habitation.

The complainant thanked us in the following way –

"I wish to express our sincere gratitude for the wonderful work you have done concerning this case. We are not only satisfied, but absolutely delighted with the outcome which was brought about entirely by your perseverance and your professional intervention."

RODRIGUES

C/24/99

Fisherman gets compensation

N.R., a fisherman from Rodrigues and who now lives in Mauritius, was convened to my Office in connection with a complaint he had lodged before me in respect of non-payment to him of the sum of Rs 25000/- upon surrendering his fisherman's card.

It would appear that some time in 1997 he left Rodrigues for Mauritius in order to undergo a hernia operation. After the operation his doctor advised him to cease all fishing activities on account of his poor health.

He therefore stayed in Mauritius and caused his fisherman's card as well as the doctor's recommendation to be sent to the Head of the Fisheries Division in Rodrigues in conformity with Government policy for a compensation of Rs 25000 to every fisherman who surrendered his fisherman's card.

Unfortunately, as at January 1999, he had not yet received his compensation.

The official version of the Island Secretary was that the Ministry of Fisheries was not in presence of a notification by N.R. to the effect that he was voluntarily giving up Net Fishing. Arrangements were therefore made for N.R. to submit same in Mauritius.

Some time later N.R. was paid the sum of Rs 25000.

All is well that ends well.

C/112/99

Lady teacher obtains temporary transfer to Rodrigues

During an official visit in Rodrigues in April 1999 I received a letter of complaint from a lady teacher who had been working in Rodrigues for a number of years and who had been instructed to return to work in Mauritius.

She alleged that her husband, who was also working in Rodrigues, had elected his domicile there and therefore she did not want to be separated from her husband and children. As she was on the Mauritius Establishment she wanted to stay on that Establishment but allowed to complete her few years of service left in Rodrigues.

I took up the matter with the Ministry of Education and Scientific Research which agreed to release her for a final two years to work in Rodrigues provided the Island Secretary of Rodrigues had no objection to her continuing working there and the Public Service Commission gave its approval for a temporary transfer.

The Island Secretary informed me that he had no objection and that the reply of the Public Service Commission was still being awaited.

Finally the Commission gave its approval for a temporary transfer to the Rodrigues Establishment for a period of one year.

As the Public Service Commission is a body which falls outside my jurisdiction I could not question its decision.

I requested the lady to inform me whether she was satisfied but she made no reply.

C/382/99

Anomaly in pension corrected

Upon his retirement from the public service on 26 April 1999 the complainant was awarded his gratuity and a monthly pension of Rs 2,912.50. However in June 1999 he received only Rs 2,454.75 and in July and August Rs 2,678.75 as pension.

He was sent from pillar to post by the various departments in Rodrigues. As he felt penalised and frustrated he sought my intervention.

I took up the matter with the Accountant General and after verification with the Rodrigues Administration and advice from the Pay Research Bureau the balance of pension (as revised) from 1 July 1999 to 31 July 2000 and gratuity amounting to Rs 4,480.10 due to complainant was paid to him. His monthly pension was also revised to Rs 3,302.50 with effect from August 2000.

Justice was thus done to the complainant who reckoned nearly 40 years service as watchman.

C/119/2000

Balance of passage benefits paid to complainant

L.F. informed me that he was a government pensioner, having retired from the service in 1999. He was paid his lump sum and other benefits except his passage benefits. He contacted the Rodrigues Administration but to no avail.

The official version was that L.F. had made use of his passage benefits to travel in 1997 and applied for the balance to meet expenses abroad. However, since payment was effected by the Accountant General's department the Rodrigues Administration had no record of the amount used by him. They requested the said information from the Accountant General who forwarded same one week after my intervention.

Finally it was found that an amount of Rs 32,944.90 being allowance in lieu of passages was due to the complainant.

Payment was effected fairly quickly.

C/132/2000

**Substantial amount due as responsibility allowance
paid to complainant**

E.D.'s claim was for payment of a responsibility allowance for driving a tractor of over 5 tons.

My inquiry revealed that he had been doing so since 1990 and my intervention led to approval being conveyed to the Public Infrastructure Division in Rodrigues for payment of responsibility allowance of an amount of Rs 33,472.50 for period 1 August 1990 to 30 June 1999.

E.D. confirmed having received that sum and added that *"This is the fruit of your hard work. I see that you have hardly (?) insisted in my favour and I have earned my due."*

So much the better for him.

C/221/2000

**Application by fisherman to purchase outboard motor
duty free approved**

On 27 March 2000 J.K.E., a fisherman of Rodrigues, applied to the Fisheries Department for duty-free facilities to purchase an outboard motor. He alleged that he left the said letter with a Fisheries Officer by the name of G. He was required to sign on seven forms.

Seeing nothing coming his way he again repaired to the office of G. on 24 July 2000 who told him that the letter had been transmitted to Mr. P., Officer-in-Charge of the Fisheries Department. A week later he went to Mr. P. but latter told him that he never received any such application. He therefore reported the matter to the Police and lodged a complaint before me.

The complainant badly needed the duty-free certificate in order to obtain a loan from the Development Bank.

G.'s version was that indeed the complainant came to his office to make the application but on being asked his identity and professional cards he could not produce them and stated that he would do so later on. He averred that the complainant signed only one form (6 copies needed) but for lack of necessary identification he destroyed the form in the presence of the complainant and requested him to bring along all necessary documents i.e. a statement of the make and capacity of the outboard motor, his identity card and a copy of his boat and professional fisherman card. In the circumstances he made no entry in the relevant book on that day. He further stated that the complainant came to see him again on 31 July 2000 and requested him "to do something for him" as he was going to mainland Mauritius. G. replied that he must follow the proper procedure.

In the circumstances J.K.E. was made to submit a fresh application form and same was transmitted to the appropriate Ministry for necessary action.

Finally, on 30 October 2000 the Ministry recommended remission of customs duty on the outboard motor.

I informed J.K.E. accordingly and requested him to liaise with the Senior Fisheries Protection Officer for the needful to be done.

I did not hear from him again.

SOCIAL SECURITY, NATIONAL SOLIDARITY & SENIOR CITIZEN WELFARE AND REFORM INSTITUTIONS

C/237/2000

Mistake corrected

The Secretary of a religious society informed me that they usually pay National Pension Contributions in respect of their priest at one go for a whole year. Unfortunately, on 21 July 2000, when payment was effected to the Cashier of the National Pension Fund for the year 2000/2001 the receipt issued showed that the payment was in respect of the year 1999/2000.

Upon being requested by letter to make the necessary amendment the Cashier refused to do so.

An inquiry with the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions revealed that indeed the payment had been misposted for period July 1999 to June 2000 instead of July 2000 to June 2001. The amount paid was therefore credited for the appropriate period.

The managing committee of the said society made it a point to thank us for our intervention.

WOMEN'S RIGHTS, CHILD DEVELOPMENT AND FAMILY WELFARE

C/215/2000

Application for leave without pay approved

Mrs. K.C., Organising Officer at the Ministry of Women's Rights, Child Development and Family Welfare had been selected by the Ministry of Economic Development, Productivity and Regional Development for the post of Social Facilitator for the Project Management Unit of the Poverty Alleviation Programme. She was offered employment on a contract basis for a period of 12 months as the Programme was hosted by the European Union.

On 4 July 2000 she applied for leave without pay from her own Ministry but same was refused because of the exigencies of the service.

When I queried her Ministry I was told that there were only 3 Organising Officers in post out of the 6 posts that existed then and it was difficult to run 14 Women and Family Centres throughout the island. This shortage of Organising Officers seriously disrupts the services provided and gives rise to strong protests from the public.

It would appear that there was no victimization in this case as the said complainant had in the past been sponsored and granted leave with full pay to follow a course for a Diploma in Social Work at the University of Mauritius (1996-1998) and she was again granted leave with full pay to follow a third year course leading to BSc. in Social Work in 1998/1999. Furthermore she was even granted leave for revision purposes on several occasions.

Following my intervention the Ministry decided to review its decision. The approval of the Ministry of Civil Service Affairs and Administrative Reform was sought and obtained for the grant to her of leave without pay for a period of one year and subject to certain usual conditions.

Complainant was informed accordingly on 19 October 2000. Asked whether she was satisfied she made no reply.

APPENDIX D

STATISTICAL SUMMARY OF COMPLAINTS

Ministries/Departments	Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Accountant General	2	-	1	-	-	-	4	7
Agriculture, Fisheries and Cooperatives	-	-	-	1	-	-	-	1
Agriculture, Food Techonology and Natural Resources	1	-	1	-	-	-	1	3
Arts and Culture	-	-	-	-	-	-	1	1
Civil Service Affairs and Administrative Reform	-	-	1	-	-	-	2	3
Civil Status Office	-	1	-	-	-	-	-	1
Commissioner of Income Tax	-	1	-	-	-	-	-	1
Comptroller of Customs	-	-	-	-	-	-	1	1
Economic Development, Productivity and Regional Development	1	-	-	-	-	-	-	1
Education and Human Resource Development	-	-	-	-	-	-	4	4
Education and Scientific Research	4	2	10	3	-	-	11	30
Environment and Quality of Life	-	-	-	1	-	-	-	1
Carried forward	8	4	13	5	-	-	24	54

Ministries/Departments	Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of complaints
Brought Forward	8	4	13	5	-	-	24	54
Environment, Human Resource Development and Employment	3	-	-	-	-	-	1	4
Environment and Urban and Rural Development	2	-	-	-	-	-	1	3
External Communications	-	-	-	1	-	-	1	2
Finance	2	1	-	1	-	-	1	5
Foreign Affairs and Regional Cooperation	-	-	-	-	-	-	2	2
Government Printing	-	-	-	1	-	-	-	1
Health	3	-	1	-	-	-	-	4
Health and Quality of Life	9	3	6	3	1	1	15	38
Housing, Lands and Town and Country Planning	-	-	1	-	-	-	-	1
Housing and Land Development	1	-	1	2	-	-	2	6
Housing and Lands	1	1	4	3	-	-	10	19
Human Resource Development & Reform Institutions	2	-	-	-	-	-	-	2
Judicial	-	-	-	-	-	-	2	2
Labour and Industrial Relations, Employment and Human Resource Development	-	-	1	1	-	-	2	4
Land Transport, Shipping and Public Safety	-	-	1	-	-	-	-	1
Land Transport, Shipping and Port Development	3	-	1	1	-	-	1	6
Carried Forward	34	9	29	18	1	1	62	154

Ministries/Departments	Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	34	9	29	18	1	1	62	154
Local Government	-	-	1	-	-	-	-	1
Local Government and Environment	1	-	-	-	-	-	-	1
Local Government and Urban and Rural Development	1	-	-	-	-	-	1	2
National Transport Authority	-	-	-	-	-	1	-	1
Police	13	1	30	5	-	3	8	60
Postmaster General	1	-	3	-	-	-	-	4
Prime Minister's Office (Civil Status Division)	-	-	1	-	-	-	-	1
Prime Minister's Office	-	-	-	-	-	-	1	1
Prisons	-	3	10	1	-	-	3	17
Public Infrastructure	1	-	2	2	-	-	5	10
Public Infrastructure, Land Transport and Shipping	-	-	-	-	-	-	5	5
Public Infrastructure and Public Safety	1	-	-	-	-	-	2	3
Public Utilities	3	-	1	-	-	-	3	7
Registrar of Associations	-	-	-	-	-	-	2	2
Registrar General	1	1	-	-	-	-	1	3
Rodrigues	69	41	51	19	1	-	238	419
Social Security and National Solidarity	2	-	-	2	-	-	1	5
Carried Forward	127	55	128	47	2	5	332	696

Ministries/Departments	Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought forward	127	55	128	47	2	5	332	696
Social Security, National Solidarity and Senior Citizens Welfare	1	1	3	-	-	-	1	6
Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions	1	-	1	1	-	-	-	3
Town and Country Planning Board	-	-	-	1	-	-	-	1
Trade and Shipping	-	-	1	-	-	-	-	1
Women's Rights, Child Development and Family Welfare	1	-	-	1	-	-	-	2
Youth and Sports	-	-	-	1	-	-	-	1
TOTAL	130	56	133	51	2	5	333	710

APPENDIX E

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
ACCOUNTANT GENERAL		
C/190/97	Complainant avers he is the holder of first prize Government lottery ticket. His claim for payment has been rejected.	Pending
C/39/99	Length of service not properly computed.	Pending
C/279/99	Retired officer not paid any pension four months after retirement from the service.	Rectified
C/282/99	Retired public officer not paid his retiring benefits after nearly one year.	Explained
C/12/2000	No reply to letter regarding anomaly in pension.	Pending
C/26/2000	Length of service not properly computed.	Rectified
C/94/2000	Request to refund Government by instalments turned down	Pending
AGRICULTURE, FISHERIES AND COOPERATIVES		
C/305/98	Proposal by Government to retrieve land leased to complainant unduly penalises the latter.	Discontinued
AGRICULTURE, FOOD TECHNOLOGY AND NATURAL RESOURCES		
C/222/99	Nuisance caused by bees belonging to complainant's neighbour who is a beekeeper.	Rectified
C/252/99	Application for land conversion permit wrongly rejected according to complainant.	Explained
C/434/99	Anomaly in salary.	Pending
ARTS AND CULTURE		
C/238/2000	Claim for allowance for management of project and taking charge of books not considered	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
CIVIL SERVICE AFFAIRS AND ADMINISTRATIVE REFORM		
C/415/99	Complainant avers that responsibility allowance paid to him is not enough.	Explained
C/145/2000	Proposed scheme of service contested by complainant as it causes him prejudice.	Pending
C/220/2000	Group of doctors allege that they are each entitled to a self-driven official car. Request made to authorities concerned but not entertained. Seek intervention of Ombudsman.	Pending
CIVIL STATUS OFFICE		
C/88/2000	Complainants "compelled" to perform duties outside their "Schedule of Duties".	Not justified
COMMISSIONER OF INCOME TAX		
C/341/99	Claim for declaration of "medical expenses" in income tax return.	Not justified
COMPTROLLER OF CUSTOMS		
C/227/2000	Goods not released by Customs on the ground that no import permit has been submitted.	Pending
ECONOMIC DEVELOPMENT, PRODUCTIVITY AND REGIONAL DEVELOPMENT		
C/307/99	Long delay in filling posts of Senior Economists	Rectified
EDUCATION AND HUMAN RESOURCE DEVELOPMENT		
C/135/98	Delay in dealing with application by complainant for the recognition and equivalence of his certificate in Computer Based Information Systems awarded by Mc. Gill University.	Pending
C/229/98	Complainant avers that he feels victimized by a parastatal body falling under the aegis of the Ministry.	Pending
C/319/98	Complainant not paid allowance for extra work since six months.	Pending
C/325/98	Complainant who is a pensioner of the Private Secondary Schools Authority has not received any increase in pension for financial year 1997-1998.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
EDUCATION AND SCIENTIFIC RESEARCH		
C/218/99	Injuries sustained by complainant whilst on duty. Compensation not yet paid to him.	Pending
C/287/99	Request for transfer not granted in spite of medical certificate submitted.	Rectified
C/367/99	Application for leave without pay not approved.	Explained
C/413/99	Unjustified transfer from one school to another.	Explained
C/6/2000	Complainant avers he is victim of punitive transfer	Not justified
C/7/2000	Request for transfer not considered.	Explained
C/15/2000	Application for pre-retirement leave rejected.	Explained
C/16/2000	Deputy Head Teacher complains about having to take charge of a class.	Rectified
C/32/2000	Refused leave without pay, etc.	Discontinued
C/34/2000	Non-registration of Hindi teachers and non-payment of allowances.	Explained
C/37/2000	Complainant's son not admitted to school of her choice whereas another boy ranking after the son is admitted to that school.	Rectified
C/46/2000	Application by complainant for equivalence of qualification turned down.	Explained
C/54/2000	Complainant's child not admitted to school of his catchment area whereas two other children of his do attend that very school.	Rectified
C/69/2000	Benefits due to retired officer not yet paid.	Pending
C/107/2000	Tamil language not taught at complainant's child's school. Requests for a transfer to another school.	Discontinued

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
EDUCATION AND SCIENTIFIC RESEARCH—<i>continued</i>		
C/123/2000	Application for registration of pre-primary school not yet finalised after eight months.	Pending
C/124/2000	Complainant avers that his daughter has been unduly rusticated from school.	Discontinued
C/127/2000	Application for leave rejected.	Explained
C/162/2000	Complainant requested to work in Rodrigues whilst her husband is working in Mauritius and her children are attending school in Mauritius.	Pending
C/164/2000	Complainant avers that she has been performing the duties of Assistant to Librarian but has now been "demoted" to labourer.	Explained
C/201/2000	Various applications made for a teaching position in a State Secondary School (Vocational) but in vain.	Explained
C/218/2000	Complainant avers that she is being victimized as she has been transferred from one school to another for the fourth time this year.	Pending
C/231/2000	Complainant not satisfied with decision of National Equivalence and Accreditation Council in respect of qualifications held by her.	Explained
C/233/2000	Request for transfer declined.	Pending
C/236/2000	Claim for allowance for performing extra duties.	Not justified
C/243/2000	Anomaly in complainant's salary.	Pending
C/247/2000	Letter reporting incident at school never reached Ministry.	Pending
C/248/2000	Complainant's daughter not allocated school of his choice.	Pending
C/269/2000	Application for incremental credit rejected.	Pending
C/276/2000	Anomaly in salary	Pending
C/283/2000	Complainant's son not allocated school of his choice.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
ENVIRONMENT AND QUALITY OF LIFE		
C/27/95	Nuisance caused by stagnant water. No action taken by Ministry despite Minister's visit and promise.	Discontinued
ENVIRONMENT, HUMAN RESOURCE DEVELOPMENT AND EMPLOYMENT		
C/27/99	Noise and dust nuisances caused by sugar factory.	Rectified
C/77/99	Defective sewerage system causing a lot of inconvenience to inhabitants of Cité Malherbes, Curepipe.	Rectified
C/175/99	Overflow of waste water represents health hazard.	Pending
C/298/99	Absence of effective sewerage system causing overflow. Health hazard.	Rectified
ENVIRONMENT AND URBAN AND RURAL DEVELOPMENT		
C/359/99	Construction of Waste Water treatment plant very close to neighbour's property.	Rectified
C/110/2000	Air pollution and noise nuisance posed by factory.	Pending
C/111/2000	Pollution caused by factories - bad smell and dust.	Rectified
EXTERNAL COMMUNICATIONS		
C/13/97	Complainant alleges that decision not to fill vacant post causes him prejudice.	Pending
C/411/99	Complainant claims she is victim of a discriminatory transfer.	Discontinued

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
FINANCE		
C/95/99	Claim for adjustment of pension benefits.	Pending
C/35/2000	Claim for remission of duty etc. on purchase of land.	Rectified
C/36/2000	Claim for remission of duty etc. on purchase of land.	Rectified
C/62/2000	Application for refund of additional land transfer tax rejected.	Discontinued
C/214/2000	Complainant not selected to work in Rodrigues and other islands.	Not justified
FOREIGN AFFAIRS AND REGIONAL COOPERATION		
C/254/2000	Responsibility allowance not paid to complainant.	Pending
C/287/2000	Readjustment of foreign service allowance not granted.	Pending
GOVERNMENT PRINTING		
C/281/99	Request for Roster System to be scrapped.	Discontinued
HEALTH		
C/184/96	Noise nuisance caused by adjoining bakery. No action by Ministry in spite of letters sent.	Explained
C/421/96	Nuisance caused by pig-breeding. Sanitary authorities contacted. No action taken.	Rectified
C/256/97	Odour nuisance due to poultry rearing. No action taken by authorities.	Rectified
C/357/97	Filthy stagnant water poses health and other problems to inhabitants of locality.	Rectified
HEALTH AND QUALITY OF LIFE		
C/49/98	Breeding of animals by complainant's neighbour is a source of nuisance to health.	Explained
C/111/98	No action following report of noise nuisance to various authorities.	Explained
C/248/98	Odour nuisance caused by poultry-rearing. No action taken by Sanitary Office.	Rectified
C/351/98	Application for setting up a pullet-rearing farm rejected for reasons unknown to complainant.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HEALTH AND QUALITY OF LIFE—<i>continued</i>		
C/431/98	Air and noise pollution caused by complainant's neighbour.	Pending
C/456/98	Noise caused by equipment in sawmill. No action taken in spite of earlier complaints to authorities.	Explained
C/29/99	Pollution caused by sugar factory.	Rectified
C/84/99	Smell nuisance caused by pigsty.	Pending
C/111/99	Complainant's neighbour operating workshop without permit.	Discontinued
C/221/99	Complainant avers that his company is being "boycotted" in respect of invitation for the supply of pharmaceutical products to Ministry.	Discontinued
C/296/99	Request for report on death of complainant's daughter made more than three years ago. No reply yet.	Rectified
C/403/99	Complaint against service provided at hospital.	Explained
C/410/99	Complainant does not agree with the finding of the Injuries Committee in respect of his permanent incapacity.	Pending
C/432/99	Complainant's child admitted in hospital not attended to by specialist.	Discontinued
C/9/2000	Complainant, a vegetable seller, avers he is being continuously harassed by Senior Health Inspector.	Not justified
C/53/2000	No reply to application for permission to dispense ayurvedic medicine.	Rectified
C/68/2000	Nuisances (noise and smell) caused by complainant's neighbour's furniture workshop.	Rectified
C/75/2000	Complainant, a Nursing Officer, claims she is the victim of an unjust transfer from one hospital to another.	Not entertained
C/104/2000	Illegal operation of workshop causing nuisance.	Rectified
C/122/2000	Specialist doctor interdicted six months ago. Enquiry completed after some three months. Doctor not yet reinstated.	Rectified
C/129/2000	Posting in Rodrigues will cause complainant prejudice.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HEALTH AND QUALITY OF LIFE—continued		
C/148/2000	Request for refund from the Trust Fund for Treatment Overseas in respect of medical expenses incurred abroad rejected.	Pending
C/173/2000	Complainant avers she has been victimised regarding leave due to her.	Not justified
C/176/2000	Noise nuisance caused by printing machines operating illegally. Complainant avers that no action has been taken by the authorities concerned.	Pending
C/179/2000	Owner of guest house complains that frequent visits by health officers constitute harassment.	Not justified
C/183/2000	Complainant avers that he has been unjustly interdicted. Requests that he be reinstated as soon as possible to avoid further financial hardship and health problems.	Rectified
C/190/2000	Application for leave without pay turned down.	Explained
C/204/2000	Complainant avers that he is being victimised inasmuch as he is called upon to do certain duties which other officers refuse to do.	Not investigated
C/205/2000	Noise pollution caused by bakery next to complainant's house. No action taken by authorities concerned.	Pending
C/208/2000	Acting allowance etc. not paid to complainant.	Pending
C/225/2000	Factory and dormitory for foreign workers next to complainant's house. Problems of noise, air pollution etc. No action by authorities concerned.	Pending
C/230/2000	Factory and dormitory for foreign workers near complainant's house. No action taken by authorities concerned in spite of complainant's objection.	Pending
C/249/2000	Noise caused by clinic adjacent to complainant's house.	Pending
C/251/2000	Application for leave remains without reply.	Pending
C/256/2000	Post mortem report not sent to complainant whose husband passed away.	Pending
C/281/2000	Request to consider period of absence as study leave without pay.	Pending
C/286/2000	Smoke and odour nuisances harmful to health and environment.	Pending
C/288/2000	Arrears not paid to complainant.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HOUSING, LANDS AND TOWN AND COUNTRY PLANNING		
C/11/96	Complainant has been a squatter on State land for 20 years. Has now been required by the authorities to vacate. Claims that his case should be reconsidered on grounds of hardship.	Explained
HOUSING AND LAND DEVELOPMENT		
C/166/97	Encroachment on public road by private individual. Inconvenience caused to inhabitants. No action taken by authorities concerned.	Explained
C/197/97	Application for lease of State land approved since a year. Deed not drawn up yet.	Discontinued
C/213/97	Access to State land leased to complainant hindered by neighbours. Matter reported to Ministry but no action taken.	Discontinued
C/321/97	Application for lease of State land turned down. Complainant avers that his is a hardship case.	Pending
C/313/98	Application for a plot of State land to build a house not considered.	Rectified
C/363/98	Rent offered by complainant in respect of lease of State land turned down by Ministry after more than 10 years.	Pending
HOUSING AND LANDS		
C/398/98	No title deed given to complainant in respect of State land leased to him and which he is occupying.	Discontinued
C/438/98	Report of encroachment onto complainant's land by neighbour not acted upon by Ministry.	Rectified
C/457/98	Association of cooperative societies fears that State land allocated to them may be reduced.	Pending
C/133/99	Complainant has been waiting for six years for a lease of a portion of State land.	Pending
C/202/99	Sanitation problems at Richelieu.	Pending
C/40/2000	Wrong calculation of leave to which complainant is entitled.	Not justified
C/58/2000	Complainant required to refund whole amount of five-year bond he subscribed in favour of Government although he served for more than four years.	Pending

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HOUSING AND LANDS—<i>continued</i>		
C/67/2000	No reply to application for authorisation to subdivide land made more than a year ago.	Pending
C/73/2000	Government resumes possession of land leased to complainants without compensation etc.	Pending
C/93/2000	Application for lease of State land rejected. Hardship case.	Explained
C/125/2000	Application to build a shelter for complainant's family on State land occupied by complainant and his family for over 50 years not yet granted.	Explained
C/142/2000	Application for sub-division of land made since three years. No reply yet.	Pending
C/143/2000	Request for residential zoning certificate: error made by Ministry causes delay.	Discontinued
C/144/2000	Memorandum of survey not handed over to complainant.	Discontinued
C/188/2000	No reply to application for State land.	Explained
C/189/2000	Application for temporary permit to remove sand made a year ago. No reply from Ministry.	Explained
C/199/2000	No reply to application for State land.	Pending
C/209/2000	Delay in processing complainant's papers thus hampering his application for a loan.	Pending
C/279/2000	Complainant has been waiting for eight years for the survey of his plot of land for which he has already paid.	Pending
HUMAN RESOURCE DEVELOPMENT AND REFORM INSTITUTIONS		
C/170/97	Complainant has registered with Employment Office for 16 years. Never offered employment.	Rectified
C/215/97	Complainant has registered for a job since 18 years but has so far not been employed.	Rectified
JUDICIAL		
C/246/2000	Complainant's gun stolen. Deponed in court to identify same. Case over five years ago. Gun not returned to complainant yet.	Pending
C/277/2000	Money deposited as security by complainant not yet returned to him.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
LABOUR AND INDUSTRIAL RELATIONS, EMPLOYMENT AND HUMAN RESOURCE DEVELOPMENT		
C/25/2000	Complainant has been registering for a job with the employment division of the Ministry since 17 years. Still not offered a job.	Explained
C/47/2000	No action taken by Labour Office in respect of declaration of unjustified dismissal made by complainant.	Discontinued
C/70/2000	Complainant has been registering for a job since 1980. Not secured a job yet.	Pending
C/137/2000	Complainant has been regularly registering for a job for the last 22 years. Still no positive reply.	Pending
LAND TRANSPORT, SHIPPING AND PUBLIC SAFETY		
C/93/98	Application for school bus permits not considered since three years.	Explained
LAND TRANSPORT, SHIPPING AND PORT DEVELOPMENT		
C/239/99	Shed used as a selling point for fruits and vegetables represents danger to road users.	Discontinued
C/430/99	Application for transfer of public service vehicle licence not considered by National Transport Authority.	Pending
C/56/2000	Complainant's taxi car has been found to be able to carry only three passengers at the rear whilst according to him it should be four passengers.	Rectified
C/92/2000	Application for a change in posting turned down.	Explained
C/126/2000	Request for additional trips to be added to P.S.V. Licence (Contract bus) not entertained.	Rectified
C/165/2000	Application for transfer of Public Service Vehicle (Taxi) Licence not entertained after seven months.	Rectified
LOCAL GOVERNMENT		
C/448/96	Uniforms not supplied to thirty-three workers entitled to same since more than two years.	Explained
LOCAL GOVERNMENT AND ENVIRONMENT		
C/270/97	Road flooded and rendered impracticable. No action taken by authorities.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
LOCAL GOVERNMENT AND URBAN AND RURAL DEVELOPMENT		
C/371/98	Odour nuisance emanating from waste land where all sorts of rubbish are dumped. No action taken by authorities concerned.	Rectified
C/32/99	Complainant wishes to be paid the same retirement benefits as public officers who have acted in superior posts for more than three years.	Pending
NATIONAL TRANSPORT AUTHORITY		
C/10/2000	Incorrect bus fares charged.	Not investigated
POLICE		
C/105/94	Complainant's passport seized and not returned to him.	Rectified
C/88/97	Complainant seeks compensation for having been deprived of a chance of promotion.	Explained
C/312/98	No action taken by appropriate authorities in respect of operation of illegal workshop by complainant's neighbour.	Rectified
C/328/98	Complainant avers that no action has been taken following declaration made by him against owner of huge container installed close to complainant's wall illegally.	Rectified
C/367/98	Complainant not satisfied with the way the Police have been handling cases reported by him.	Explained
C/26/99	Declaration by complainant against owner of garment factory operating in residential area. No action taken against owner.	Rectified
C/33/99	No action by Police following complaints made against Principal Customs Officer.	Explained
C/60/99	Ill treatment of complainant by Prison Officers.	Explained
C/101/99	No appropriate action taken by Police regarding case of provocation and harassment by complainant's neighbours.	Discontinued
C/102/99	Complainant avers he is being harassed by postman.	Explained
C/107/99	Complainant not satisfied with police action taken following declarations made by him.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>POLICE — continued</i>		
C/108/99	No action taken by Police following declaration made against licensee who operates his premises till late at night etc.	Pending
C/137/99	Noise nuisance emanating from complainant's neighbour's illegal workshop.	Pending
C/248/99	Objection to complainant's departure since three years still not waived although there is no case against complainant.	Rectified
C/295/99	Complainant seeks return of his car seized by the Police more than a year ago.	Explained
C/300/99	Complainant has reported a case of issuing cheque without provision to the Police. No action by the Police after nearly 1½ years.	Discontinued
C/308/99	No follow up action regarding declaration of fraud.	Discontinued
C/365/99	Number of complaints made regarding noise nuisance caused by guest house. No action by the Police.	Explained
C/366/99	Complainant not satisfied with action taken by the Police in a case of poisoning of cattle.	Explained
C/392/99	Complainant kept in custody for a case of alleged swindling since more than two years.	Explained
C/397/99	Not satisfied with treatment meted out to her by the Police.	Explained
C/408/99	No action taken by the Police in case of fraud in connection with the sale of a plot of land reported more than three years ago.	Explained
C/416/99	No police action following report made by complainant.	Rectified
C/429/99	Complainant's request to police for details concerning declaration made by him not acceded to, etc.	Discontinued
C/433/99	Off licence premises causing a lot of inconvenience to complainants because people are allowed to consume liquor on the premises. No action taken by the Police.	Rectified
C/437/99	Complainant not satisfied with attitude of Police towards him.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>POLICE — continued</i>		
C/438/99	No action taken more than nine months after declaration made.	Explained
C/3/2000	No reply to application for learner's licence in respect of taxi car made some nine months ago.	Rectified
C/5/2000	Not satisfied with police action in burglary case.	Explained
C/43/2000	Complainant wishes to give another statement to the Police as his first statement is not correct.	Not investigated
C/45/2000	Noise pollution caused by workshop. No action taken by authorities concerned.	Explained
C/48/2000	Complainant wishes to know outcome of declaration of framed-up case of soliciting bribe made against him more than 18 months ago.	Explained
C/50/2000	No action taken following declaration made by complainant.	Explained
C/59/2000	No follow up in case of a declaration of damaging property made by complainant.	Explained
C/61/2000	No action taken in respect of two declarations made to the Police by complainant.	Pending
C/63/2000	Complainant not made aware of outcome in respect of declaration made to Police.	Explained
C/71/2000	Case of alleged poisoning of complainant's dog. Complainant not made aware of the outcome of the Police inquiry.	Explained
C/72/2000	Complainant's motorcycle seized by Police during search whilst complainant was abroad.	Rectified
C/84/2000	Complainant not satisfied with Police action taken in a case of assault etc. upon his wife and daughters.	Explained
C/90/2000	Complainant not made aware of outcome of inquiry into road accident case in which he was involved, despite several requests.	Explained
C/108/2000	Complainant avers that the Police fails to take any action in connection with several criminal activities in her neighbourhood.	Not justified
C/128/2000	No follow up regarding declarations made to Police.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>POLICE — continued</i>		
C/146/2000	Complainant avers that gymnasium opposite his house will be a source of nuisance to him and his family.	Discontinued
C/147/2000	Personal belongings of complainant secured by Police after he had collapsed in court not returned to him.	Rectified
C/166/2000	No action by Police following declaration made by complainant.	Explained
C/168/2000	No statement recorded from witness in fatal road accident case which occurred some eight months ago.	Rectified
C/169/2000	Request by Counsel to Commissioner of Police for the release of client's goods seized nearly two years ago - no reply in spite of numerous letters.	Explained
C/170/2000	Police delay in lodging case against complainant's client.	Rectified
C/175/2000	No reply received by complainant to correspondence addressed to the Police of Piton and the Passport and Immigration Office.	Rectified
C/185/2000	No follow up action by Police after declarations made by complainant.	Explained
C/187/2000	No statement recorded by the Police from complainant's client following accident which occurred more than six months ago.	Explained
C/197/2000	No action taken in a case of theft reported by complainant.	Pending
C/202/2000	No action by Police in respect of declarations made by complainant against his ex-wife.	Pending
C/206/2000	No action taken by Police in respect of incident which occurred nearly a year ago.	Pending
C/212/2000	Complainant interdicted following charges against him. Charges dropped. Not yet re-instated.	Pending
C/213/2000	Complainant who received her engagement letter as woman constable not accepted for training as she was pregnant.	Explained
C/219/2000	No progress in a case reported by complainant.	Not investigated
C/226/2000	No progress in a case of theft reported to the Police	Not investigated

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
POLICE — <i>continued</i>		
C/241/2000	Complainant arrested for murder. Detained since five months and requests that the Preliminary Enquiry be speeded up.	Explained
C/244/2000	Claim for return of money seized from complainant at the time of his arrest. Case against him heard and determined.	Explained
POST MASTER GENERAL		
C/309/99	Parcels sent by complainant to his daughter in London not delivered and returned to Mauritius. Complainant avers there has been negligence and mishandling.	Explained
C/436/99	Mail delayed by post office causes complainant to lose his job.	Explained
C/109/2000	Salary for month of December 1999 not paid.	Rectified
C/161/2000	Complainant avers unjust transfer from General Post Office to Quatre Bornes Post Office. Suffers from disc problem and the transfer will considerably affect his health.	Explained
PRIME MINISTER'S OFFICE (CIVIL STATUS DIVISION)		
C/83/99	Representations by Office Attendants who are allegedly made to perform duties not in accordance with their scheme of service.	Explained
PRIME MINISTER'S OFFICE		
C/252/2000	Certificate of registration as citizen of complainant's daughter taken away from complainant and never returned.	Pending
PRISONS		
C/317/99	Confusion regarding sentence left to be served by detainee.	Explained
C/330/99	Loan to purchase motorcycle to attend duty rejected.	Explained
C/332/99	Casual leave and sick leave wrongly calculated.	Pending
C/333/99	Public holiday allowance not paid to Prison Officers.	Pending
C/393/99	Detainee injured at work. Seeks financial compensation.	Explained
C/435/99	Permission to write to Ministers refused to detainee.	Not justified
C/14/2000	Not satisfied with medical treatment etc.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>PRISONS — continued</i>		
C/22/2000	Complainant avers that he is assaulted and ill-treated by Prison Officers etc.	Not justified
C/38/2000	Not satisfied with medical treatment.	Explained
C/49/2000	Remand detainee's mother ill-treated by officer on duty. etc.	Explained
C/74/2000	Detainee alleges that he was beaten up by Prison Officers.	Discontinued
C/86/2000	On remand since 6 months on murder charge. Request for case to be expedited.	Explained
C/98/2000	Detainee not satisfied with treatment he gets from Prison doctor.	Pending
C/105/2000	Detainee suffers from bad smell emanating from chamber pots during the night, etc.	Explained
C/177/2000	Detainee wants to have long-sleeved cardigan during winter season.	Explained
C/198/2000	Detainee's claim to have milk on account of the amount of pills he has to take as medication for epilepsy turned down.	Explained
C/200/2000	Detainee avers that he has overstayed at Phoenix Prison and requests to be transferred to Beau Bassin Prison where the rules are less harsh.	Not justified
<i>PUBLIC INFRASTRUCTURE</i>		
C/172/93	Construction of road by Government has rendered part of complainant's land inaccessible, etc.	Discontinued
C/281/96	Drains causing flooding of complainants' properties and houses. No action by concerned authorities.	Pending
C/180/98	No reply to complainant's letters informing the authorities that his neighbour has illegally put up a building.	Explained
C/4/2000	No action taken by authorities concerned regarding complainant's objection to building put up by neighbour without permit.	Rectified
C/8/2000	Building without permit by complainant's neighbour on boundary line. No action taken by Ministry in spite of complaint made.	Discontinued

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
PUBLIC INFRASTRUCTURE — <i>continued</i>		
C/30/2000	Sewerage overflow. No action taken by authorities concerned.	Pending
C/89/2000	Complainant's neighbour putting up construction not respecting distance from boundary line.	Pending
C/160/2000	Offending building put up by complainant's neighbour. No action taken by authorities concerned.	Pending
C/186/2000	No action taken by Ministry following reports made by complainant about illegal construction put up by neighbour.	Explained
C/224/2000	Complainant's neighbour putting up a building without leaving statutory distance. Requested by Ministry to submit memorandum of survey for action to be taken. Pleads hardship.	Pending
PUBLIC INFRASTRUCTURE, LAND TRANSPORT AND SHIPPING		
C/250/2000	Boundary wall causing inconvenience to inhabitants in the neighbourhood.	Pending
C/270/2000	Non-payment of ad hoc allowance.	Pending
C/271/2000	Complainant's neighbour putting up offending building.	Pending
C/278/2000	Complainant's neighbour putting up illegal construction. No action taken by relevant authorities.	Pending
C/280/2000	Offending building put up by complainant's neighbour.	Pending
PUBLIC INFRASTRUCTURE AND PUBLIC SAFETY		
C/210/99	Flooding risk.	Pending
C/211/99	Building which represents danger to passers-by.	Rectified
C/216/99	Access road to complainant's house blocked. No action by authorities concerned.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
PUBLIC UTILITIES		
C/254/97	Waste water nuisance causes a lot of inconvenience to inhabitants of a "cité".	Explained
C/299/97	Problems arising out of state of road and irregular supply of water etc. No action taken by authorities concerned.	Pending
C/404/98	Public employees undertaking private work to the detriment of complainant.	Pending
C/27/2000	Sewerage overflow.	Rectified
C/39/2000	Nuisance caused by waste water.	Rectified
C/211/2000	Refusal by Water Resources Unit to communicate location of boreholes considered as unjust and manifestly unreasonable by complainant.	Rectified
C/253/2000	Anomaly in salary.	Pending
REGISTRAR OF ASSOCIATIONS		
C/191/2000	Refusal by Registrar to register association.	Pending
C/229/2000	Complainant contests election of Secretary of Union. Registrar has so far failed to take a decision in the matter.	Pending
REGISTRAR GENERAL		
C/65/99	Claim for reduction of registration dues upon purchase of residential "campement" wrongly refused according to complainant.	Rectified
C/91/2000	Complainant contests the assessment of land sold by him. Avers that claim for additional tax is unjustified.	Not justified
C/210/2000	Additional registration duty wrongly claimed according to complainant.	Pending
RODRIGUES		
C/113/95	Application for transfer of State land not considered by the administration.	Pending
C/116/95	No reply to application for lease of State land.	Pending
C/120/95	Application for transfer of lease of State land made by complainant. No reply since more than 6 years.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/124/95	Complainant who is a lessee of State land is seeking a modification of one condition of the lease. No reply yet.	Pending
C/43/96	Application to amend lease of State land not yet considered.	Pending
C/135/96	Length of service not properly computed.	Pending
C/250/96	Length of service not properly computed.	Pending
C/274/96	Complainant's deceased husband has been a public officer for 18 years. She has received no lump sum nor any pension upon his death.	Pending
C/330/96	Length of service not properly computed.	Pending
C/333/96	Complainant is the widow of ex public officer. Pension payable to husband stopped after latter's death.	Pending
C/357/96	Length of service not properly computed.	Discontinued
C/379/96	Length of service not properly computed.	Pending
C/384/96	Has applied for a plot of State land to carry on a business since 1991. No reply so far.	Pending
C/459/96	Length of service not properly computed.	Pending
C/462/96	Length of service not properly computed.	Rectified
C/463/96	Length of service not properly computed.	Pending
C/3/97	Length of service not properly computed.	Rectified
C/6/97	Length of service not properly computed.	Pending
C/77/97	Length of service not properly computed.	Not justified
C/78/97	Length of service not properly computed.	Pending
C/82/97	No compensation received after 13 years of service.	Not justified
C/97/97	Length of service not properly computed.	Pending
C/155/97	Length of service not properly computed.	Rectified
C/185/97	Length of service not properly computed.	Rectified
C/235/97	Length of service not properly computed.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/240/97	Complainant claims death benefits of deceased father, ex public officer.	Explained
C/241/97	No gratuity paid to complainant, widow of ex-public officer who has passed away.	Pending
C/246/97	Length of service not properly computed.	Pending
C/263/97	No decision taken concerning application for State land by complainant.	Pending
C/287/97	Length of service not properly computed.	Pending
C/290/97	Length of service not properly computed.	Pending
C/294/97	Complainant received no lump sum or pension upon his retirement from the public service.	Pending
C/308/97	Length of service not properly computed.	Rectified
C/338/97	Length of service not properly computed.	Rectified
C/374/97	Length of service not properly computed	Pending
C/388/97	Length of service not properly computed.	Explained
C/401/97	Length of service not properly computed.	Rectified
C/402/97	Length of service not properly computed.	Pending
C/412/97	Land to be excised from leased portion of State land not yet measured.	Discontinued
C/423/97	Length of service not properly computed.	Pending
C/438/97	Length of service not properly computed.	Pending
C/459/97	Length of service not properly computed.	Rectified
C/1/98	Length of service not properly computed.	Rectified
C/13/98	Length of service not properly computed.	Rectified
C/22/98	Length of service not properly computed.	Rectified
C/24/98	Length of service not properly computed.	Rectified
C/32/98	Length of service not properly computed.	Pending
C/61/98	Complainant's husband, an ex-police officer, passed away more than three years ago. No gratuity yet paid to his heirs.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/71/98	Length of service not properly computed.	Pending
C/74/98	Length of service not properly computed.	Pending
C/83/98	Length of service not properly computed.	Pending
C/88/98	Length of service not properly computed.	Pending
C/96/98	Length of service not properly computed.	Pending
C/97/98	Length of service not properly computed.	Pending
C/108/98	Length of service not properly computed.	Pending
C/113/98	Length of service not properly computed.	Pending
C/115/98	Length of service not properly computed.	Pending
C/127/98	Length of service not properly computed.	Pending
C/138/98	Length of service not properly computed.	Rectified
C/143/98	Length of service not properly computed.	Pending
C/151/98	Length of service not properly computed.	Pending
C/161/98	Length of service not properly computed.	Pending
C/166/98	Length of service not properly computed.	Pending
C/167/98	Length of service not properly computed.	Pending
C/174/98	Length of service not properly computed.	Pending
C/177/98	Length of service not properly computed.	Pending
C/187/98	Length of service not properly computed.	Rectified
C/195/98	Length of service not properly computed.	Rectified
C/201/98	Application for a portion of State land not considered since three years.	Pending
C/203/98	Length of service not properly computed.	Rectified
C/218/98	Mileage credit not paid to retired public officer.	Rectified
C/221/98	Length of service not properly computed.	Rectified
C/224/98	Length of service not properly computed.	Explained
C/226/98	Application for plot of State land for residential purposes not attended to.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/232/98	Length of service not properly computed.	Rectified
C/235/98	Length of service not properly computed.	Pending
C/250/98	Length of service not properly computed.	Pending
C/252/98	Length of service not properly computed.	Pending
C/253/98	Length of service not properly computed.	Pending
C/255/98	Length of service not properly computed.	Pending
C/256/98	Length of service not properly computed.	Pending
C/260/98	Length of service not properly computed.	Rectified
C/265/98	Length of service not properly computed.	Explained
C/267/98	Length of service not properly computed.	Pending
C/275/98	Length of service not properly computed.	Pending
C/276/98	Claim for allowance for working extra hours.	Rectified
C/277/98	Length of service not properly computed.	Rectified
C/279/98	Length of service not properly computed.	Rectified
C/286/98	Length of service not properly computed.	Pending
C/291/98	Length of service not properly computed.	Rectified
C/293/98	Length of service not properly computed.	Pending
C/302/98	Length of service not properly computed.	Rectified
C/303/98	Length of service not properly computed.	Rectified
C/306/98	Length of service not properly computed.	Pending
C/309/98	Length of service not properly computed.	Rectified
C/315/98	Length of service not properly computed.	Discontinued
C/317/98	Length of service not properly computed.	Pending
C/322/98	Length of service not properly computed.	Pending
C/326/98	Length of service not properly computed.	Pending
C/337/98	Length of service not properly computed.	Pending
C/339/98	Length of service not properly computed.	Pending

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/348/98	Length of service not properly computed.	Pending
C/349/98	Length of service not properly computed.	Rectified
C/350/98	Length of service not properly computed.	Pending
C/352/98	Length of service not properly computed.	Rectified
C/355/98	Length of service not properly computed.	Pending
C/357/98	Length of service not properly computed.	Pending
C/358/98	Length of service not properly computed.	Pending
C/360/98	Length of service not properly computed.	Pending
C/361/98	Application for State land not considered.	Pending
C/362/98	Length of service not properly computed.	Pending
C/369/98	Length of service not properly computed.	Rectified
C/375/98	Length of service not properly computed.	Rectified
C/376/98	Length of service not properly computed.	Pending
C/377/98	Length of service not properly computed.	Pending
C/378/98	Length of service not properly computed.	Rectified
C/379/98	Length of service not properly computed.	Pending
C/386/98	Length of service not properly computed.	Pending
C/392/98	Length of service not properly computed.	Pending
C/394/98	Length of service not properly computed.	Pending
C/410/98	Widow claims that benefits paid to her in respect of deceased husband's service are not adequate.	Pending
C/412/98	Injured public officer unable to do driver's job but requests that he be given some other job compatible with his salary.	Discontinued
C/415/98	Application for lease of State land not granted.	Pending
C/419/98	Length of service not properly computed.	Pending
C/422/98	Length of service not properly computed.	Pending
C/423/98	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/425/98	Complainant not paid allowance for performing higher duties.	Pending
C/433/98	Length of service not properly computed.	Rectified
C/434/98	Length of service not properly computed.	Pending
C/442/98	Length of service not properly computed.	Pending
C/444/98	No lump sum or other retiring benefits paid to retired public officer.	Pending
C/15/99	Length of service not properly computed.	Pending
C/21/99	Length of service not properly computed.	Pending
C/23/99	Length of service not properly computed.	Pending
C/24/99	Compensation for surrendering his fisherman card not paid to complainant.	Rectified
C/28/99	Length of service not properly computed.	Rectified
C/31/99	Length of service not properly computed.	Rectified
C/46/99	Length of service not properly computed.	Pending
C/49/99	Nuisance caused by slaughterhouse to inhabitants in its vicinity.	Explained
C/62/99	Length of service not properly computed.	Pending
C/63/99	Length of service not properly computed.	Pending
C/66/99	Length of service not properly computed.	Pending
C/69/99	Length of service not properly computed.	Pending
C/71/99	Length of service not properly computed.	Not justified
C/74/99	Length of service not properly computed.	Pending
C/76/99	Length of service not properly computed.	Not justified
C/87/99	Awaiting payment of revised retiring benefits in respect of deceased husband, ex-public officer.	Explained
C/88/99	Length of service not properly computed.	Pending
C/92/99	Length of service not properly computed.	Pending
C/94/99	Length of service not properly computed.	Discontinued

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/106/99	Application for lease of State land not yet finalised after ten years.	Explained
C/112/99	Request by complainant to be allowed to continue working in Rodrigues, although she is on the Mauritius Establishment, as her husband is working in Rodrigues.	Rectified
C/113/99	Complainant's grand-daughter's pension stopped.	Rectified
C/114/99	No reply to application for development permit to operate bakery since more than two months.	Pending
C/115/99	Complainants' professional fisherman cards not renewed.	Rectified
C/116/99	Lease agreement in favour of complainant not yet drawn up despite the fact that he is paying rental since three years.	Pending
C/120/99	Complainant claims that a sum of Rs 23517 representing overtime is still due to him.	Pending
C/121/99	No reply to application for lease of State land for residential purposes since 7 years.	Explained
C/122/99	No reply to application for lease of State land for commercial purposes since 5 years.	Pending
C/123/99	Complainant not satisfied with medical tests performed on her.	Explained
C/124/99	Length of service not properly computed.	Pending
C/125/99	Length of service not properly computed.	Pending
C/126/99	Length of service not properly computed.	Explained
C/127/99	Length of service not properly computed.	Pending
C/129/99	No allowance paid for performing higher duties.	Rectified
C/130/99	Length of service not properly computed.	Pending
C/131/99	Length of service not properly computed.	Pending
C/132/99	Length of service not properly computed.	Pending
C/136/99	Responsibility allowance not paid to complainant.	Discontinued
C/142/99	Length of service not properly computed.	Pending
C/143/99	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/146/99	Length of service not properly computed.	Pending
C/151/99	Length of service not properly computed.	Pending
C/154/99	Length of service not properly computed.	Pending
C/155/99	Length of service not properly computed.	Pending
C/157/99	Responsibility allowance for driving tractors not paid to complainant.	Explained
C/158/99	No reply to application for lease of State land since 1990.	Rectified
C/163/99	Length of service not properly computed.	Pending
C/164/99	Length of service not properly computed.	Pending
C/171/99	Length of service not properly computed.	Pending
C/172/99	Length of service not properly computed.	Pending
C/173/99	Length of service not properly computed.	Pending
C/177/99	Length of service not properly computed.	Pending
C/180/99	Responsibility allowance not paid to complainant during last four years.	Rectified
C/183/99	No decision taken on application for State land for residential purposes made five years ago.	Pending
C/185/99	Length of service not properly computed.	Discontinued
C/186/99	Length of service not properly computed.	Pending
C/187/99	Application for lease of State land not yet finalised. Nearly six years have gone by.	Pending
C/188/99	Length of service not properly computed.	Pending
C/189/99	Length of service not properly computed.	Pending
C/190/99	Length of service not properly computed.	Rectified
C/192/99	Length of service not properly computed.	Pending
C/193/99	Written lease not provided to lessee of State land since two years.	Rectified
C/194/99	Length of service not properly computed.	Pending

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/195/99	Length of service not properly computed.	Pending
C/196/99	Length of service not properly computed.	Pending
C/201/99	Complainant avers that there is an anomaly in his salary.	Not justified
C/206/99	Length of service not properly computed.	Pending
C/214/99	Complainant has not received any widow's allowance since death of husband.	Rectified
C/223/99	Length of service not properly computed.	Pending
C/225/99	Length of service not properly computed.	Pending
C/227/99	Length of service not properly computed.	Pending
C/231/99	Length of service not properly computed.	Discontinued
C/237/99	Complainant avers his salary is not adequate.	Rectified
C/240/99	Length of service not properly computed.	Explained
C/241/99	Length of service not properly computed.	Pending
C/246/99	Length of service not properly computed.	Pending
C/249/99	Length of service not properly computed.	Pending
C/255/99	Length of service not properly computed.	Pending
C/256/99	Length of service not properly computed.	Explained
C/258/99	Length of service not properly computed.	Pending
C/260/99	Length of service not properly computed.	Pending
C/261/99	Length of service not properly computed.	Rectified
C/269/99	Length of service not properly computed.	Pending
C/270/99	Length of service not properly computed.	Pending
C/275/99	Length of service not properly computed.	Pending
C/277/99	Passage benefits not paid to retired public officer.	Not justified
C/280/99	Complainant not paid sick leave allowance due to her since 1998.	Rectified
C/289/99	Length of service not properly computed.	Pending
C/290/99	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/291/99	Length of service not properly computed.	Pending
C/304/99	No pension paid to widow of deceased public officer.	Pending
C/310/99	Length of service not properly computed.	Pending
C/312/99	Complainant has been replacing another officer for five years. No appointment made.	Pending
C/314/99	Request for monthly allowance to be increased etc.	Explained
C/315/99	Length of service not properly computed.	Pending
C/316/99	Length of service not properly computed.	Discontinued
C/318/99	Length of service not properly computed.	Rectified
C/319/99	Length of service not properly computed.	Explained
C/320/99	Anomaly in pension.	Rectified
C/321/99	Length of service not properly computed.	Pending
C/322/99	Length of service not properly computed.	Pending
C/323/99	Complainant not compensated for performing higher duties.	Pending
C/325/99	Arrears as per PRB Report 1998 not yet paid to complainant.	Rectified
C/326/99	No allowance paid to complainant for performing higher duties.	Discontinued
C/327/99	Pension stopped.	Explained
C/329/99	No allowance paid to complainant for performing higher duties.	Rectified
C/334/99	Only one increment paid to complainants instead of three.	Explained
C/335/99	Increment not paid to complainant.	Not justified
C/336/99	Length of service not properly computed.	Rectified
C/337/99	Length of service not properly computed.	Pending
C/340/99	No lump sum paid to widow and other heirs of ex public officer who passed away a year ago.	Rectified
C/342/99	Length of service not properly computed.	Explained

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/343/99	Application for incremental credits not yet considered.	Rectified
C/344/99	Overtime not paid to complainant who performed additional duties.	Rectified
C/345/99	Length of service not properly computed.	Pending
C/346/99	Anomaly in salary.	Rectified
C/347/99	Length of service not properly computed.	Explained
C/348/99	Anomaly in salary.	Explained
C/349/99	Length of service not properly computed.	Pending
C/350/99	Unpaid allowance.	Pending
C/351/99	Passage benefits not paid to complainant's deceased husband.	Not justified
C/352/99	Length of service not properly computed.	Pending
C/355/99	Application for plot of State land for agricultural purposes not granted.	Pending
C/356/99	Application for lease of State land for residential purposes not granted after five years.	Pending
C/358/99	Length of service not properly computed.	Explained
C/361/99	Error in sum due to complainant towards passage benefits.	Explained
C/362/99	Length of service not properly computed.	Pending
C/363/99	Length of service not properly computed.	Pending
C/364/99	Responsibility of closing office door entrusted to another officer whose scheme of service does not so provide.	Explained
C/369/99	Shortage of staff at Port Mathurin Fire Station.	Explained
C/370/99	Anomaly in salary.	Rectified
C/371/99	Length of service not properly computed.	Pending
C/372/99	Length of service not properly computed.	Pending
C/377/99	Complainant has been working on Public holidays without any allowance being paid or time off granted.	Pending
C/379/99	No reply to application for residential lease.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/380/99	No lump sum or pension paid to ex-public officer who retired some 22 years ago.	Pending
C/381/99	Complainant not satisfied with the ad hoc allowance presently paid to him in view of his overall responsibility.	Explained
C/382/99	Complainant's pension reduced.	Rectified
C/384/99	Complainant not satisfied with his salary.	Discontinued
C/386/99	Length of service not properly computed.	Pending
C/387/99	Length of service not properly computed.	Pending
C/388/99	Wrongful occupation of State land by complainant's brother-in-law.	Discontinued
C/389/99	Length of service not properly computed.	Not justified
C/390/99	Length of service not properly computed.	Pending
C/391/99	Pension reduced.	Rectified
C/395/99	Victimised as regard promotion and not paid allowance as ambulance driver.	Explained
C/396/99	Length of service not properly computed.	Pending
C/399/99	Length of service not properly computed.	Pending
C/401/99	No passage benefits nor sick leave allowance paid to complainant.	Not justified
C/404/99	Length of service not properly computed.	Pending
C/405/99	No lump sum paid to retired public officer.	Not justified
C/406/99	Retiring benefits not paid to complainant.	Not justified
C/409/99	Application for plot of State land for setting up a small industry made since nine years but no decision taken up yet.	Rectified
C/414/99	Length of service not properly computed.	Not justified
C/419/99	Length of service not properly computed.	Not justified
C/420/99	Length of service not properly computed.	Pending
C/421/99	Length of service not properly computed.	Explained
C/422/99	Length of service not properly computed.	Pending

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/423/99	Length of service not properly computed.	Explained
C/424/99	Length of service not properly computed.	Explained
C/425/99	No retiring benefits paid to complainant.	Discontinued
C/426/99	Length of service not properly computed.	Pending
C/427/99	No retiring benefits paid to complainant.	Not justified
C/428/99	Length of service not properly computed.	Pending
C/439/99	Length of service not properly computed.	Pending
C/440/99	Length of service not properly computed.	Not justified
C/441/99	Length of service not properly computed.	Explained
C/1/2000	Length of service not properly computed.	Explained
C/2/2000	Length of service not properly computed.	Rectified
C/11/2000	Length of service not properly computed.	Pending
C/13/2000	Anomaly in responsibility allowance.	Explained
C/17/2000	Complainant's post declared vacant. Considers he is entitled to a gratuity.	Not justified
C/18/2000	Financial assistance provided to complainant during more than three years suddenly stopped.	Pending
C/19/2000	Passage benefits of retired public officer, now deceased, not paid.	Not justified
C/20/2000	Length of service not properly computed.	Explained
C/21/2000	Length of service not properly computed.	Pending
C/23/2000	Length of service not properly computed.	Pending
C/24/2000	Claim for balance of passage benefits.	Explained
C/28/2000	Claim for pension from the Civil Service Family Pension Scheme.	Explained
C/29/2000	Length of service not properly computed.	Not justified
C/31/2000	Length of service not properly computed.	Explained
C/33/2000	Request for ad hoc allowance for performing higher duties by complainant - no action taken.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/42/2000	Length of service not properly computed.	Pending
C/44/2000	Length of service not properly computed.	Pending
C/51/2000	Death gratuity etc. not paid to deceased public officer's widow.	Pending
C/52/2000	Length of service not properly computed.	Pending
C/57/2000	Odour nuisance caused by complainant's neighbour's restaurant. No action taken by authorities.	Rectified
C/60/2000	Length of service not properly computed.	Not justified
C/64/2000	Length of service not properly computed.	Pending
C/65/2000	Passage benefits and accumulated sick leave still due to complainant.	Not justified
C/66/2000	Length of service not properly computed.	Not justified
C/76/2000	Length of service not properly computed.	Explained
C/77/2000	Length of service not properly computed.	Pending
C/78/2000	Passage benefits not properly computed.	Not justified
C/79/2000	Passage benefits and accumulated sick leave still due to complainant.	Not justified
C/80/2000	Length of service not properly computed.	Not entertained
C/81/2000	Length of service not properly computed.	Discontinued
C/82/2000	Length of service not properly computed.	Pending
C/83/2000	Not selected as heavy vehicle driver in spite of past experience whereas his juniors have been so selected.	Pending
C/85/2000	Claim for refund of money deducted from salary.	Not justified
C/87/2000	Claim for passage benefits etc.	Explained
C/95/2000	Not selected as heavy vehicle driver in spite of past experience whereas his juniors have been so selected.	Pending
C/96/2000	Length of service not properly computed.	Discontinued
C/97/2000	Length of service not properly computed.	Pending
C/100/2000	Complainant avers he is not earning appropriate salary etc.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/101/2000	Length of service not properly computed.	Not justified
C/102/2000	Length of service not properly computed.	Explained
C/103/2000	Length of service not properly computed.	Explained
C/106/2000	Request for information regarding length of service.	Explained
C/112/2000	Length of service not properly computed.	Pending
C/113/2000	Prejudice caused to complainant following promotion of another person.	Pending
C/114/2000	Length of service not properly computed and mileage allowance not paid.	Explained
C/115/2000	Length of service not properly computed.	Not justified
C/116/2000	No reply to application regarding balance of sick leave.	Explained
C/117/2000	Bad weather allowance not paid to complainant etc.	Pending
C/118/2000	No passage benefits paid to complainant since retirement from office in 1993.	Not justified
C/119/2000	Passage benefits not paid to retired public officer.	Rectified
C/120/2000	Length of service not properly computed.	Not justified
C/121/2000	Complainant who is office caretaker not allowed to assume his responsibility of opening and closing the office where he works.	Pending
C/130/2000	Overtime not paid.	Pending
C/131/2000	Length of service not properly computed.	Not justified
C/132/2000	Claim for responsibility allowance.	Rectified
C/133/2000	Length of service not properly computed.	Pending
C/134/2000	Claim for compensation for surrendering cast net.	Not justified
C/135/2000	Length of service not properly computed.	Pending
C/136/2000	Length of service not properly computed.	Explained
C/138/2000	No allowance paid to complainant for overtime performed.	Pending
C/139/2000	Length of service not properly computed.	Pending

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — <i>continued</i>		
C/140/2000	Length of service not properly computed.	Pending
C/141/2000	No employment offered to complainant in spite of her regularly registering at the Employment Office.	Discontinued
C/149/2000	No pension paid to retired public officer.	Pending
C/150/2000	Length of service not properly computed.	Rectified
C/151/2000	Length of service not properly computed.	Not justified
C/152/2000	Length of service not properly computed.	Pending
C/153/2000	Length of service not properly computed.	Pending
C/154/2000	Length of service not properly computed.	Pending
C/155/2000	Complainant has been unsuccessfully registering for a job since twenty years.	Pending
C/156/2000	Length of service not properly computed.	Pending
C/157/2000	Length of service not properly computed.	Pending
C/158/2000	Length of service not properly computed.	Pending
C/159/2000	Length of service not properly computed.	Discontinued
C/163/2000	Complainant avers that his "junior" has been convened for a Trade Test whereas he has not.	Not justified
C/172/2000	Complainant contests the amount of mileage credit paid to him.	Not justified
C/174/2000	Claim for allowance for work done.	Not justified
C/178/2000	Length of service not properly computed.	Pending
C/180/2000	Application for residential lease made since two years. No reply.	Pending
C/181/2000	Length of service not properly computed.	Pending
C/182/2000	Request to back date appointment as Gangman.	Explained
C/184/2000	Length of service not properly computed	Pending
C/192/2000	Length of service not properly computed.	Pending
C/193/2000	Discrepancy in salary.	Not justified
C/194/2000	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — continued</i>		
C/195/2000	Mileage credit not paid to complainant.	Not justified
C/196/2000	Length of service not properly computed.	Not justified
C/203/2000	Letter of complaint to Island Secretary regarding obstruction of access to complainant's land has remained without reply.	Explained
C/207/2000	Length of service - request for information.	Explained
C/216/2000	Length of service not properly computed.	Pending
C/217/2000	Length of service not properly computed.	Pending
C/221/2000	No reply to application for duty-free facilities to purchase outboard motor.	Rectified
C/222/2000	Complainant avers that she is the object of frequent transfers whereas other officers are not requested to move.	Explained
C/223/2000	Allowances for performing higher duties not paid to complainant, etc.	Pending
C/228/2000	Anomaly in salary.	Explained
C/234/2000	Length of service not properly computed.	Pending
C/235/2000	Length of service not properly computed.	Pending
C/239/2000	Complainant not being paid widow's pension since husband's death.	Not justified
C/240/2000	Bad weather allowance not paid to fisherman.	Rectified
C/243/2000	Length of service not properly computed.	Not justified
C/245/2000	Length of service not properly computed.	Discontinued
C/255/2000	Disturbance allowance not paid.	Pending
C/257/2000	Length of service not properly computed.	Pending
C/258/2000	Length of service not properly computed.	Pending
C/259/2000	Supply of material under Housing Project to complainant stopped since four months.	Pending
C/260/2000	Arrears of allowance unpaid.	Pending
C/261/2000	Application for lease of State land since 1995. No reply yet.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — continued		
C/262/2000	Complainant has registered for a job since 1987. Not received any offer.	Pending
C/263/2000	Payment of holiday leave long overdue.	Pending
C/264/2000	Application for vacation leave wrongly rejected.	Not justified
C/265/2000	Anomaly in pension	Pending
C/266/2000	Length of service not properly computed.	Discontinued
C/267/2000	No reply to application for residential lease renewed yearly.	Pending
C/268/2000	Complainant has worked for 20 years in the Prison Service. Has now retired but has not received any gratuity or pension.	Pending
C/272/2000	Complainant interviewed for promotional post. No action yet taken. Has been performing duties attached to that post for last 20 years.	Pending
C/273/2000	Complainant interviewed for promotional post but no promotion has taken place yet.	Pending
C/274/2000	Length of service not properly computed.	Pending
C/275/2000	Length of service not properly computed.	Pending
C/282/2000	No medical officer available at health centre.	Pending
C/284/2000	Complainant avers he is not responsible for the Administration's failure to trace out certain periods of his service and claim adjustment of same.	Pending
C/285/2000	Length of service not properly computed.	Pending
SOCIAL SECURITY AND NATIONAL SOLIDARITY		
C/211/98	Complainant refers to inconsistencies in two different letters of the Ministry concerning the duties to be performed by him.	Discontinued
C/253/99	<i>Per diem</i> allowance paid to complainant who attended seminar abroad not appropriate.	Rectified
C/265/99	Complainant avers that he is harassed by Ministry regarding alleged non-payment of contributions.	Discontinued

APPENDIX E — *continued*

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
SOCIAL SECURITY AND NATIONAL SOLIDARITY — <i>continued</i>		
C/272/99	Application for refund of lump sum under the National Savings Fund Act 1995 rejected.	Pending
C/284/99	Payment of allowance for performing additional duties denied to three officers.	Rectified
SOCIAL SECURITY, NATIONAL SOLIDARITY AND SENIOR CITIZENS WELFARE		
C/402/99	Irregularities leading to officers being entrusted with responsibilities that do not form part of their schedule of duties.	Explained
C/431/99	Financial assistance refused to complainant's daughter who suffers from bronchial asthma.	Explained
C/41/2000	No action taken by Ministry in respect of non-payment of contribution by complainant's ex-employer.	Explained
C/55/2000	Complainant avers he has been the victim of a punitive transfer.	Not justified
C/99/2000	Complainant's grandmother who is 92 years of age not getting free medical visits etc.	Rectified
C/171/2000	Complainant suspended from duty since three years. Case struck out a year later. Not yet reinstated.	Pending
SOCIAL SECURITY, NATIONAL SOLIDARITY AND SENIOR CITIZENS WELFARE AND REFORM INSTITUTIONS		
C/232/2000	Complainant does not obtain the transfer he expected after working for 21 years in urban areas and/or different sections.	Discontinued
C/237/2000	Payment of National Pension Contributions wrongly posted.	Rectified
C/242/2000	Complainant tardily convened to attend Medical Board. Resents such attitude from the Ministry.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
TOWN AND COUNTRY PLANNING BOARD		
C/96/99	No reply to application for rezoning of land made since more than two years.	Discontinued
TRADE AND SHIPPING		
C/145/95	Application to import second-hand car for a second time rejected.	Explained
WOMEN, FAMILY WELFARE AND CHILD DEVELOPMENT		
C/274/99	Application for full-time study leave without pay not approved.	Discontinued
WOMEN'S RIGHTS, CHILD DEVELOPMENT AND FAMILY WELFARE		
C/215/2000	Application for leave without pay to take up job on contractual basis rejected.	Rectified
YOUTH AND SPORTS		
C/167/2000	Failure by Ministry to remove Youth Club's belongings from complainant's premises.	Discontinued

A Government Printing Office Product
Republic of Mauritius
November 2001