



Republic of Mauritius

29th Annual Report

of the

OMBUDSMAN

January - December 2002
No. 9 of 2003

29th
Annual Report

of the

OMBUDSMAN

January - December 2002

OFFICE OF THE OMBUDSMAN

OMB. 13/04 Vol. XXIX

His Excellency Mr. Karl Offmann, G.C.S.K.,
President of the Republic of Mauritius,
Clarisse House,
Vacoas.

23 May 2003

Your Excellency,

The provisions of section 101(3) of the Constitution of Mauritius require the Ombudsman to make an annual report to the President of the Republic of Mauritius concerning the discharge of his functions.

In accordance with such provisions therefore I have the honour, pleasure and privilege to present to you the 29th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2002.

This Report is also to be laid before the National Assembly.

Yours respectfully

(Soleman M. HATTEEA)
Ombudsman

TABLE OF CONTENTS

	<i>Page</i>
Year under review	1
Statistics for 2002	1
Rodrigues	1
The Civil Service and the role of the Ombudsman	2
Acknowledgements	3
Appendices	4
International Organisations	4

APPENDICES

Appendix A

	<i>Page</i>
Chapter IX of the Constitution – The Ombudsman	5

Appendix B

The Ombudsman Act	11
--------------------------	----

Appendix C

<u>Selected Complaints</u>	13
Accountant General (2)	13
Agriculture, Food Technology and Natural Resources (2)	14
Customs (1)	15
Education and Scientific Research (4)	16
Finance (1)	18
Health and Quality of Life (3)	19
Judicial (1)	21
Police (5)	21
Prime Minister's Office (1)	24
Public Infrastructure, Land Transport and Shipping (1)	25
Registrar General (1)	25
Rodrigues (5)	26

Appendix D

Statistical summary of complaints	30
--	----

Appendix E

Subject of complaints	33
------------------------------	----

Annual Report of the Ombudsman

January -December 2002

Year under review

This is the 29th Annual Report of the Ombudsman. It concerns the discharge of my functions for the year 2002.

During the period 1 January to 31 December 2002 my Office registered 326 new complaints out of which 11 were own-motion cases and altogether we completed and finalised 359 cases.

Many persons who make representations to other bodies or authorities think it appropriate to send a copy of their complaints to my Office also – perhaps in the hope that we would intervene at a certain stage. In the year 2002 we received 156 such copies. I am pleased to say that we try not to disappoint those persons as much as possible by following up their cases with the bodies/authorities concerned until their final determination. I hasten to add however that we need to sift out those cases which really deserve our intervention.

Another 183 persons wrote to us concerning matters which did not fall under the Ombudsman's scope of operation. All the same we did not let those with deserving cases down but tried to extend as much assistance as we could by putting them on the right path. In the other cases however we were compelled to inform the writers that we could not intervene.

Statistics for 2002

Cases pending as at 31 December 2001	...	...	...	...	...	293
Case intake in 2002	...	...	...	...	...	326
Cases dealt with in 2002	...	...	...	...	...	619
Cases rectified	...	...	...	...	...	109
Cases partly rectified	...	...	...	...	...	1
Cases not justified	...	...	...	...	...	53
Cases explained	...	...	...	...	...	158
Cases discontinued	...	...	...	...	...	32
Cases not entertained	...	...	...	...	...	1
Cases not investigated	...	...	...	...	...	5
Cases pending as at 31 December 2002	...	...	...	...	...	260

It is worth noting that out of 619 complaints dealt with in 2002, 109 of them were found to be justified and remedial action taken i.e. approximately 17% - a very interesting figure.

Rodrigues

Like in the year 2001 I could only proceed to Rodrigues once in 2002, accompanied as usual by the Secretary of the Office.

The number of persons who called on us for assistance amounted to 138. Their complaints concerned essentially their length of service in the public and their applications for State land either for residential, commercial, agricultural or industrial purposes. Wherever possible we tried to solve their problems there and then; otherwise we opened new files and followed up the cases from Mauritius. Pending cases were also discussed with officers of the Rodrigues Administration with a view to finalising same.

My intervention during the year 2002 resulted in government disbursing the sum of Rs 706,000/- owed to complainants from Rodrigues whose complaints were found to be justified, mostly on the ground that their length of service had been wrongly computed.

The Civil Service and the role of the Ombudsman

The year 2002 saw the publication of a Customer Charter by the Ministry of Civil Service Affairs and Administrative Reforms. In his 'Foreword' the Honourable Minister spelt out the mission of the Public Service which is to provide quality and timely services to the public. He also confirmed Government's commitment to provide a transparent, effective and efficient service to the public.

Good administration is fundamental for governing and it guarantees the full enjoyment of rights by citizens in an accountable manner. It is therefore the responsibility of civil servants to see to it that this guarantee be upheld.

I would therefore like to seize this opportunity to tell all public officers at the very outset that the Ombudsman needs their total support in order to allow him to discharge his functions vis-à-vis the citizens according to their needs.

Very often the Ombudsman plays the role of a mediator who intervenes between the citizens and public bodies in order to bring about solutions to conflicts. Whilst the Ombudsman can shake up the Administration and try to stimulate it, he cannot be a substitute for it nor can he issue directives to public officers. The fact that the Ombudsman has no coercive rules to obligate the application of his recommendations does not however in any way diminish his weight and moral strength.

In the face of frustration generated by the modern society citizens very often express legitimate expectations and new hopes. Citizens have the right to expect quality service from the Central Administration. Whenever this is lacking they have the right to complain. The Ombudsman is an institution to whom dissatisfied citizens can address their complaints. They need to be listened to, helped in the search of a solution to their problems or otherwise properly guided. Otherwise they may feel abandoned by the authorities. To this end the Public Service must see its role as more of a mission as against being merely a provider of services, whilst I regard the mission of the Ombudsman as one of an independent overseer of government administrators. By working towards a common goal the Public Service and the Ombudsman can contribute to an improvement in the quality of life of citizens. Cooperation between public sector agencies and the Ombudsman's Office is what is needed. Generally bureaucracy tends to look at the institution of Ombudsman with suspicion and fear. It is therefore necessary to cultivate a cordial relationship between the two.

It would be apt here for me to say that I have on a number of occasions detected certain decisions which reveal a certain rigidity and allow no place for circumstances which could reasonably justify a bending of the rules. I make bold here to say that in any proper case the Ombudsman would not hesitate to intervene and ensure that a complainant gets a fair and equitable treatment but in a way which is respectful of the decision-maker as well as of the complainant in his dignity, and at all times in accordance with the Constitution.

It is therefore my hope that heads of departments and other officials will draw from this Report to adjust their attitudes when dealing with representations from members of the public.

Before ending I am once more drawing the attention of Supervising Officers to long delays I have noted lately in replying to queries from my Office. In certain cases I have had to request the personal attendance of Supervising Officers themselves at my Office for explanation or threaten to summon them in order to obtain the information called for.

I am fully aware of the fact that sometimes more time than imparted by me is needed to cause a reply to be made and for this there may be a number of reasons. That is however no excuse to make no reply at all and thus keep me in the dark as to the development of a case. Where more time is needed I should be so informed and a further delay applied for giving reasons therefor.

I would therefore like to conclude by telling the Administration that it should work hand-in-hand with the Ombudsman in order to bring about a new administrative order whereby citizens are treated fairly and without any discrimination whatsoever, so that their hopes and expectations are duly met. It is in this way and in this way only that the objective of nation-building can be achieved in a smooth and just manner.

Acknowledgements

The preparation of this Report is the result of the combined effort of all the officers of my Office who have also shown dedication and commitment throughout the year. I therefore extend to one and all my warmest thanks.

Special thanks for loyal service to Mr. Harrischandraduth Hosanee who retired from the public service in November 2002 after spending the last 14 years of his career as Secretary, Ombudsman's Office. We all wish him a happy retirement.

I would also like to thank all the Supervising and other Officers of those Ministries/ Departments whose actions I have had to investigate for their cooperation, although as mentioned above, in some cases I have had to "extract" such cooperation.

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 and a short list of selected cases where remedial action was taken straight away.

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 noted that sometimes a particular ministry appears under different appellations, e.g.

1^o Education and Human Resource Development

2^o Education and Scientific Research

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

International Organisations

Mauritius is a voting member of the following organisations -

- (i) The International Ombudsman Institute – the World body of Ombudsman
- (ii) The African Ombudsman Association, and
- (iii) The “Association des Ombudsmans et Médiateurs de la Francophonie” – of which Mauritius is a member of the executive board.

Through various publications, newsletters, etc. these organisations keep Ombudsman throughout the world aware of developments and events in the field of ombudsmanship. I am particularly thankful to them as well as to my colleagues from individual countries who send me copies of their own annual reports, which of course I reciprocate. Although we may operate in different environments yet we all have the same mission i.e. the protection of the citizen against maladministration.

Date : 23 May 2003

(S. M. HATTEEA)

Ombudsman

CHAPTER IX - THE OMBUDSMAN

96. Office of Ombudsman

- (1) There shall be an Ombudsman, whose office shall be 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 - ~~804~~

- (a) that the matter should be given further consideration;
- (b) that an omission should be rectified;
- (c) that the 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 Investigations 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/132/2002

New cheque issued to replace stale cheque

On 10 June 2002 M. informed me that in November 2001 he received a cheque from the Accountant General which he deposited in his bank account on 11 February 2002 but same was returned to him a few days later, without stating the reason. M. returned the cheque to the Accountant General on 5 April 2002 with a request that he be issued with another cheque. His request was ignored.

I therefore sought the explanation of the Accountant General who simply informed me that “the stale cheque shall be replaced before 30 June 2002”. Unfortunately this was not done and I had to go back to the Accountant General. The explanation was that as the cheque was already stale the department concerned was to reinitialise the process and a new bill would be sent to the Treasury by 24 June 2002. That was too optimistic as the department concerned could not forward the bill in time.

Finally, soon after the new financial year started, corrective action was taken and a new cheque issued to M.

C/134/2002

Retiring benefits paid to public officer six months after retirement

Mrs. C.P. retired from the public service on 28 January 2002 after thirty years of service, the last 18 years of which she spent in Rodrigues first as Nursing Officer and then as Charge Nurse.

Unfortunately, as at 11 June 2002, date of her complaint, she had not yet been paid either her gratuity or her pension. She alleged that the Island Secretary had not yet signed her relevant papers and had sent everything to Mauritius. She was facing financial hardship and therefore sought my intervention.

The Island Secretary’s version was that since complainant’s Responsible Officer was the Permanent Secretary, Ministry of Health and Quality of Life, her statement of salary for the last five years was transmitted to that Ministry in March 2002 to enable the computation of her retiring benefits. However, instead of doing so, the Ministry referred the matter back to Rodrigues in May 2002. The Island Secretary then prepared the Accounts Form 237 and forwarded same to the Ministry on 30 May 2002.

The Permanent Secretary stated that it was assumed that the pension and other benefits accruing to the complainant would be computed in Rodrigues where she ended her career after having spent more than 18 years in the public service. Instead, the Island Secretary submitted only the Accounts Form 237 for transmission to the Accountant General. So, on 17 June 2002, the Island Secretary was requested to submit all the documents required to compute the pension and other benefits. That was done on 20 June 2002.

Finally, on 1 July 2002, all relevant papers were forwarded to the Accountant General and Mrs. C.P. was paid her gratuity and pension on 30 July 2002. Her monthly pension would henceforth be credited to her bank account as from August 2002.

This case illustrates a situation where a retired public officer is paid her retiring benefits six months after retirement. More often than not such people depend heavily on their pension to meet their monthly expenses. Furthermore, experience has shown that many of them have contracted loans and have to pay back. All this is very telling on people in that situation and has a bad psychological impact on them at a time when they should be enjoying the fruits of their labour peacefully. They become very vulnerable.

I am therefore making a strong appeal to all the authorities concerned to see to it that delays in dealing with such matters are cut down to a minimum e.g. whether it is not possible to start computing ahead of time inasmuch as, in the majority of cases, it is known when an officer is going on retirement, albeit making a few adjustments subsequently should the need arise.

AGRICULTURE, FOOD TECHNOLOGY AND NATURAL RESOURCES

C/150/2002

Complainant issued with land conversion permit after eight months

Seven months after having applied for a Land Conversion Permit from the Ministry of Agriculture, Food Technology and Natural Resources, the complainant heard nothing from the Ministry. So he lodged a complaint before me on 26 June 2002.

The version of the Ministry was that the application had to be examined by the Land Conversion Committee. At the same time the views of the Agricultural Research and Extension Unit and the Tobacco Board had to be consulted in order to ascertain whether the land was agricultural and fell within the purview of the Sugar Industry Efficiency Act, inasmuch as the Sugar Insurance Fund Board had reported that the land was not under sugar cane plantation.

At its meeting of 27 March 2002 the Land Conversion Committee recommended the application. Thereafter the approval of the Minister and that of the Cabinet had to be obtained.

Finally the permit was issued on 2 July 2002.

Although the complainant obtained his permit some eight months after he made his application, I informed him that I did not consider the delay to have been undue, having regard to all the procedures that had to be followed.

Still the case is considered as having been rectified.

C/254/2002

Complainant gets full refund of Land Conversion Tax paid by him

B.G. had applied for and obtained a Land Conversion Permit from the Ministry of Agriculture, Food Technology and Natural Resources and had paid a sum of Rs 21,104.35 as Land Conversion Tax.

As he could not obtain other development permits in respect of the land in question he withdrew his request for a Land Conversion Permit, returned the said Permit and claimed a refund of the tax he had paid. He even received a letter from the Ministry informing him that his request for refund had been acceded to.

However, it would appear that the problem came from the Registrar-General's Department who refused to pay him.

My investigation revealed that the Permanent Secretary of the Ministry had indeed requested the Registrar-General to refund the amount claimed together with interest, if any, but the Registrar-General had refused to do so inasmuch as, according to her, there was no legal provision authorising the Registrar-General to refund Land Conversion Tax, with or without interest.

In the meantime the complainant informed me that the Ministry itself had refunded him the sum of Rs 15,828.26 instead of Rs 21,104.35 which is the amount he paid. I had to remind the Ministry that it had itself requested the Registrar-General to refund the whole amount claimed and requested it to inform me why the refund was Rs 5,276.09 short.

Finally the Ministry must have realised its mistake and caused the balance of Rs 5,276.09 to be paid to the complainant.

CUSTOMS

C/263/2002

Comptroller of Customs' decision upheld

The complainant, Mrs. F., was born in South Africa in 1978 of Mauritian parents. She is the holder of a national identity card as well as a Mauritian passport. According to her she had been living in France since 1986 and never returned permanently to Mauritius. In August 2002 she contracted a civil marriage with a French citizen and now the couple have come to Mauritius to settle down for good.

She wished the Comptroller of Customs to consider her as a "returning resident" and to issue her with the relevant certificate in order to enable her to benefit from exemption of duties on certain goods imported by her.

The stand of the Comptroller was to the effect that as she had the right to settle in Mauritius her household and personal effects were exempted from customs duty under item E 9 of the Customs Tariff Act if these effects had been in her possession and used abroad for not less than one year.

Mrs. F. wrote to me as she felt aggrieved in the sense that the exemption did not apply to the importation of a car. Indeed the argument of the Comptroller was to the effect that Mrs. F. was not a returning resident and therefore her case fell outside the purview of item E 10 of the Act.

After carefully considering her representation to me I also reached the conclusion that Mrs. F., having always lived outside Mauritius, could hardly be said to be a returning resident.

I therefore informed Mrs. F. that the Comptroller's decision was right and that I had found no maladministration. She made no further representation.

EDUCATION AND SCIENTIFIC RESEARCH

C/185/2001

Head Teacher posted at Special Support Unit paid ad hoc allowance following Ombudsman's intervention

T.M. acted as "Co-ordinator for Special Support Schools" at the Ministry of Education and Scientific Research from April 1999 to August 2000. In that capacity he performed numerous tasks but had never been paid a responsibility allowance despite his repeated requests.

He considered this to be unfair towards him inasmuch as, according to him, all staff of "Special Support Schools" were being paid an allowance of Rs 1000/- and some were receiving an additional sum of Rs 1000/- for conducting afternoon classes, and he was the one to monitor all this!

He therefore requested my intervention to set things right.

My inquiry revealed that a Special Support Unit was set up at the Ministry of Education and Scientific Research to coordinate curricular and pedagogical activities and monitor projects implemented in schools identified as low-achieving schools and categorised as "Special Support Schools". A special incentive allowance of Rs 1000 monthly was being paid to Head Teachers/Senior Head Teachers, Deputy Head Teachers and Teachers/Senior Teachers working in these low-achieving schools.

T.M., who was holding the post of Head Teacher/Senior Head Teacher, was posted to the Special Support Unit at the Ministry's Headquarters for period 19 April 1999 to 30 August 2000.

According to the Ministry there was no undertaking to pay any allowance to T.M. during that period nor did he raise the question at that time. The Ministry therefore refused to pay any allowance to T.M.

I reminded the Ministry that although T.M. did not make any request for allowance during the period he was posted at the Special Support Unit, yet he did so in December 2000 and therefore that did not debar the Ministry from considering his request.

Furthermore the Ministry argued that as T.M. was posted at the Special Support Unit on a full time basis he was not performing his normal duties as Head Teacher. Again I did not agree with the Ministry because of the considerable amount of tasks he was allocated at the Ministry's Headquarters. I therefore requested the Ministry to reconsider its position.

The case was finally taken up with the Ministry of Civil Service Affairs and Administrative Reforms and in the end the Ministry of Education and Scientific Research agreed to pay T.M. an ad hoc allowance of Rs 500 monthly for the whole of the period.

T.M. did later confirm that he had been paid the sum of Rs 8167.74 and expressed his thanks for the successful outcome of our intervention.

C/107/2002

Retired public officer gets his retiring benefits

M.D. retired from public service as Deputy Head Teacher at the end of November 2001. By May 2002 his gratuity, pension and refund of accumulated sick leave had not yet been paid to him. He has been fending without any revenue for nearly six months. So he lodged a complaint before me on 10 May 2002.

The version of the Ministry of Education and Scientific Research was that as the complainant had been working in Rodrigues for the last 31 years, certain information required for the computation of his retiring benefits were not available in Mauritius and the Island Secretary had been requested to provide such information.

I pressed the Ministry for a finalization of the matter and on 11 July 2002 the Accountant General informed the Ministry that M.D.'s gratuity and reduced pension had been paid. And in September M.D. himself informed me that he had indeed received payment together with the refund of his sick leave. He was satisfied.

C/138/2002

Incremental credit for experience acquired privately awarded to public officer

S.R.'s claim was for an award of an incremental credit for experience, based on Recommendation 12.8.4 of the PRB Report 1998.

S.R. joined the Civil Service on 21 January 1987 as Customs and Excise Officer Grade II. On 8 February 1993 he took 5 years leave without pay to work as Education Officer in a private educational institution where there was a scarcity of a biology teacher. He was being paid by the Private Secondary Schools Authority. In 1998 he re-joined the Civil Service as Education Officer.

In September 1999 he had made representations to the Ad Hoc Committee on anomalies of the PRB to consider his years of service in the private sector and merge them with his present conditions of service and salary in the Civil Service. He was heard by that Committee on 17 March 2000 and, according to S.R., his representations were favourably considered.

As at June 2002 nothing had been done and therefore on 12 June 2002 he requested me to look into the matter. I took up his case with the authority concerned and on 1 July 2002 the Secretary for Public Service Affairs informed the Ministry of Education and Scientific Research that the High-Powered Committee had approved the payment of three incremental credits to S.R. with effect from 1 July 1998 for experience acquired whilst working in the private sector.

Necessary action was taken for the adjustment of S.R.'s salary to be effected in September 2002.

S.R. confirmed the adjustment and expressed his satisfaction.

C/195/2002

**Teacher, subject of frequent transfers in a short span of time,
obtains satisfaction following Ombudsman's intervention**

On 22 August 2002 a letter from one Mrs. M, a teacher living at Triolet, was received at the Office, complaining of frequent transfers she had been subjected to during the last eight months. She considered this to be unfair and arbitrary, more specially as she has never been informed of the reasons of her transfers.

Her case was taken up with the Ministry of Education and Scientific Research which stated that such transfers were due to the exigencies of the service.

All the same, at the end of the same month, the lady was posted back to her school in Trou aux Biches where she was happy to stay.

My appreciation goes to the Ministry which found a solution to Mrs. M's problem in a matter of days.

FINANCE

C/55/2002

**Complainant paid his pro-rata end-of-year bonus upon
Ombudsman's recommendation**

D.R. held the post of Manager, One Stop Shop at the Ministry of Industry and International Trade. He was offered employment on a contract basis as Head of Investment Facilitation Division in a governmental institution (henceforth referred to as X) with effect from 15 March 2001 and for a period of three years. However his contract was terminated on 17 October 2001 i.e. 7 months and 2 days later and therefore he resumed his normal posting at the Ministry on 18 October 2001.

At the end of 2001 he was paid his end-of-year bonus on a pro-rata basis by the Ministry based on the period of time he served at the Ministry but he was not paid such bonus by X for the period served there. When he took up the matter with X he was informed that he was not entitled to same.

D.R. was of the view that X's stand was contrary to paragraph 7(a) of the Ministry of Finance Circular No. 11 of 2001 dated 5 November 2001 which provides as follows -

"7. As regards Government employees who joined a Para-Statal Body (vice versa) in the course of 2001 and are still in employment, the following principles should be followed:

- (a) those who have not resigned from their previous service will be eligible for bonus from the Government and the Para-Statal Body in proportion to their respective periods of service during 2001 in the two sectors;"*

X was of the view that paragraph 7(a) of the said Circular did not apply in this case, arguing that it applied only where the officer returns to his original post after normal completion of his contractual period. It argued further that it was paragraph 8 which applied in the present case, which reads as follows -

“8. No payment should be made to those who have resigned or have been dismissed or are under interdiction”

I did not agree with X's argument. I found that if paragraph 8 was applicable the Government itself would have been under no obligation to pay. Yet Government paid its share of the bonus and X, being another arm of Government, could not refuse to pay. Otherwise Government would have been blowing hot and cold at the same time.

Furthermore I found that paragraph 8 was of general application whereas paragraph 7(a) applied specifically to “Government employees who joined a Para-Statal Body”

I therefore recommended to the Financial Secretary that X be requested to pay to D.R. the balance of bonus for the year 2001.

My recommendation was accepted and X paid to D.R. his due, amounting to Rs 18,101.99 (Rs 21,809.99 less tax).

HEALTH AND QUALITY OF LIFE

C/218/2001

Radiographer's appointment backdated

On 14 August 2001 V.S. was offered appointment as Radiographer (Diagnostic) with effect from 28 June 2001. He averred that the appointment date should have been 4 January 2001 i.e. the date of proclamation of the results of his final examination held one month before, “as it has always been the case.” He claimed that accepting the offer would mean a loss of 6 months' salary and a reduction in his length of service which would have a direct impact on his pension and other benefits in future.

He informed me that he was depressed and has been knocking on every possible door without success. So he lodged a complaint before me on 19 August 2001.

The Ministry's version was that recommendation for the appointment could not be made earlier as the Scheme of Service for the post was being amended. It was only on 16 July 2001 that the recommendation was made to the Public Service Commission. The appointment date recommended was 28 June 2001 i.e. the date of prescription of the new Scheme of Service.

As the Public Service Commission is a body which falls outside my jurisdiction, it was the Ministry itself which referred V.S.'s request for backdating to that Commission. This was accepted and V.S.'s appointment was made to be effective on 4 January 2001.

It may be pointed out that another exactly similar complaint from a lady Radiographer was received on the same day at the office and my investigation led to the backdating of her appointment as well.

C/25/2002

Improvement of transport facilities for dialysis patients

In February 2002 I received a letter of complaint from a group of dialysis patients regarding their conveyance to and from hospital. They alleged that whilst they have to reach the hospital at 7.00 a.m. the van comes to pick them up after 8.00 a.m. Furthermore the van which is designed to carry five patients has to carry 10 to 12 patients, and as there are not enough seating accommodation some patients have to sit on the floor of the van. To sum it all they undergo a lot of suffering every day they have to attend hospital for treatment.

The matter was immediately taken up with the Ministry of Health and Quality of Life which explained that there were about 35 patients requiring dialysis treatment at the said hospital. Such treatment was provided from 7.00 a.m. to 4.00 p.m. throughout the week except on Sundays. Patients attend either the morning or afternoon sessions, and each patient has to undergo treatment 3 or 4 times a week. They are provided with transport facilities from their residence to hospital and back but in the afternoon there is a delay due to a shift system at 4.00 p.m.

The result of my intervention was that as from 15 April 2002 a 15-seater van started to operate between 8.00 a.m. and 6.00 p.m. exclusively for the transportation of dialysis patients.

It would appear that the Regional Health Services Administrator of the hospital concerned reported that there were no complaints from that day.

C/186/2002

Noise abated

Members of a family living at Pailles lodged a complaint before me against a company manufacturing aluminium products in their region.

The main ground of their complaint was noise coming from the equipment consisting of electric grinders in operation from 8.00 a.m. to 5.00 p.m.

Following my intervention two site visits were effected by officials of the Ministry of Health and Quality of Life and it was found that the workshop was situated at a distance of 12 metres from the motorway and 9 metres from the complainants' house. The owner was requested to (i) shift the noise-generating machines further away from the complainants' house and (ii) to close the openings when the machines are in operation. A follow-up visit disclosed that the measures recommended had been implemented.

Members of the family were contacted and they stated that they were satisfied with the improvement in the noise level. Indeed the noise emitted by the workshop was covered by the noise of the traffic along the motorway and was not even audible at the complainants' residence.

JUDICIAL

C/29/2002

Deposit effected by complainant for bail purposes refunded to him

In the year 2000 M.G. had stood as surety in the sum of Rs 5000/- for a friend of his who had been arrested on a charge of issuing a cheque without provision. He was issued with a receipt at the District Court of Rose Hill where the money was deposited but he happened to lose the receipt when he moved house in September 2001.

After judgment in July 2001 in the case against his friend he called on the District Court Cashier several times to recover the money he deposited but never got it back. So he sought my assistance on 4 February 2002.

The matter was taken up with the Master and Registrar of the Supreme Court who informed me that the District Clerk of the District Court of Rose Hill had been requested to take immediate action to effect the refund.

Indeed some time later the District Clerk addressed a letter to the complainant informing him that he would receive his cheque by registered post from the Accountant General's Office.

I requested M.G. to inform me once the refund was effected but he made no reply.

His complaint is considered as having been remedied.

POLICE

C/178/2001

Complainant's passports (Mauritian and French) returned to him after more than four years

A.S.K.'s passports (Mauritian and French) were seized by the Police on 1 May 1997 in respect of an offence involving possession of a counterfeited Rs 500/- note.

He informed me in August 2001 that all his letters ever since that time addressed to the proper authorities have remained without any reply. He was nearly 66 years old and wanted to go and visit his children and grandchildren in France. He was unable to travel.

My inquiry with the Police revealed that there was also an objection to departure against the complainant but it was waived on 24 October 2001, after I had queried the Police. They also informed me that A.S.K.'s passport had been released without mentioning which passport it was. When I queried the Police further I was informed on 10 January 2002 that both passports had been returned to A.S.K.

No mention was made of any prosecution against A.S.K. nor did he write to me again after getting his passports back.

C/183/2001

Police Officers paid rent and disturbance allowances following their transfer from Rodrigues to Mauritius for training purposes

J.P.M., a Police Constable, informed me that he and five other colleagues, including one Police Sergeant, had been transferred from Rodrigues to Mauritius on 7 May 2001 in order to follow a training course at the Special Support Unit.

According to him they were told that they would be paid a disturbance allowance at approved rates, provided with police quarters to stay and their spouses and children would receive free air tickets to join them.

Unfortunately this has not been the case, with the result that he personally had to fork out from his own pocket to pay his family's air tickets, rent a house as official accommodation was not forthcoming, etc.

After having taken up the matter with the Commissioner of Police he personally informed me that, following an inquiry he carried out, rent and disturbance allowances at approved rates would be paid to all the officers involved in the transfer. However expenses in respect of families accompanying officers on training were not payable.

Some time later I was informed that payment had been effected. Asked whether he and his colleagues were satisfied J.P.M. made no reply.

The matter stands as a rectified case.

C/27/2002

Complainant finally gets a provisional driving licence

According to J.S.F. he had made several applications for a driving licence during the past three years but had never received any reply nor had he been convened for any driving test.

J.S.F. badly needed a driving licence as he felt he was becoming more dependent and even a burden on his parents. He intended to earn a living by making use of a van owned by his father.

When queried about this case the Commissioner of Police explained that the Police had on record the complainant's application dated 26 June 2001 which was approved on 4 October 2001 but a convocation letter to the complainant's address fetched no response.

Following my intervention he was convened at Line Barracks where it was found that the address he had given to the Police was different.

All the same a provisional licence was delivered to him on 6 March 2002, barely a month after his letter was received at the Office.

Vehicle secured by Police returned to detainee's brother

14-03-03/10

A detainee wrote to me from Central Prison about his van which had been confiscated by the Police following his arrest. According to him, although his case was over the Police had not yet returned the van to him.

My investigation revealed that the detainee was arrested in connection with a case of "hold up". His van which had been used in the commission of the offence was secured for enquiry and was still in Police custody.

The detainee has been sentenced to four years imprisonment but there were other co-accused involved in the "hold up" whose case was still pending.

All the same the Commissioner of Police informed me that he would seek the advice of the Director of Public Prosecutions as regard the disposal of the van. A few weeks later the Commissioner wrote to say that the van had been returned to the detainee's brother.

Asked whether he was aware of same and whether he was satisfied the detainee kept mute in spite of several reminders. I therefore assumed he had no more cause for complaint and closed his file as a "rectified" case.

Documents finally communicated to Attorney-at-Law

An Attorney-at-Law complained to me that he had unsuccessfully written to the Commissioner of Police on four occasions, to wit: 03.12.2001, 28.05.2002, 29.08.2002 and 10.10.2002, in order to obtain certain documents relating to a road accident in which his services had been retained by one of the parties involved. He therefore solicited my intervention on 22 November 2002.

The Commissioner's version was that the delay in complying with the Attorney's request was due to the fact that the relevant case files were mislaid during renovation works at the Police Station where they were kept. On the very same day I wrote to the Commissioner the files were found. Strange coincidence!

Finally on 29 November 2002 the Attorney was informed that the documents were being forwarded to the Traffic Branch where he could collect same. He thanked us for our prompt intervention.

PRIME MINISTER'S OFFICE

C/161/2002

Residence permit issued after 10 years

In a long letter dated 21 June 2002 Mrs. M. related how for the last ten years she has been sent from pillar to post from one government department to another in connection with an application for a residence permit for her husband, a foreign national 68 years of age, whom she described as a sickly person who has to travel abroad at least twice a year for check-ups and treatment, and who is always being harassed each time he returns to Mauritius.

The version of the Secretary for Home Affairs (SHA) was that the application for residence permit in favour of Mrs. M's husband which was made at the Passport and Immigration Office in December 1992 could not be processed as most of the required documents had not been produced. I was informed by the SHA that the Passport and Immigration Office had now been advised to request the applicant to produce a fresh bank statement to enable the further processing of the application.

I wrote back to SHA to express my utter surprise that an application for a residence permit had not been decided upon after ten years. As I did not intend going on a fault-finding mission so as not to lose any more time I invited the SHA to consider the case under Section 5(1)(c) of the Immigration Act. A few weeks later the SHA replied that the application had been approved.

The husband was accordingly issued with a letter dated 12 September 2002 from the Passport and Immigration Office and in which he was requested to produce the said letter at the point of control in Mauritius in order to facilitate his immigration clearance.

Mrs. M. confirmed receipt of the letter and went on to add the following -

"Thank you very much, Sir, for helping me at the time that I became too weary of encountering so many frustrations for so long. Our case was going nowhere – we were still running around the bushes!"

"When you stepped in, within 3 months, we now can say that all these problems truly belong to the past. The years have been hard but worthwhile because justice was done at the end. I found it very relaxing to be able to tell you my problems, knowing that I was not alone anymore. You were there to stand on our behalf".

What a long wait but what a relief for Mrs. M. and her husband!

PUBLIC INFRASTRUCTURE, LAND TRANSPORT AND SHIPPING

C/68/2001

Complainant issued with taxi licence some eight years after his application

According to N.H. the National Transport Authority (N.T.A.) invited applications in 1994 for the issue of taxi licences to operate from Calebasses. N.H. duly applied and paid the prescribed fee. A few days later the N.T.A. published a list of all those who had applied and N.H.'s name was on that list.

Subsequently N.H. was summoned to attend a meeting of the enquiry committee of the N.T.A. which he did. There he was questioned by the Chairman but until now, seven years later, he still had not received any reply concerning his application, notwithstanding numerous visits he made at the N.T.A. to inquire about the fate of his application.

The official version was that N.H. was heard by the Licensing Committee of the N.T.A. on 9 March 2001 and its recommendations forwarded to the N.T.A. for a selection exercise.

I had to press the Ministry of Public Infrastructure, Land Transport and Shipping for a reply in this case and I was finally informed that the N.T.A. had rejected the application but N.H. had appealed against that decision to the Appellate Authority (which is the Minister himself) and the appeal was allowed.

N.H. implemented the licence on taxi no. 363 ZC 98 on 29 January 2002, nearly eight years after having applied for such a licence.

REGISTRAR GENERAL

C/96/2002

Registration duty and penalty remitted following Ombudsman's intervention

Mrs. L.S. received a claim from the Registrar General's Department requesting payment of the sum of Rs 63,360/- in respect of a deed witnessing the purchase of a portion of land at Flic-en-Flac, Rivière Noire for the sum of Rs 400000/-.

According to the deed which was dated 26 December 2000 there was a wooden building on the land whereas according to the Registrar General in the report of the Chief Government Valuer dated 30 May 2001 it is stated that no building existed on the land.

As a result of what the Registrar General called an "incorrect statement" and in view of the application of a different section of the law, registration duty and fine amounting to Rs 63,360 was claimed from the lady. The latter lodged a petition with the Ministry of Finance requesting the remission of the duty and penalty claimed but her application was turned down and she was accordingly informed on 18 April 2002.

By letter dated 22 April 2002 Mrs. L.S. solicited my intervention.

The lady's version was that at the time of purchase in December 2000 there was a building on the land made of wood and corrugated iron sheets. A few weeks after purchase she caused the building to be demolished because it was being frequented by dubious characters, probably drug addicts.

At my request the Government Valuer who actually inspected the site was deputed to depone before me.

He was examined by me on the inspection made by him. It transpired that the inspection took place on 12 April 2001 i.e. more than three months after the purchase. Although the Government Valuer was straight-forward and honest with his answers he could not say for sure that there was no building on the land three months before, as the land was, at the time of his visit, covered with wild vegetation about two or three feet in height. Indeed after hearing him I was not convinced that there was no building at the time of purchase.

Consequently I was not prepared to say that the declaration in respect of the building made in the deed of transfer was incorrect. I therefore invited the Financial Secretary to review his decision rejecting the request for remission made by Mrs. L.S.

Although this case took some time it was finally resolved in favour of Mrs. L.S. Indeed by letter dated 5 December 2002 the Financial Secretary informed me that remission of registration duty and penalty had been approved.

Mrs. L.S. was therefore relieved of the payment of a considerable sum of money.

RODRIGUES

C/23/2001

Complainant issued with licence to operate guest-house three years after application

According to the complainant he has invested more than Rs 6 million in putting up a boarding house consisting of 18 rooms in the commercial zone of Port Mathurin, Rodrigues. He stated that he was motivated by Government's policy of encouraging the development of tourism infrastructure in Rodrigues. He said that the source of his funds was his own life-long savings, contribution from his families and a bank loan which he was finding difficult to repay.

In order to operate the boarding house he applied for a licence in August 1999 to the Ministry of Tourism, the Island Secretary, Rodrigues and, at the request of the latter, to the Ministry of Health and Quality of Life and to the Commissioner of Police for clearance.

The main stumbling block was the Chief Officer of Police in Rodrigues who, in his initial report to the Island Secretary, stated that the boarding house was located in a residential zone with no parking facilities. Furthermore, two neighbours had objected to the issue of permit on ground of great inconvenience and according to the Chief Officer of Police their apprehension was justified.

As far as the Ministry of Health and Quality of Life was concerned they had no objection to the issue of a trade licence to the applicant.

The matter was pursued further with the Island Secretary who informed me that the Ministry of Tourism would take up the matter with the Commissioner of Police. The next thing that was reported to me was that following the recommendation of the Ministry of Tourism, the complainant had been requested to submit a fresh application which would be submitted to the Commissioner of Police in accordance with advice from the Solicitor General.

At my request the complainant called on me in Rodrigues whilst I was on a working trip there. He informed me that he had put in a fresh application both to the Commissioner of Police and the Ministry of Health and was still waiting. He had heavy interests to pay on his bank loan and he and his family were in a desperate situation.

I kept pressing the Island Secretary for a finalization of this case and finally a licence was issued to the complainant to operate his 18-room guest house at Port Mathurin.

Complainant confirmed this and informed me that his guest house would soon be operational.

C/240/2001

Public Officer paid arrears of responsibility allowance

Mrs. A. of Rodrigues informed me that she had been assigned the duties of Charge Nurse from 30 March to 28 April 1999 and had been paid only two-thirds responsibility allowance on the ground that she was not fully qualified.

However, according to her she was fully qualified in as much as she had been appointed Nursing Officer in 1984 and passed the Final Basic Midwifery Examination in 1996. She alleged that others with the same qualifications are paid full responsibility allowance.

My inquiry revealed that as she did not possess the local certificate in Ward Administration as mentioned in the Scheme of Service then in force for Charge Nurse, the Ministry of Civil Service Affairs and Administrative Reforms had advised that she be paid only two-thirds of the responsibility allowance as she was considered not to be fully qualified. However, when Mrs. A. was again assigned the same duties in the course of the same year the Ministry of Health and Quality of Life authorised the payment of a full responsibility allowance. Clearance was therefore sought from the Ministry to adjust her previous allowance and same was approved.

Mrs. A. was finally paid the sum of Rs 7100 as arrears of responsibility allowance.

C/53/2002

Public officer paid responsibility allowance after unduly long time

From 17 February 1999 to 31 October 2000 Mr. S.P.R.L. was entrusted the duties of Acting Nursing Supervisor at Queen Elizabeth Hospital in Rodrigues. Unfortunately he was not paid any allowance for this actingship and this, notwithstanding numerous representations made by him to the then Island Secretary, Rodrigues. He therefore sought my intervention in a letter dated 23 February 2002.

According to the version of the then Island Secretary various correspondences had to be exchanged with the Ministry of Health and Quality of Life and authority was conveyed in September 2001. Following this a departmental warrant for payment of responsibility allowance to the complainant had been issued in favour of the Ministry of Health and Quality of Life.

I therefore queried the latter to know why the complainant had not yet been paid his due. The reply came some two weeks later to the effect that an amount of Rs 20,399.99 had been paid on 28 May 2002 together with his salary for the month of May 2002.

At long last!

C/78/2002

Cash allowance paid to complainant in lieu of pre-retirement leave not enjoyed

M.E. felt he had been penalised by the Rodrigues Administration regarding his leave. He wrote to the then Island Secretary but received no reply.

It is common ground that M.E. went on pre-retirement leave on 5 October 1999 whereas he should have done so on 1 September 1999. According to the then Island Secretary, this was due to an oversight as M.E.'s letter of retirement was not issued on time.

It was following my query as to why no action had been taken to compensate the complainant that the then Island Secretary sought the approval of the Ministry for Civil Service Affairs for the payment of 34 days vacation leave not enjoyed by the complainant. In view of the circumstances payment of a cash allowance of Rs 9,339.28 was approved and same was credited into the complainant's bank account.

Short list of cases where remedial action was taken straight away

Below are a few cases in which remedial measures were taken without much ado by the authorities concerned. In some of the cases however some inquiry had to be made into the complaints but the representations made by the complainants were readily conceded as being justified.

I wish to thank those authorities for their cooperative attitude in such cases. Apart from giving complainants their due it can only bring about much-needed public trust in such institutions.

<i>Complaint</i>	<i>Authority concerned</i>	<i>Result</i>
Transfer of fisherman card from Mauritius to Rodrigues not considered	Fisheries	Transfer effected
Roster causes prejudice to complainants	Rodrigues	New roster introduced
Odour nuisance reported by complainant. No action taken	Health and Quality of Life	Complainant's premises connected to main sewer
Allowance for performing extra duty not paid	Rodrigues	Amount due credited to complainant's bank account
Excessive noise caused by complainant's neighbour	Police	Warning given. Situation back to normal
Lady teacher victim of gender discrimination	Education and Scientific Research	Matter settled to her satisfaction
Invigilation fees not paid	Mauritius Examinations Syndicate	Complainant's bank account credited
No reply to application for Land Conversion permit made two years before	Agriculture, Food Technology and Natural Resources	Permit issued
Transfer of teacher from one school to another unjustified	Education and Scientific Research	New posting given to complainant
Uniform allowance due to complaint's late husband not paid	Rodrigues	Allowance paid to widow
Transfer of teacher alleged to be punitive	Education and Scientific Research	Posted back to old school
Complainant not yet handed over signed lease	Rodrigues	Lease agreement handed over to complainant
Detainee's personal belongings missing upon his transfer from one prison to another	Prisons	All his properties handed over
Detainee's weekly spending allowance insufficient	Prisons	Allowed to incur additional expenses
Complainant detained on remand for 18 months without trial	Police	Case lodged before court

APPENDIX D

STATISTICAL SUMMARY OF COMPLAINTS

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Accountant General	2	-	-	-	-	-	-	1	3
Agriculture, Food Technology and Natural Resources	3	-	2	5	1	-	-	9	20
Civil Service Affairs and Administrative Reforms	1	-	2	2	-	-	-	3	8
Commerce and Cooperatives	-	-	-	1	-	-	-	-	1
Comptroller of Customs	-	-	1	-	-	-	-	1	2
Controller of Insurance	-	-	-	1	-	-	-	-	1
Economic Development, Financial Services and Corporate Affairs	-	-	-	1	-	-	-	-	1
Education and Human Resource Development	1	-	-	-	1	-	-	-	2
Education and Scientific Research	10	-	1	6	2	-	-	10	29
Environment and Urban and Rural Development	-	-	-	-	-	-	-	1	1
Environment	-	-	-	1	-	-	1	4	6
External Communications	-	-	-	1	-	-	-	-	1
Finance	1	-	2	-	-	-	-	4	7
Fisheries	2	-	-	-	-	-	-	-	2
Carried Forward	20	-	8	18	4	-	1	33	84

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	20	-	8	18	4	-	1	33	84
Government Printing Office	-	-	1	-	-	-	-	-	1
Health and Quality of Life	8	-	4	10	1	-	-	20	43
Housing and Land Development	-	-	-	-	1	-	-	-	1
Housing and Lands	4	-	1	3	3	-	-	9	20
Income Tax	-	-	-	-	-	-	-	1	1
Information Technology and Telecommunications	-	-	-	1	-	-	-	-	1
Judicial	3	-	-	-	-	-	-	2	5
Labour and Industrial Relations, Employment and Human Resource Development	-	-	-	-	-	-	-	1	1
Labour and Industrial Relations	-	-	-	1	-	-	-	1	2
Local Government and Rodrigues	1	-	-	1	-	-	-	2	4
Local Government and Rodrigues (National Development Unit)	-	-	-	-	-	-	-	1	1
Mauritius Examinations Syndicate	1	-	-	-	-	-	-	-	1
National Transport Authority	1	-	1	2	-	-	-	-	4
Police	16	-	6	25	4	-	2	20	73
Carried Forward	54	-	21	61	13	-	3	90	242

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	54	-	21	61	13	-	3	90	242
Postmaster General		-	1	2	-	-	-	-	3
Prime Minister's Office	3	-	-	1	1	-	-	1	6
Prisons	8		5	32	7	1	-	12	65
Public Infrastructure			-	1	-	-	-	-	1
Public Infrastructure, Land Transport and Shipping			-	4	1	-	-	10	15
Public Utilities	2		-	1	-	-	-	3	6
Registrar of Associations			-	-	-	-	-	1	1
Registrar General	1		-	1	-	-	1	-	3
Rodrigues	41	1	24	52	9	-	1	138	266
Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions	-		1	3	1	-	-	2	7
Training, Skills Development and Productivity (Employment Division)	-		-	-	-	-	-	1	1
Wastewater Management Authority		-	-	-	-	-	-	1	1
Women's Rights, Child Development and Family Welfare	-	-	1	-	-	-	-	1	2
Total	109	1	53	158	32	1	5	260	619

APPENDIX E

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
ACCOUNTANT GENERAL		
C/132/2002	Cheque from Accountant General's Office deposited into complainant's account but returned.	Rectified
C/134/2002	Retired public officer not paid either gratuity or pension since her retirement more than four months ago.	Rectified
C/297/2002	No action taken to relieve complainants of their liability as guarantors in respect of purchase of car.	Pending
AGRICULTURE, FOOD TECHNOLOGY AND NATURAL RESOURCES		
C/250/2001	Request for conversion of land for residential purposes rejected.	Explained
C/283/2001	State land allocated to complainant and which she has toiled now being taken away from her.	Explained
C/30/2002	No reply to application for Land Conversion Permit made more than two years before.	Rectified
C/46/2002	Application for residential permit made four years ago. No reply yet.	Explained
C/64/2002	Application for conversion of land into residential land turned down.	Not justified
C/125/2002	Encroachment on complainant's land. No reply to complaint made to Ministry.	Pending
C/145/2002	Complainant contests the amount of land conversion tax claimed from and paid by him.	Explained
C/150/2002	No reply to application for land conversion permit since seven months.	Rectified
C/154/2002	No reply to application for land conversion permit made more than a year ago.	Discontinued
C/168/2002	Application for land conversion permit since more than four years not favourably considered.	Pending
C/177/2002	Delay in carrying out promotion exercise resulting in prejudice caused to complainants.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
AGRICULTURE, FOOD TECHNOLOGY AND NATURAL RESOURCES — <i>Continued</i>		
C/183/2002	Request by complainant to regularise his occupation of State land for the last nineteen years still being awaited.	Pending
C/224/2002	Request for increase of allowance and inclusion of same in salary for purposes of retiring benefits.	Pending
C/228/2002	Issue of development permit awaiting clearance from Police.	Pending
C/229/2002	Increments denied to complainant.	Not justified
C/249/2002	Unreasonably long delay in dealing with complainant's application for a land conversion permit.	Pending
C/254/2002	Refund of land conversion tax not effected.	Rectified
C/269/2002	Deductions from complainant's salary for unauthorised leave wrongly effected.	Pending
C/283/2002	Anomaly in salary.	Pending
C/302/2002	No reply to application for land conversion permit made more than two years ago.	Pending
CIVIL SERVICE AFFAIRS & ADMINISTRATIVE REFORMS		
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
C/107/2001	Anomaly in salary	Rectified
C/313/2001	Request for adjustment of amount paid as ad hoc allowance turned down.	Not justified
C/326/2001	Request for adjustment of salary.	Not justified
C/9/2002	Anomaly in salary	Explained
C/86/2002	Request to consider period served as Trainer on temporary basis as length of service for leave and pension purposes.	Pending
C/173/2002	Request for transfer not acceded to.	Explained
C/293/2002	Complainant has been working for thirty years in the same grade without being promoted.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
COMMERCE AND COOPERATIVES		
C/35/2002	Registrar of co-operative societies fails to take action against society for non-acceptance of complainant's tea leaves by the society.	Explained
COMPTROLLER OF CUSTOMS		
C/255/2002	Application for removal of objection to transfer of ownership of imported vehicles not considered.	Pending
C/263/2002	Complainant not treated as a "returning resident" which she claims she is.	Not justified
CONTROLLER OF INSURANCE		
C/167/2001	Road accident cases referred to Controller of Insurance not progressing to complainant's liking.	Explained
ECONOMIC DEVELOPMENT, FINANCIAL SERVICES AND CORPORATE AFFAIRS		
C/114/2001	No concrete action taken by Controller of Insurance against insurance company.	Explained
EDUCATION AND HUMAN RESOURCE DEVELOPMENT		
C/229/98	Complainant avers that he feels victimized by a parastatal body falling under the aegis of the Ministry.	Discontinued
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.	Rectified
EDUCATION AND SCIENTIFIC RESEARCH		
C/69/2000	Benefits due to retired officer not yet paid.	Pending
C/269/2000	Application for incremental credit rejected.	Pending
C/172/2001	Anomaly in salary.	Discontinued

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
EDUCATION AND SCIENTIFIC RESEARCH — Continued		
C/185/2001	No allowance paid to complainant for shouldering additional responsibilities.	Rectified
C/267/2001	Claim for refund of deductions made from complainant's salary although he had requested to stop such deductions.	Rectified
C/291/2001	1 ^o Transfer from main island to Rodrigues island will cause great inconvenience to complainant. 2 ^o Motivation allowance not paid to complainant since July.	Explained
C/301/2001	Confusion as regard the duties of school caretaker	Explained
C/309/2001	Denied incremental credit because of long delay of the National Accreditation and Equivalence Council to give its clearance	Rectified
C/320/2001	Complainant denied part of his passage benefits.	Explained
C/328/2001	Complainant, urdu teacher, alleges that he has been transferred to a school different from the one he requested. Alleges that all his past transfers have been made to harass and harm him.	Pending
C/4/2002	Teacher avers her transfer is unjustified.	Rectified
C/6/2002	Complainant who is a lady teacher avers she is victim of gender discrimination.	Rectified
C/20/2002	Teacher protests against withdrawal of class that had originally been allocated to him.	Discontinued
C/31/2002	Complainant avers that his transfer to another school is unjustified.	Rectified
C/52/2002	Complainant not satisfied with school allocated to her daughter as latter has to travel long distances.	Explained
C/65/2002	No consideration given to request by Senior Teacher to have her transfer reconsidered.	Pending
C/107/2002	Nearly six months after retirement from the service complainant has not been paid his gratuity, pension etc.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
EDUCATION AND SCIENTIFIC RESEARCH — <i>Continued</i>		
C/109/2002	Complainant who is a teacher alleges that her transfer is a case of victimisation.	Explained
C/118/2002	Complainant who is a teacher alleges he is victim of punitive transfer.	Rectified
C/120/2002	Certificate obtained from foreign institution by distance learning not recognised by Ministry.	Pending
C/136/2002	Motivation allowance paid to Head Teacher and staff of school suddenly stopped.	Pending
C/138/2002	Claim for adjustment of salary on the basis of experience acquired.	Rectified
C/158/2002	Application for recognition and equivalence of complainant's certificate not considered.	Pending
C/184/2002	Delay in finalising award of scholarship.	Explained
C/195/2002	Complainant, (Teacher/Senior Teacher) avers that three transfers in a period of eight months are totally unfair and arbitrary.	Rectified
C/208/2002	Enlistment as Trainee Teacher (General Purpose) terminated unjustly, etc.	Not justified
C/215/2002	Non-payment of motivation allowance to complainant	Pending
C/234/2002	Application for duty remission on purchase of car made by retired public officer more than a year ago not yet considered.	Pending
C/272/2002	Application to employ third party as Principal of College turned down by Private Schools Secondary Authority in an arbitrary manner.	Pending
ENVIRONMENT AND URBAN AND RURAL DEVELOPMENT		
C/110/2000	Air pollution and noise nuisance posed by factory	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
ENVIRONMENT		
C/112/2001	Vacant plot of land giving rise to numerous nuisances.	Explained
C/150/2001	Problems of refuse collection etc.	Pending
C/263/2001	Noise and dust pollution by stone crushing plant. No follow up action by authorities concerned.	Pending
C/124/2002	Nuisances caused by complainant's neighbour.	Not investigated
C/153/2002	Complaint against the running of a garage which causes noise and air pollution and other inconveniences. No action taken by competent authorities.	Pending
C/204/2002	Rain water pouring onto complainant's property from neighbour's premises.	Pending
EXTERNAL COMMUNICATIONS		
C/13/97	Complainant alleges that decision not to fill vacant post causes him prejudice.	Explained
FINANCE		
C/48/2002	Interest unduly claimed from complainant upon purchase of land.	Pending
C/55/2002	Complainant not paid part of end of year bonus.	Rectified
C/85/2002	Objection by complainant to the assessment made by the Valuation Office on land purchased by him.	Not justified
C/89/2002	Application to organise lottery rejected by Commissioner of Police.	Not justified
C/274/2002	Complainant's claim for arrears of pension and other allowances from the Mauritius Ex-Services Trust Fund rejected.	Pending
C/282/2002	Injustice caused to complainant by action of Civil Aviation Department.	Pending
C/303/2002	Complainant claims that he is receiving huge bills which are unacceptable from the Mauritius Housing Co. Ltd. Avers that Ministry of Finance may be at fault.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
FISHERIES		
C/231/2001	Request for transfer of professional fisherman card from Mauritius to Rodrigues not yet considered.	Rectified
C/49/2002	Frustration caused by re-amendment of Scheme of Service.	Rectified
GOVERNMENT PRINTING OFFICE		
C/236/2002	No benefits paid to complainant whose office has been declared vacant by Public Service Commission on ground of failing to resume duty after expiry of leave.	Not justified
HEALTH AND QUALITY OF LIFE		
C/431/98	Air and noise pollution caused by complainant's neighbour.	Pending
C/84/99	Smell nuisance caused by pigsty.	Pending
C/176/2000	Noise nuisance caused by printing machines operating illegally. Complainant avers that no action has been taken by the authorities concerned.	Discontinued
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.	Explained
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.	Explained
C/251/2000	Application for leave remains without reply.	Pending
C/286/2000	Smoke and odour nuisances harmful to health and environment.	Pending
C/78/2001	Complainant avers that his wife did not receive appropriate medical treatment etc.	Explained
C/86/2001	Medical negligence.	Not justified
C/91/2001	Cannula left in patient's arm upon discharge from hospital.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HEALTH AND QUALITY OF LIFE — Continued		
C/173/2001	Noise and other nuisances caused to complainant by neighbour operating workshop.	Rectified
C/190/2001	Application by owner of enclaved land to use part of State land in order to access public road still not considered.	Pending
C/204/2001	Application for leave not considered by Ministry.	Pending
C/208/2001	Noise pollution caused by social gatherings in nearby hall.	Explained
C/213/2001	Application for study leave without pay rejected.	Explained
C/215/2001	Noise nuisance caused by complainant's neighbour.	Explained
C/218/2001	Complainant contests the effective date of the offer of his appointment as Radiographer.(Diagnostic)	Rectified
C/219/2001	Complainant contests the effective date of the offer of her appointment as Radiographer.(Diagnostic)	Rectified
C/277/2001	No action taken by authorities in respect of odour nuisance reported by complainant.	Rectified
C/286/2001	Complainant has been overpaid salary. Now states that it will be difficult for her to refund. Seeks my intervention.	Pending
C/303/2001	Odour nuisance and river pollution caused by nearby factory.	Rectified
C/15/2002	Unjustified change in posting.	Pending
C/18/2002	Complainant avers that his daughter did not get appropriate treatment for an injury to her eye.	Explained
C/25/2002	Transport problems faced by dialysis patients	Rectified
C/26/2002	Noise and other nuisances caused by complainant's neighbour.	Not justified
C/57/2002	Noise nuisance.	Pending
C/68/2002	Complainant contests his transfer from one hospital to another.	Not justified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HEALTH AND QUALITY OF LIFE — Continued		
C/93/2002	Odour nuisance caused by poultry farming.	Pending
C/123/2002	Noise nuisance caused by complainant's neighbour's factory etc.	Pending
C/130/2002	Complainant avers he is the victim of frequent transfers etc.	Pending
C/149/2002	Air pollution caused by bakery near complainant's residence.	Rectified
C/155/2002	Noise and air pollution.	Pending
C/162/2002	Nuisance caused to complainant by furniture workshop.	Pending
C/164/2002	Complainant disturbed by the treatment given to his wife who passed away in hospital.	Explained
C/186/2002	Noise and other nuisances caused by factory.	Rectified
C/209/2002	Complainant's post declared vacant. No reason given etc.	Not justified
C/220/2002	Complainant's mother attending Jeetoo Hospital referred from one department to another and still awaiting for surgical intervention.	Pending
C/241/2002	Stagnation of water leading to breeding of mosquitoes.	Pending
C/245/2002	Complainant considers sudden transfer as inhuman treatment.	Explained
C/252/2002	Complainant who has already served in Rodrigues as Radiographer for more than a year does not wish to serve there again as Senior Radiographer whilst other officers have not served there at all.	Pending
C/279/2002	Unprofessional behaviour of doctor towards complainant.	Pending
C/309/2002	Noise nuisance caused by complainant neighbour's workshop.	Pending
C/324/2002	Illegal operation of electric motors causing considerable noise and great inconvenience to the complainant and his family.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HOUSING AND LAND DEVELOPMENT		
C/363/98	Rent offered by complainant in respect of lease of State land turned down by Ministry after more than 10 years.	Discontinued
HOUSING AND LANDS		
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.	Discontinued
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
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.	Rectified
C/42/2001	Complainant's plot of land acquired compulsorily more than 6 years back. Not yet paid for it.	Rectified
C/53/2001	Application for morcellement permit not considered after more than one and a half years.	Discontinued
C/104/2001	Complainant avers that she is being unjustly claimed arrears of rent by Ministry.	Rectified
C/270/2001	Ex-sand extractor not listed for compensation following interdiction to extract sand.	Explained
C/274/2001	Application to renew lease of State land not entertained.	Explained
C/284/2001	Non-renewal of leases by Ministry.	Pending
C/321/2001	Offending structures put on State land causing inconvenience to complainant.	Pending
C/98/2002	Complainant avers that his queries in respect of an increase in rent of State land leased to a 'Succession' which he represents have remained unanswered.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
HOUSING AND LANDS — <i>Continued</i>		
C/112/2002	Application to convert hawker's licence into a beach hawker's licence not attended to.	Pending
C/152/2002	Claim for State land rent in excess of what is really due by complainant.	Discontinued
C/179/2002	Complainant avers being penalised in the award of scholarships.	Not justified
C/200/2002	Delay in finalising acquisition of complainant's land by Ministry.	Pending
C/210/2002	Access to Pas Geometriques held by complainant on lease blocked by another similar lessee.	Pending
C/261/2002	Complainant avers that her ex-husband is squatting on State land leased to her. No action by the authorities.	Pending
C/294/2002	Complainant contests the compulsory acquisition of his land.	Explained
INCOME TAX		
C/301/2002	Belated claim for deduction in respect of handicapped persons turned down.	Pending
INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS		
C/176/2002	Complainant's appointment as temporary Senior Computer Analyst cancelled after three and a half months only. Complainant reverted to previous post of Computer Analyst.	Explained
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.	Rectified
C/29/2002	Claim for refund of suitor's monies not considered.	Rectified
C/45/2002	Articles stolen from complainant's shop produced as exhibits before court. Not yet returned to him although trial is over.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
JUDICIAL — Continued		
C/160/2002	Suitor's money wrongly refunded to complainant's brother.	Pending
C/250/2002	Surety not returned to complainant after disposal of case against him.	Pending
LABOUR AND INDUSTRIAL RELATIONS, EMPLOYMENT AND HUMAN RESOURCE DEVELOPMENT,		
C/137/2000	Complainant has been regularly registering for a job for the last 22 years. Still no positive reply.	Pending
LABOUR AND INDUSTRIAL RELATIONS		
C/217/2001	Claim for outstanding rent etc. against ministry's refusal to pay same.	Explained
C/318/2002	Complainant avers that he has been treated unfairly by Ministry regarding office accommodation which the Ministry rents from him.	Pending
LOCAL GOVERNMENT AND RODRIGUES		
C/310/2001	Open drain causes flooding of complainant's premises and is a danger to the public.	Rectified
C/60/2002	Access to complainant's house rendered difficult by neighbour who has erected fences. No action taken by authority concerned.	Explained
C/94/2002	Poor living conditions of sixteen families in village.	Pending
C/185/2002	Untarred road causes problems to inhabitants of locality etc.	Pending
LOCAL GOVERNMENT AND RODRIGUES (NATIONAL DEVELOPMENT UNIT)		
C/201/2002	Works done not paid for. No response to claim for payment by complainant.	Pending
MAURITIUS EXAMINATIONS SYNDICATE		
C/21/2002	Invigilation fees not paid to complainant	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
NATIONAL TRANSPORT AUTHORITY		
C/68/2001	Complainant still awaiting the decision of the National Transport Authority in respect of application for taxi licence made more than six years before.	Rectified
C/311/2001	Claim for refund of sum wrongly deducted as P.A.Y.E.	Explained
C/81/2002	Application to transfer base of operation of taxi car from one base to another rejected.	Not justified
C/101/2002	Complainant's application for renewal of his conductor's licence rejected. He is at present undergoing sentence of imprisonment.	Explained
POLICE		
C/137/99	Noise nuisance emanating from complainant's neighbour's illegal workshop.	Rectified
C/197/2000	No action taken in a case of theft reported by complainant.	Explained
C/202/2000	No action by Police in respect of declarations made by complainant against his ex-wife.	Rectified
C/17/2001	Complainant, a detainee, requests copy of statement he gave in connection with a plot of land allegedly belonging to him etc.	Explained
C/50/2001	No action taken following declaration of missing person made by complainant since 7 months.	Explained
C/90/2001	Barrister-at-law avers that he has been insulted and humiliated by Police Officer.	Pending
C/178/2001	Complainant's mauritian and french passports confiscated since 1997 and not yet returned to him.	Rectified
C/183/2001	Disturbance allowance, rent etc. not paid to police officers from Rodrigues who are on training in Mauritius.	Rectified
C/223/2001	No action taken by Police regarding declaration made by complainant.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
POLICE — Continued		
C/251/2001	Heirs of deceased person claim the return of gold allegedly illegally imported by their late father and seized by Police.	Rectified
C/285/2001	Complainant claims the return of his car which is being detained by the Police since 8 months on grounds that it is a stolen car.	Discontinued
C/294/2001	No action taken by Police following declaration made by complainant.	Explained
C/308/2001	Illegal trespass notice put up by Sugar Estate which prevents access to sugar cane plantations by individual planters.	Explained
C/315/2001	Excessive noise caused by complainant's neighbour.	Rectified
C/319/2001	Complainant injured in road accident since a year. No action taken yet against the defaulter.	Rectified
C/325/2001	Complainant made a declaration of forgery of his signature against another person. Avers that the enquiring officer has requested him to say that the signature was his own and had not been forged.	Not justified
C/2/2002	Request for Police report in case of larceny of auticycle for insurance purposes not yet entertained.	Rectified
C/3/2002	Foreign national avers that he has been forced by a Police Officer to incriminate himself in a drug case.	Explained
C/14/2002	Request by detainee to have a statement recorded from him by the Police in connection with a case of theft at the detainee's place not entertained.	Explained
C/19/2002	Complainant detained by Police in a sexual offence case. Claims he is innocent.	Pending
C/27/2002	No reply from Police to application for driving licence made since three years.	Rectified
C/32/2002	Police "atrocities".	Not justified
C/33/2002	Clearance by Police for Restaurant Keeper's licence withheld.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
POLICE — Continued		
C/39/2002	Complainant not made aware of the outcome of a declaration he made to the Police.	Pending
C/44/2002	Period served as Special Police Constable not recognised as pensionable service.	Pending
C/47/2002	Noise caused by residents in block of flats. No action taken by Police.	Not justified
C/51/2002	Complainant not informed of result of declaration of assault made by her.	Explained
C/73/2002	Complainant avers he has been arrested and detained for one night for an offence he has not committed.	Not justified
C/82/2002	Obstruction of pavement where complainant has a shop. No action taken by authorities.	Pending
C/87/2002	Complainant's vehicle seized by Police in connection with a case of hold up. Complainant prosecuted and convicted. Now undergoing sentence. Vehicle not yet returned.	Rectified
C/90/2002	No follow up action by the Police regarding declaration made by complainant.	Explained
C/91/2002	No follow up action regarding declarations made to the Police.	Explained
C/92/2002	Money seized from complainant's place during police raid nearly ten years ago not returned although complainant was not charged with any offence.	Pending
C/113/2002	Failure by Police to provide complainant with copies of statements he gave to the Police in connection with a criminal case against him.	Rectified
C/119/2002	Complainant, a Police Officer, suspended from duty and not yet reinstated after seven months although no further action has been advised against him.	Rectified
C/131/2002	Illegal operation as beach hawker.	Not investigated
C/137/2002	Detained for nearly two years without trial.	Explained.
C/142/2002	No action taken following declarations made by complainant to the Police.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
POLICE — Continued		
C/143/2002	No action taken regarding complaints made to the Police.	Explained
C/146/2002	Complainant kept on remand for more than a year without being tried.	Rectified
C/147/2002	Complainant in custody since six months without trial – detained for possession of drugs.	Explained
C/159/2002	Failure by Prison administration to inform the Court of the reason for non-appearance of the detainee on the day his case was called.	Explained
C/167/2002	Failure by Police to provide complainant with a report in respect of a case of arson at complainant's place.	Rectified
C/187/2002	Obstruction of road caused by private enterprise.	Discontinued
C/188/2002	Application for driving licence in respect of motor cycles and private cars not considered since one year.	Pending
C/191/2002	Request for retirement from the Police Force not entertained.	Explained
C/196/2002	Complainant not satisfied with amount of refund upon ceasing to be a member of the Police Welfare Association.	Explained
C/197/2002	Complainant contests decision of Police objecting to his application for running a night club.	Pending
C/199/2002	Complainant claims that he has been unjustly arrested.	Explained
C/203/2002	Unconvicted detainee claims the return of a photograph belonging to him and which has nothing to do with the offence for which he has been arrested	Not justified
C/207/2002	Complainant detained since nearly nine months without trial in respect of drug offence.	Explained
C/213/2002	Not informed of any follow up action following declaration made by complainant to the Police.	Explained
C/214/2002	Complainant avers unlawful practice by the Police Welfare Association.	Not justified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>POLICE — Continued</i>		
C/217/2002	No action taken by the Police in respect of declarations made by the complainant and others.	Discontinued
C/219/2002	Complainant avers that the Police Complaints Bureau refused to record his statements.	Pending
C/221/2002	No action taken by authorities concerned against complainant's neighbour who is carrying on business illegally.	Pending
C/227/2002	Allegation of serious wounds and blows inflicted upon detainee by other detainees. No action taken by the Prison administration.	Pending
C/237/2002	Detainee on remand for several months. Delay by Police in lodging case against him.	Pending
C/238/2002	No reply from Police concerning declarations made by complainant.	Explained
C/243/2002	Complainant detained by Police for more than one and a half years without trial.	Explained
C/246/2002	Complainant not informed of his rights by Police before his statement was recorded.	Pending
C/259/2002	Complainant avers that the Police refused to record his statement following a threat of bodily harm against him.	Pending
C/260/2002	False report produced by Police in Court in connection with an application for legal aid made by complainant.	Discontinued
C/266/2002	Complainant victim of a road accident. Alleged offender allowed to leave the country. No follow up action by the Police.	Pending
C/267/2002	No follow up action by Police following declaration of wounds and blows etc. made by complainant.	Pending
C/268/2002	Complainant detained on remand for the last eighteen months without trial.	Rectified
C/271/2002	Complainant arrested in connection with a drug offence and released subsequently. Pleads his innocence.	Not investigated

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
POLICE — Continued		
C/288/2002	Requests made by lawyer for documents relating to motor accident case since a year not attended to.	Rectified
C/290/2002	Larceny case reported by complainant. No further action by the Police.	Pending
C/298/2002	Complainant avers that a false allegation has been made against his wife in respect of a drug offence.	Pending
C/305/2002	Detainee's bank account frozen after his conviction for drug offence.	Explained
C/307/2002	Request by Attorney at Law for documents relating to motor accident made nearly two years ago not attended to.	Pending
C/311/2002	No proper action taken by Police against foreigner who is indebted to complainant.	Pending
POSTMASTER GENERAL		
C/110/2002	Requests for vacation leave not considered.	Not justified
C/165/2002	Delay in informing complainant about the outcome of disciplinary action against him. Complainant faces financial difficulties.	Explained
C/262/2002	Postal Officer transferred twice within short space of time. Prejudice suffered by him.	Explained
PRIME MINISTER'S OFFICE		
C/252/2000	Certificate of registration as citizen of complainant's daughter taken away from complainant and never returned.	Rectified
C/202/2001	Foreigner's application for extension of stay in Mauritius and for a work permit not considered.	Discontinued
C/298/2001	Application for visa by complainant in respect of husband who is a foreigner turned down.	Explained
C/161/2002	Application for residence permit made by complainant's husband since nearly 10 years not yet granted.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>PRIME MINISTER'S OFFICE — Continued</i>		
C/170/2002	Request by foreigner for extension of stay on medical grounds.	Rectified
C/212/2002	Delay in the filling of the posts of Senior Scientific Officer (Forensic Science) causes prejudice to complainants.	Pending
<i>PRISONS</i>		
C/332/99	Casual leave and sick leave wrongly calculated.	Rectified
C/159/2001	Detainee not receiving adequate medical treatment. Requests to be seen by a specialist.	Rectified
C/186/2001	Detainee avers that the medical treatment he is being given is not helping him.	Explained
C/272/2001	Detainee who is epileptic not satisfied with medical treatment he is getting.	Not justified
C/314/2001	Wrong computation of sentence.	Discontinued
C/5/2002	Complaint against conditions of detention in prison.	Explained
C/10/2002	Detainee contests decision of Commissioner of Prisons to transfer him from Beau Bassin to Phoenix Prison, etc.	Pending
C/11/2002	Detainee claims his personal property at the prison where he is detained is lost.	Explained
C/13/2002	Not getting appropriate medical care etc.	Not justified
C/22/2002	Detainee complains about the quantity of food etc. he gets daily. Wants to know what his rights are.	Discontinued
C/36/2002	Detainee avers he is not getting appropriate medical treatment.	Explained
C/37/2002	Detainee avers he is not getting appropriate medical treatment.	Explained
C/38/2002	Assaulted during unrest at Prison etc.	Explained
C/40/2002	Detainee not getting adequate medical treatment.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
PRISONS — Continued		
C/41/2002	Detainee's request to be transferred to another prison on ground of his own security not considered.	Explained
C/61/2002	Detainee avers he is not getting appropriate medical treatment for abdominal pain.	Not justified
C/63/2002	Request to be transferred from one prison to another not entertained.	Rectified
C/66/2002	Assault by Prison Officer.	Discontinued
C/67/2002	Detainee undergoing unbearable pain. Awaiting operation.	Rectified
C/70/2002	Detainee avers that money is missing from his account at the Prison.	Explained
C/77/2002	Detainee avers he did not receive enlarged photo of himself for which he paid.	Discontinued
C/88/2002	Detainee not getting appropriate medical treatment.	Discontinued
C/102/2002	Detainee not getting adequate food in view of his ailment.	Pending
C/122/2002	Request to do work earning extra remission rejected by Prison Administration.	Explained
C/140/2002	Detainee not satisfied with the quantity of food served etc.	Explained
C/151/2002	Money received by detainee not credited to his account.	Explained
C/156/2002	Detainees threatened by co-detainee. Matter reported but no action taken.	Not justified
C/169/2002	Detainee denied visit by family	Discontinued
C/172/2002	Problems concerning articles purchased by detainee from his own monies and shortage of money received by him from abroad.	Explained
C/174/2002	Detainee avers that he has been transferred to Phoenix Prison for no valid reason and is not getting the medical care he deserves.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>PRISONS — Continued</i>		
C/175/2002	Detainee not getting appropriate reading material.	Explained
C/180/2002	Problems regarding detainee's entitlement to visits that are still "pending".	Rectified
C/194/2002	Personal belongings of detainee missing upon his transfer from one prison to another.	Rectified
C/202/2002	Detainee does not receive his letters on time etc.	Explained
C/205/2002	Item of clothing not returned to detainee's bag of civil clothings.	Rectified
C/206/2002	Privilege withdrawn, private cash problem and inadequate medical treatment in respect of detainee.	Explained
C/218/2002	Detainee avers he is victim of brutality on the part of a Prison Officer, avers there is a shortage of his cash, etc. etc.	Explained
C/223/2002	Detainee's weekly spending allowance not sufficient.	Rectified
C/225/2002	Delay by Prison Administration in posting detainee's letter, etc.	Explained
C/232/2002	Detainee avers that money was seized from his person, his artificial leg thrown away and was beaten up, etc. etc.	Discontinued
C/235/2002	Detainee not satisfied as regard items allowed on visit by his sister and as regard hygienic conditions prevailing in kitchen.	Explained
C/242/2002	Detainee avers that his weekly allowance of cigarettes has been reduced.	Explained
C/244/2002	Unjust punishment averred by detainee.	Explained
C/247/2002	Detainee avers that he has not been issued with leather sandals as recommended by the doctor at Dr. Jeetoo Hospital.	Not justified
C/248/2002	Detainee avers that his weekly earnings have been reduced by 50%.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>PRISONS — Continued</i>		
C/251/2002	Complainant, a foreign national, avers that he receives letters from his relatives abroad after long delay.	Explained
C/253/2002	Detainee's extra remission duty stopped for no reason.	Explained
C/258/2002	Detainee not happy with the amount of food served, etc.	Explained
C/264/2002	Detainee avers that he is being wrongly accused of possession of syringe following search in residential block. Transferred from GRNW prison to Beau Bassin Prison.	Explained
C/275/2002	Detainee not allowed to practice "body building" etc.	Explained
C/278/2002	Detainee not satisfied with medical treatment he gets.	Explained
C/284/2002	Application for denture turned down.	Pending
C/285/2002	Detainee has an eye problem and is not receiving appropriate treatment, etc.	Pending
C/286/2002	Detainee avers that his account is not being properly handled.	Pending
C/291/2002	Letter to Ombudsman's Office not dispatched at time of request etc.	Explained
C/295/2002	Earnings reduced.	Explained
C/296/2002	No reason given to detainee regarding his transfer to high-security prison etc.	Pending
C/308/2002	Ill treatment of complainant's brother.	Not entertained
C/310/2002	Privilege of wearing T-shirt and short withdrawn without notice.	Explained
C/314/2002	Disappearance of detainee's books from his cell etc.	Pending
C/319/2002	Detainee deprived of remission.	Pending
C/322/2002	Visit to complainant by three persons not allowed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
PRISONS — Continued		
C/323/2002	Detainee not receiving adequate medical treatment.	Pending
C/325/2002	Detainee not allowed to practice his religion etc.	Pending
C/326/2002	Detainee's extra-remission work stopped suddenly.	Pending
PUBLIC INFRASTRUCTURE		
C/89/2000	Complainant's neighbour putting up construction not respecting distance from boundary line.	Explained
PUBLIC INFRASTRUCTURE, LAND TRANSPORT AND SHIPPING		
C/273/2001	Offending structures put up by complainant's neighbour.	Pending
C/290/2001	No action taken against complainant's neighbour who is erecting a building without leaving statutory distance.	Pending
C/293/2001	Nothing done by the authorities concerning offending building built by complainant's neighbour.	Discontinued
C/295/2001	Offending building put up by complainant's neighbour. No action taken by the authority concerned.	Pending
C/54/2002	Flooding of drain causing great inconvenience to inhabitants in the neighbourhood.	Pending
C/72/2002	Deficient bus service to inhabitants of certain villages.	Explained
C/99/2002	Poor service offered by bus operators. No action taken despite complaints made to the authority concerned.	Explained
C/115/2002	Application for registration with Ministry made more than a year ago. No decision taken yet.	Pending
C/121/2002	Problems re bus service along Route 232 - overloaded buses, delay in running time, etc.	Explained
C/129/2002	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
PUBLIC INFRASTRUCTURE, LAND TRANSPORT AND SHIPPING — <i>Continued</i>		
C/133/2002	Untarred roads causing serious problems to inhabitants of locality.	Pending
C/135/2002	Illegal construction put up by complainant's neighbour.	Pending
C/192/2002	Complainant claims that she has been unjustly penalised upon renewal of her motor vehicle licence.	Explained
C/306/2002	Illegal building put up by complainant's neighbour. No proper action by authorities concerned.	Pending
C/315/2002	No public transport available to inhabitants of locality.	Pending
PUBLIC UTILITIES		
C/253/2000	Anomaly in salary	Rectified
C/95/2001	Sewerage problem at Cité Chebel gives rise to serious odour nuisance.	Explained
C/1/2002	Overflow of sewage.	Rectified
C/76/2002	Complainant contests bills from Wastewater Management Authority.	Pending
C/289/2002	No water supplied to inhabitants of locality during the day for years.	Pending
C/316/2002	Blocked drain.	Pending
REGISTRAR OF ASSOCIATIONS		
C/312/2002	Irregularities committed by association. No action taken by authority concerned.	Pending
REGISTRAR GENERAL		
C/56/2002	Complainant disputes the claim for additional registration duty.	Not investigated
C/96/2002	Complainant contests claim of Rs 63,360 representing registration duty plus penalty on purchase of a plot of land.	Rectified

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>REGISTRAR GENERAL — Continued</i>		
C/299/2002	Complainant contests the claim for additional registration duty payable.	Explained
<i>RODRIGUES</i>		
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.	Discontinued
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.	Rectified
C/135/96	Length of service not properly computed.	Explained
C/250/96	Length of service not properly computed.	Explained
C/333/96	Complainant is the widow of ex public officer. Pension payable to husband stopped after latter's death	Explained
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.	Discontinued
C/463/96	Length of service not properly computed.	Rectified
C/97/97	Length of service not properly computed.	Pending
C/246/97	Length of service not properly computed.	Explained
C/263/97	No decision taken concerning application for State land by complainant.	Discontinued
C/294/97	Complainant received no lump sum or pension upon his retirement from the public service.	Pending
C/423/97	Length of service not properly computed.	Pending
C/71/98	Length of service not properly computed.	Pending
C/74/98	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/83/98	Length of service not properly computed.	Explained
C/113/98	Length of service not properly computed.	Rectified
C/115/98	Length of service not properly computed.	Pending
C/143/98	Length of service not properly computed.	Pending
C/177/98	Length of service not properly computed.	Pending
C/235/98	Length of service not properly computed.	Rectified
C/253/98	Length of service not properly computed.	Pending
C/255/98	Length of service not properly computed.	Not justified
C/337/98	Length of service not properly computed.	Rectified
C/339/98	Length of service not properly computed.	Pending
C/350/98	Length of service not properly computed.	Rectified
C/357/98	Length of service not properly computed.	Pending
C/358/98	Length of service not properly computed.	Pending
C/361/98	Application for State land not considered.	Pending
C/376/98	Length of service not properly computed.	Pending
C/377/98	Length of service not properly computed.	Rectified
C/386/98	Length of service not properly computed.	Explained
C/392/98	Length of service not properly computed.	Pending
C/422/98	Length of service not properly computed.	Explained
C/442/98	Length of service not properly computed.	Explained
C/444/98	No lump sum or other retiring benefits paid to retired public officer.	Pending
C/23/99	Length of service not properly computed.	Pending
C/69/99	Length of service not properly computed.	Rectified
C/74/99	Length of service not properly computed.	Pending
C/88/99	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/92/99	Length of service not properly computed.	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/124/99	Length of service not properly computed.	Pending
C/125/99	Length of service not properly computed.	Pending
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/146/99	Length of service not properly computed.	Rectified
C/151/99	Length of service not properly computed.	Partly Rectified
C/155/99	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/177/99	Length of service not properly computed.	Rectified
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.	Rectified
C/189/99	Length of service not properly computed.	Pending
C/194/99	Length of service not properly computed.	Not justified
C/206/99	Length of service not properly computed.	Explained
C/223/99	Length of service not properly computed.	Explained
C/227/99	Length of service not properly computed.	Rectified
C/241/99	Length of service not properly computed.	Rectified
C/246/99	Length of service not properly computed.	Pending
C/249/99	Length of service not properly computed.	Pending
C/269/99	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/275/99	Length of service not properly computed.	Pending
C/290/99	Length of service not properly computed.	Rectified
C/291/99	Length of service not properly computed.	Not justified
C/312/99	Complainant has been replacing another officer for five years. No appointment made.	Discontinued
C/349/99	Length of service not properly computed.	Pending
C/352/99	Length of service not properly computed.	Rectified
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.	Rectified
C/363/99	Length of service not properly computed.	Explained
C/371/99	Length of service not properly computed.	Pending
C/372/99	Length of service not properly computed.	Explained
C/380/99	No lump sum or pension paid to ex-public officer who retired some 22 years ago.	Pending
C/387/99	Length of service not properly computed.	Pending
C/390/99	Length of service not properly computed.	Pending
C/420/99	Length of service not properly computed.	Pending
C/422/99	Length of service not properly computed.	Rectified
C/426/99	Length of service not properly computed.	Pending
C/428/99	Length of service not properly computed.	Rectified
C/439/99	Length of service not properly computed.	Pending
C/11/2000	Length of service not properly computed.	Rectified
C/21/2000	Length of service not properly computed.	Pending
C/23/2000	Length of service not properly computed.	Rectified
C/42/2000	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/52/2000	Length of service not properly computed.	Explained
C/77/2000	Length of service not properly computed.	Pending
C/82/2000	Length of service not properly computed.	Pending
C/97/2000	Length of service not properly computed.	Pending
C/133/2000	Length of service not properly computed.	Pending
C/139/2000	Length of service not properly computed.	Pending
C/140/2000	Length of service not properly computed.	Explained
C/149/2000	No pension paid to retired public officer.	Pending
C/152/2000	Length of service not properly computed.	Explained
C/154/2000	Length of service not properly computed.	Explained
C/156/2000	Length of service not properly computed.	Pending
C/157/2000	Length of service not properly computed.	Pending
C/184/2000	Length of service not properly computed.	Pending
C/194/2000	Length of service not properly computed.	Pending
C/216/2000	Length of service not properly computed.	Pending
C/223/2000	Allowances for performing higher duties not paid to complainant, etc.	Explained
C/234/2000	Length of service not properly computed.	Pending
C/235/2000	Length of service not properly computed.	Pending
C/255/2000	Disturbance allowance not paid.	Rectified
C/258/2000	Length of service not properly computed.	Pending
C/267/2000	No reply to application for residential lease renewed yearly.	Pending
C/2/2001	Complainants not made aware of result of Trade Test undergone by them. Others have received their results and have even been promoted.	Pending
C/4/2001	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/5/2001	Length of service not properly computed.	Pending
C/7/2001	Length of service not properly computed.	Explained
C/8/2001	Land dispute at Petit Brule. Intervention of Rodrigues Administration solicited.	Pending
C/12/2001	Length of service not properly computed.	Rectified
C/23/2001	Application to operate boarding house not granted.	Rectified
C/40/2001	Length of service not properly computed.	Explained
C/48/2001	Length of service not properly computed.	Rectified
C/56/2001	Length of service not properly computed.	Pending
C/59/2001	Length of service not properly computed.	Pending
C/64/2001	Length of service not properly computed.	Pending
C/65/2001	No reply to application for plot of State land since 10 years.	Discontinued
C/69/2001	Length of service not properly computed.	Rectified
C/74/2001	Length of service not properly computed.	Pending
C/79/2001	Length of service not properly computed.	Pending
C/88/2001	Length of service not properly computed.	Explained
C/96/2001	No reply to application for commercial lease for construction of a restaurant made more than seven years ago.	Pending
C/100/2001	Length of service not properly computed.	Pending
C/101/2001	Length of service not properly computed.	Pending
C/105/2001	Length of service not properly computed.	Explained
C/110/2001	Length of service not properly computed.	Pending
C/115/2001	Length of service not properly computed.	Pending
C/118/2001	Length of service not properly computed.	Pending
C/120/2001	Length of service not properly computed.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/124/2001	Length of service not properly computed.	Pending
C/125/2001	Length of service not properly computed.	Explained
C/126/2001	Anomaly in salary.	Not justified
C/140/2001	Length of service not properly computed.	Explained
C/142/2001	Length of service not properly computed.	Pending
C/143/2001	Length of service not properly computed.	Pending
C/148/2001	Length of service not properly computed.	Pending
C/154/2001	Length of service not properly computed.	Pending
C/155/2001	Basic invalidity pension disallowed.	Explained
C/158/2001	Length of service not properly computed.	Pending
C/160/2001	Length of service not properly computed.	Discontinued
C/163/2001	Length of service not properly computed.	Rectified
C/164/2001	Length of service not properly computed.	Explained
C/169/2001	Length of service not properly computed.	Explained
C/170/2001	Length of service not properly computed.	Explained
C/192/2001	Claim for responsibility allowance for driving heavy vehicles.	Not justified
C/197/2001	Length of service not properly computed.	Not justified
C/198/2001	Request to transfer residential lease not entertained.	Pending
C/200/2001	Length of service not properly computed.	Pending
C/212/2001	Length of service not properly computed.	Explained
C/221/2001	Length of service not properly computed.	Pending
C/226/2001	Lease agreement in favour of complainant not yet drawn up.	Rectified
C/228/2001	Application for transfer of lease of State land not considered.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/230/2001	Length of service not properly computed.	Pending
C/232/2001	No reason given for deduction effected from salary.	Rectified
C/233/2001	New roster causes prejudice to complainants.	Rectified
C/237/2001	Complainant who is a labourer doing the duty of valve operator without being paid any allowance.	Not justified
C/238/2001	Length of service not properly computed.	Pending
C/240/2001	Complainant not being paid full responsibility allowance.	Rectified
C/245/2001	Length of service not properly computed.	Pending
C/253/2001	Complainant interdicted since more than three years. Not prosecuted. No action taken yet as regard disciplinary proceedings against him.	Rectified
C/255/2001	Complainant's salary not adjusted upon his promotion.	Rectified
C/256/2001	Complainant's salary not adjusted following report of ad hoc Committee into "alleged anomalies".	Pending
C/258/2001	Application for lease of agricultural land made since about six years. Case not yet finalised.	Pending
C/259/2001	Allowance promised to complainant for operating machine not paid to him.	Rectified
C/260/2001	Drainage problem at Port Mathurin.	Pending
C/261/2001	Mileage allowance not paid.	Discontinued
C/264/2001	Length of service not properly computed.	Explained
C/269/2001	Length of service not properly computed.	Pending
C/271/2001	No reply to application for lease of State land for residential purposes made more than five years ago.	Pending
C/276/2001	Claim of lump sum by retired public officer.	Not justified
C/280/2001	Length of service not properly computed.	Explained
C/281/2001	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/282/2001	Length of service not properly computed.	Pending
C/287/2001	Length of service not properly computed.	Pending
C/292/2001	Length of service not properly computed.	Not justified
C/297/2001	Allowance for performing extra duty not paid.	Rectified
C/299/2001	Length of service not properly computed.	Pending
C/304/2001	Length of service not properly computed.	Explained
C/306/2001	Widow of deceased public officer claims that her pension is not adequate.	Rectified
C/307/2001	Length of service not properly computed.	Explained
C/312/2001	Widow of late public officer avers she receives no pension after death of husband.	Pending
C/316/2001	Death benefits not paid to deceased officer's widow.	Rectified
C/317/2001	Length of service not properly computed.	Pending
C/318/2001	Length of service not properly computed.	Not justified
C/323/2001	Application for State land for residential purposes since more than six years not yet considered.	Pending
C/324/2001	Length of service not properly computed.	Pending
C/327/2001	Length of service not properly computed.	Explained
C/329/2001	Length of service not properly computed.	Pending
C/7/2002	Length of service not properly computed.	Not justified
C/8/2002	Length of service not properly computed.	Pending
C/12/2002	Length of service not properly computed.	Not justified
C/16/2002	Amount of pension not appropriate.	Not justified
C/17/2002	No reply to application for State land for residential purposes made four years back.	Pending
C/24/2002	No lump sum paid to complainant following death of husband, ex-public officer.	Not justified
C/28/2002	Length of service not properly computed.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/34/2002	Vacation leave not enjoyed and extra days' work not paid.	Pending
C/42/2002	Length of service not properly computed.	Explained
C/43/2002	Length of service not properly computed.	Pending
C/50/2002	Length of service not properly computed.	Explained
C/53/2002	Non-payment of responsibility allowance.	Rectified
C/58/2002	Length of service not properly computed.	Pending
C/62/2002	Length of service not properly computed.	Not justified
C/69/2002	Length of service not properly computed.	Explained
C/71/2002	Length of service not properly computed.	Pending
C/74/2002	Closed season allowance not paid to complainant who is a fisherman.	Not justified
C/75/2002	Length of service not properly computed.	Pending
C/78/2002	Vacation leave not enjoyed by complainant and not paid for it.	Rectified
C/80/2002	Length of service not properly computed.	Pending
C/83/2002	Length of service not properly computed.	Discontinued
C/84/2002	Complainant who had applied for the post of Roster Driver called for interview and medical test but not for practical driving test. Not appointed.	Discontinued
C/95/2002	Length of service not properly computed.	Explained
C/97/2002	Length of service not properly computed.	Explained
C/100/2002	Uniform allowance due to complainant's late husband not paid, etc.	Rectified
C/103/2002	Length of service not properly computed.	Explained
C/104/2002	Length of service not properly computed.	Explained
C/105/2002	Application for plot of State land made by religious society for running of religious classes not yet considered after two years.	Pending

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<i>RODRIGUES — Continued</i>		
C/106/2002	Complainant who is a School Caretaker since 1989 not promoted yet although others have been promoted as Senior School Caretaker.	Explained
C/108/2002	Punitive transfer etc.	Not justified
C/111/2002	Length of service not properly computed.	Not justified
C/114/2002	Application for commercial lease made seven years ago. Not yet considered.	Pending
C/116/2002	Length of service not properly computed.	Pending
C/117/2002	Request for information regarding length of service.	Explained
C/127/2002	Length of service not properly computed.	Not justified
C/128/2002	Length of service not properly computed.	Not justified
C/148/2002	Length of service not properly computed:	Explained
C/157/2002	Anomaly in salary.	Not investigated
C/163/2002	Request for transfer of ownership of building onto complainants' names not considered after more than four months.	Pending
C/166/2002	Length of service not properly computed.	Explained
C/171/2002	Obstruction of road by complainant's neighbour.	Pending
C/178/2002	Plot of State land already leased to complainant now being subject of a lease to a third party.	Pending
C/181/2002	Anomaly in passage benefits.	Explained
C/182/2002	Length of service not properly computed.	Explained
C/189/2002	Lease agreement in respect of State land signed by complainant but has not been handed over to him.	Rectified
C/190/2002	Request for information regarding length of service not attended to.	Not justified
C/193/2002	Length of service not properly computed.	Not justified
C/211/2002	Length of service not properly computed.	Explained

APPENDIX E — continued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
RODRIGUES — Continued		
C/216/2002	Complainant avers non-payment of passage benefits and short payment of accumulated sick leave.	Pending
C/222/2002	Length of service not properly computed.	Not justified
C/226/2002	Length of service not properly computed.	Pending
C/230/2002	Length of service not properly computed.	Explained
C/231/2002	Length of service not properly computed.	Explained
C/233/2002	Not recruited despite having registered at the Employment Office since seven years.	Explained
C/239/2002	Length of service not properly computed.	Pending
C/240/2002	Length of service not properly computed.	Pending
C/257/2002	Passage benefits not paid to complainant.	Pending
C/265/2002	Length of service not properly computed.	Not justified
C/270/2002	Bonus not paid to complainant's deceased husband.	Pending
C/273/2002	Length of service not properly computed.	Explained
C/276/2002	Allowance not paid to complainant for performing certain duties.	Pending
C/277/2002	Length of service not properly computed.	Pending
C/280/2002	Length of service not properly computed.	Pending
C/281/2002	Length of service not properly computed.	Pending
C/287/2002	Length of service not properly computed.	Pending
C/292/2002	PRB recommendation not applied in Rodrigues.	Pending
C/300/2002	Length of service not properly computed.	Pending
C/304/2002	Length of service not properly computed.	Pending
C/313/2002	Length of service not properly computed.	Pending
C/317/2002	Pension not paid to complainant, widow of deceased government pensioner.	Pending
C/320/2002	Length of service not properly computed.	Pending
C/321/2002	Length of service not properly computed.	Pending

Printed by the Government Printing Office
Republic of Mauritius
October 2003