



Republic of Mauritius

30th Annual Report **of the** **OMBUDSMAN**

January - December 2003
No. 15 of 2004

30th
Annual Report
of the
Ombudsman

January — December 2003

OFFICE OF THE OMBUDSMAN

OMB. 13/04 Vol. XXX

28 May 2004

The Right Honourable Sir Anerood Jugnauth, G.C.S.K., K.C.M.G., Q.C.,
President of the Republic of Mauritius,
State House,
Le Reduit.

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 30th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2003.

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

Yours respectfully,

(Soleman M. HATTEEA)
Ombudsman

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Annual Report of The Ombudsman

January – December 2003

Year under review

This is the 30th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2003.

In 2003 there has been a substantial increase in the number of new complaints received – 458 as compared to 326 in 2002. The number of rectified cases however remained more or less the same: 114 as against 109.

We also registered 34 own-motion cases, i.e. cases in which we investigated as a result of press articles and in the absence of any complaint made directly to us.

We also received 157 copies of complaints addressed to other bodies/authorities and 256 letters concerning matters which do not fall under our jurisdiction. As usual, we lend a helping hand to those persons who have genuine and deserving causes for complaint and follow up their cases until their final determination.

Statistics for 2003

Cases pending as at 31 December 2002	...	...	260
Case intake in 2003	...	...	458
Cases dealt with in 2003	...	...	718
Cases rectified	...	...	114
Cases partly rectified	...	...	1
Cases not justified	...	...	52
Cases explained	...	...	202
Cases discontinued	...	...	65
Cases not entertained	...	...	1
Cases not investigated	...	...	13
Cases pending as at 31 December 2003	...	...	270

Rodrigues

I proceeded to Rodrigues in April and September 2003. Altogether 256 persons called on me for assistance during those two working trips. The number of files that were opened on the spot amounted to 31 whilst other persons were either explained how to lodge their complaints or were directed to the appropriate body/institution. At the end of the year the number of complaints received from Rodrigues was 108.

The citizen and the Ombudsman

With the coming into existence of certain institutions in the course of these last few years, to wit -

- (a) the National Human Rights Commission, set up for the better protection of human rights, for the better investigation of complaints against members of the Police (except those which are the subject of investigation by the Ombudsman), and for matters connected therewith or incidental thereto;

- (b) the *Independent Commission Against Corruption*, created to combat more effectively the scourges of corruption and money-laundering but also to educate the public on the evils of such scourges;
- (c) the *Ombudsperson for Children*, established to better promote children's interests and better protect children's rights in line with the Convention on the Rights of the Child, and to investigate into complaints regarding violation of children's rights,

I have thought it fit to explain, once again, the role of the Ombudsman, whose sphere of operation is somewhat different from those of the three above-mentioned bodies.

The essential task of the Ombudsman is to assist the citizen in his dealing with ministries and other government departments whenever he claims to have suffered an injustice or any prejudice as a result of maladministration i.e. of any action (or inaction) or decision taken by any officer or authority in the exercise of administrative functions of that officer or authority. The Ombudsman acts as a counterweight but does not nor can he substitute himself for those in power or those who take decisions. His role is to protect the citizen against any abuse of power, unfairness, error, negligence, violation of right or other administrative dysfunction. His power is to investigate such cases and he has the right to propose a solution instead of imposing one. He may be described as a mediator (indeed the Ombudsman is called "médiateur" in many french-speaking countries) between the citizen and the administration. The Ombudsman makes it possible for the administration to accept having made a mistake or gone wrong somewhere, whenever such is the case, and requests the administration itself to take remedial measures. As a result, thanks to the intervention of the Ombudsman, the rights of citizens are respected by the authorities.

The right to a good administration is indispensable in a democratic state and the Ombudsman endeavours to see to it that such a right is respected. What is good administration or indeed good governance about? It is the manner in which power is exercised in the management of a country's affairs, which, inter alia, includes an efficient, open, fair and accountable public service and respect for human rights and the rule of law. Democracy stands to be strengthened by a performing administration.

However, even in the most democratic countries, administrative mistakes are made or one may encounter excessive bureaucracy. The Ombudsman institution would therefore provide checks and balances in support of a good administration. The incorporation of the Ombudsman institution into our Constitution shows that it is meant to be a key and independent watchdog.

As democracy evolves from being a system of government to being a way of life, the Ombudsman institution must also evolve from being a critic of the administration to becoming its partner in search for solutions to citizens' problems, although I must hasten to add that the Ombudsman institution must not be regarded as a government department or as a puppet of the authorities. The Ombudsman operates free from any form of control or interference whatsoever. He is totally independent and it is this independence that allows him to fulfil his mission.

Whilst the Ombudsman can use all the weapons that are available to him, he must himself remain within the law and observe the highest standards of professionalism and integrity.

The absence of any formality in proceedings before the Ombudsman and easy access to him make the Ombudsman institution a deeply democratic one. His commitment is to none other than the citizens of this country.

Ombudsman's jurisdiction extended

In my report for the year 1999 (see 26th Annual Report of the Ombudsman) I stated the following:
".... I invite the authorities concerned to consider extending the jurisdiction of the Ombudsman so as to enable him to investigate into complaints against local authorities. Presently we have to get round the problem by seeking the intervention of the Ministry of Local Government. It would be infinitely better for the Ombudsman to be able to intervene directly with local authorities." I am pleased to say that the Constitution has now been amended to that effect.

Indeed in July 2003 the National Assembly passed the Constitution of Mauritius (Amendment) Bill in order to provide for an extension of the Ombudsman's powers to enable him to investigate actions taken by local authorities. This is what the then Honourable Prime Minister had to say, inter alia, in his presentation when the Bill was read a second time at the National Assembly –

"Mr. Deputy Speaker, Sir, being given the numerous complaints being made to the parent Ministry and through the press regarding alleged maladministration and unfair treatment in the processing of applications and especially in the context of major changes to be brought to the Local Government sector, it is high time that an independent and impartial institution be given the responsibility to investigate into those matters and grant redress whenever possible.

This institution will reassure the citizens and provide an essential link between them and the Local Authorities. The option has been clear to us. The Ombudsman's Office which was set up since 1968 has proved itself as an impartial and independent body on which one can rely and get satisfaction."

At the same time the definition of "local authority" was amended so as to mean the municipal council of a town or district in Mauritius.

The Act has yet to come into operation on a date to be fixed by Proclamation, once the reform of the local government system is completed.

It is also interesting to note that with a decentralisation form of government in the island of Rodrigues brought about by the Rodrigues Regional Assembly Act 2001 and in the absence of any clear legal provision concerning the powers of the Ombudsman who had continued to carry out investigations in matters of alleged maladministration in Rodrigues, the opportunity was taken in the said Constitution of Mauritius (Amendment) Bill to extend the powers of the Ombudsman to cover the Rodrigues Regional Assembly also.

Association des Ombudsmans et Médiateurs de la Francophonie (AOMF)

The AOMF held its third statutory congress in Tunisia from 14 to 17 October 2003. As a member of the executive board of that association I attended the conference.

The theme of the conference was: "L'Ombudsman/Médiateur, acteur de la transparence administrative" and I presented a paper entitled "L'ensemble des services de l'État et le rôle de l'Ombudsman – l'expérience Mauricienne".

The congress was very well attended: more than sixty Ombudsman and Mediators and their collaborators, a representative of the Agence Internationale de la Francophonie and delegates from several countries and non-governmental organisations dealing with human rights.

A training seminar was also held on that occasion, more especially for the collaborators.

Finally elections were held for the renewal of the executive board. I was once again elected as a member thereof.

The "Declaration Finale" reads as follows -

"Les Ombudsmans et les Médiateurs de la Francophonie réunis en Congrès international à Yasmine Hammamet (14-17 octobre 2003), ont proclamé la nécessité de défendre les valeurs de la démocratie, de l'état de droit et les droits de la personne, à l'issue du 3ème Congrès statutaire de l'Association des Ombudsmans et Médiateurs de la Francophonie (AOMF).

Les Ombudsmans et Médiateurs, dont le rôle est de protéger les droits des citoyennes et citoyens contre les erreurs, les négligences, les injustices et les abus que peuvent commettre les administrations publiques envers les citoyens, ont tenu leur Congrès sur le thème de la transparence administrative, dont ils sont les protagonistes.

L'Association regroupe près de 40 Ombudsmans et Médiateurs provenant de 30 pays; elle s'est donné pour mandat de prendre tous les moyens possibles pour mieux servir les intérêts des citoyens qu'elle protège. L'Association, avec l'aide de l'Organisation Internationale de la Francophonie, a développé un plan d'action pour que les institutions que sont les Ombudsmans et Médiateurs de la Francophonie puissent être mieux outillées et se fassent davantage connaître de la population.

La nouvelle Présidente de l'Association, Maria Grazia Vacchina, Médiateur de la Vallée d'Aoste, a déclaré que l'Association qu'elle préside veut apporter une contribution au développement de la démocratie et au respect des droits de la personne. L'AOMF entend, dans les deux prochaines années, prendre une part active à la mise en oeuvre de la Déclaration de Bamako.

A cet égard, les Médiateurs et Ombudsmans se doteront d'outils pour mieux mesurer l'état de la démocratie et l'effectivité des droits de la personne.

L'AOMF a également invité tous ses membres à agir en collaboration avec les organisations non gouvernementales de défense des droits de la personne qui sont aussi des agents de défense de l'état de droit et ce, au nom de la solidarité qui doit unir celles et ceux qui oeuvrent à cette haute mission.

L'AOMF invite également les services publics à recentrer leurs actions en considérant qu'ils sont au service des citoyennes et citoyens et non l'inverse.

Fait à noter: ce Congrès a établi un précédent: la haute direction est formée de trois femmes, soit la Présidente, Mme Maria Grazia VACCHINA, et les deux Vice-Présidentes Mme Alifa CHAABANE FAROUK, Médiateur Administratif de la République Tunisienne, et Mme Diakité Fatoumata N'DIAYE, Médiateur de la République du Mali."

The African Ombudsman Association (AOA)

The AOA was born from the ashes of the African Ombudsman Centre, which was merely a regional physical structure located in Tanzania and which was dissolved following a resolution passed at the Seychelles Regional Conference in 2001. The Constitution of this new association was ratified at the Regional Conference held in 2003 in Ouagadougou, Burkina Faso, where a strategic plan for the future was adopted. At that conference the Ombudsman of Burkina Faso (le Médiateur du Faso) was elected President whilst the two vice-Presidencies went to the Ombudsman of Lesotho and the Ombudsman of Malawi. I was elected on the executive board.

This new association comprises english-speaking, french-speaking as well as arab-speaking countries in Africa and is open to all african countries.

Visitors from abroad

On 1 July 2003 a delegation from Rwanda called on me. It was headed by Mr. Jean Gatera, Chef de Département Droits Civils et Politiques and it comprised Mr. Séraphin Rumaziminsi, Chef de Département Droits Economiques, Sociaux, Culturels et Droit au Développement and two other officers, all of them from the “Commission Nationale des Droits de l’Homme” based in Kigali.

I was given to understand that they were on study tour in Mauritius and held discussions with our National Human Rights Commission.

We discussed about the functioning of the Ombudsman institution in Mauritius and I was pleased to be informed that the new Constitution of Rwanda which came into operation on 4 June 2003 has made provision for the establishment of an Ombudsman.

Acknowledgements

First and foremost I would like to thank the staff of my office for their cooperation in the preparation of this report without forgetting of course their commitment throughout the year.

Next I wish to express my satisfaction at the way Ministries/Departments that were scrutinised by me supported my effort in finding solutions to the problems of citizens, wherever possible.

I am also thankful to my colleagues throughout the world whose reports I receive regularly and from whom I continue to learn a lot, bearing in mind that they operate in their own respective environment. In spite of our differences our objective is the same: bringing justice to the citizen.

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 own-motion cases where remedial action was taken.

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.

28 May 2004

(S.M. HATTEEA)
Ombudsman

CHAPTER IX – THE OMBUDSMAN

96. Office of Ombudsman

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

97. Investigations by Ombudsman

(1) Subject to this section, the Ombudsman may investigate any action taken by any officer or authority to which this section applies in the exercise of administrative functions of that officer or authority, in any case in which a member of the public claims, or appears to the Ombudsman, to have sustained injustice in consequence of maladministration in connection with the action so taken and in which -

- (a) a complaint under this section is made;
 - (b) he is invited to do so by any Minister or other member of the Assembly; or
 - (c) he considers it desirable to do so of his own motion.
- (2) This section applies to the following officers and authorities -
 - (a) any department of the Government;
 - (b) the Police Force or any member thereof;
 - (c) the Mauritius Prison Service or any other service maintained and controlled by the government or any officer or authority of any such service;
 - (d) any authority empowered to determine the person with whom any contract or class of contracts is to be entered into by or on behalf of the Government or any such officer or authority;
 - (e) such other officers or authorities as may be prescribed by Parliament:

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

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

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

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

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

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

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

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

Provided that -

- (i) the Ombudsman may conduct such an investigation notwithstanding that the person aggrieved has or had such a right or remedy if satisfied that in the particular circumstances it is not reasonable to expect him to avail himself or to have availed himself of that right or remedy; and
- (ii) nothing in this subsection shall preclude the Ombudsman from conducting any investigation as to whether any of the provisions of Chapter II has been contravened.

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

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

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

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

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

98. Procedure in respect of investigations.

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

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

99. Disclosure of information.

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

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

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

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

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

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

100. Proceedings after investigation.

(1) This section shall apply in every case where, after making an investigation, the Ombudsman is of the 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 the opinion -

- (a) that the matter should be given further consideration;
- (b) that an omission should be rectified;
- (c) that a decision should be cancelled, reversed or varied;
- (d) that any practice on which the act, omission, decision or recommendation was based should be altered;
- (e) that any law on which the act, omission, decision or recommendation was based should be reconsidered;
- (f) that reasons should have been given for the decision; or
- (g) that any other steps should be taken, the Ombudsman shall report his opinion, and his reasons, to the principal officer of any department or authority concerned, and may make such recommendations as he thinks fit; he may request that officer to notify him, within a specified time, of any steps that it is proposed to take to give effect to his recommendations; and he shall also send a copy of his report and recommendations to the Prime Minister and to any Minister concerned.

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

101. Discharge of functions of Ombudsman

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

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

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

102. Supplementary and ancillary provision.

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

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

THE OMBUDSMAN ACT

1. Short title.

This Act may be cited as the Ombudsman Act.

2. Oaths of office.

(1) Before performing the duties of their respective offices, the Ombudsman and the Senior 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 who 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

AGRICULTURE, FOOD TECHNOLOGY AND NATURAL RESOURCES

C/269/2002

Complainant gets refund of salary deducted

B.D. claimed that a deduction had been effected “arbitrarily” from his salary supposedly on account of failure to submit applications for leave to cover absences on five days, whereas according to him, he had submitted such applications.

He requested me to restore his “rights”.

I called for the Ministry’s version which was to the effect that B.D. had submitted his applications for leave on 12 December 2002 to cover absences on 31 August, 7, 19, 21 and 28 September 2002.

Indeed it would appear that B.D. was called at the Ministry and confirmed the Ministry’s version.

Exceptionally the Ministry decided to refund the amount deducted from B.D.’s salary but his attention was drawn to the need of submitting applications for leave on time in future.

C/69/2003

Sugar Technologist paid his due

V.R. who works as Sugar Technologist at what is commonly known as the Control Board complained that, as a result of wrong information given by the Assistant Manager to the effect that he did not perform certain duties, he was deprived of his allowance.

The matter was taken up with the parent ministry which held a meeting at which were present the parties concerned and the General Manager of the Control Board. After discussions it was suggested that the complainant should get 70% of the allowance payable whilst the remaining 30% would go to another Sugar Technologist who was also involved in the carrying out of those duties.

The approval of the Ministry of Civil Service Affairs and Administrative Reforms was sought and the latter had no objection to the sharing of the allowance between the Sugar Technologists, as proposed.

Action was accordingly taken on the basis of such approval.

Asked to inform me once he received his due, V.R. kept quiet.

C/89/2003

Watchmen get satisfaction through Ombudsman

In March 2003 a group of watchmen at the Ministry of Agriculture, Food Technology and Natural Resources explained to me that they were wont to working sixty hours weekly irrespective of days. Indeed they stated that they did not mind working during week-ends and public holidays at normal working rate because in return they were paid an extra rate after sixty hours of work.

They now claim that since the beginning of February 2003 they are being denied extra duty which has now been shifted to relief workers who are paid extra rate for the same work.

They averred that this was an injustice and sought my intervention.

I called for the explanation of the Ministry and their version was that -

- (i) owing to budgetary constraints measures were taken to reduce the overtime bill of the Northern Range Section of the Forestry Service;
- (ii) though overtime work between Watchmen and General Field and Office/Premises Workers were now fairly distributed, it resulted in General Field and Office/Premises Workers drawing more as overtime than Watchmen;
- (iii) remedial action was accordingly taken.

As these measures still created frustration among Watchmen, I requested the Ministry to seek the advice of the Secretary for Public Service Affairs inasmuch as the matter related to conditions of service.

Finally it was decided to discontinue the arrangements made and to entrust watchman duties to Watchmen only as from May 2003.

We received a letter of thanks for our intervention in favour of the complainants.

CIVIL SERVICE AFFAIRS AND ADMINISTRATIVE REFORMS

C/17/2003

Period served by complainant as Agricultural Cadet reckoned as pensionable service

O.B., a Fellow of the Institution of Agricultural Engineers (FIAGrE), complained that his service as Agricultural Cadet in the public service from 1 February 1967 to 1 July 1973 i.e. a period of 6 years and 5 months, had not been reckoned by the Accountant General as "pensionable service" when he retired from the post of Project Manager at the Mauritius Sugar Authority where he had worked from 11 September 1985 to 18 October 2002.

He contested this decision of the Accountant General as being unfair the more so as, according to him, in a case similar to his the "cadetship" period of the officer concerned was reckoned as "pensionable service". He therefore sought my intervention in the matter.

Discussions were held with the Secretary for Public Service Affairs (SPSA), Ministry of Civil Service Affairs and Administrative Reforms and his first reply was that in order to reckon the period served by O.B. as Agricultural Cadet as "qualifying service" for pension purposes, the Pension Regulations would have to be amended, which in turn would require a policy decision in the matter.

When I requested the SPSA to compare this case to the cases of two other officers whose period of service as "Cadet Valuer" was reckoned as "qualifying service" he replied that they were employed with a "salary" whereas O.B. was drawing "remuneration" and not "salary" and that furthermore under the Pensions Regulations, "qualifying service" means the period between the date on which an officer begins to draw salary in respect of public service and the date of his leaving the public service.

In its report of 2003, the Pay Research Bureau recommended that 50% of the length of period of traineeship, studentship and cadetship in the service when immediately followed by appointment in the grade be reckoned for pension purposes. This applied to officers holding a substantive appointment as at 30 June 2003, whereas O.B. had retired since 18 October 2002.

I therefore felt that a strict application of Regulation 14 of the Pensions Regulations which date back to 1951 would produce an unfair result and would cause prejudice to O.B., specially bearing in mind the meaning assigned to the length of service of an officer in both the Financial Management Manual ("..... shall start from the date he joins the public service and begins to be paid from public funds irrespective of the capacity in which he is employed") and confirmed by the PRB Report 2003.

Consequently I requested the SPSA to look further into the matter and after seeking legal advice from the Solicitor General's Office it was decided that the period of enlistment of O.B. as Agricultural Cadet may be considered as pensionable service.

Subsequently the complainant informed me that he had been paid his additional benefits and added that he was satisfied with our intervention.

CUSTOMS

C/255/2002

Objection to transfer of ownership of three cars imported by complainant waived

A.S.J. claimed to be an innocent victim of the Customs Department inasmuch as that department objected at the level of the National Transport Authority to the transfer of ownership of three cars imported by him from South Africa for the account of three different persons.

He averred that an inquiry carried out in respect of all three cars revealed no fraud in respect of two of those cars but that one car formed the subject-matter of a prosecution before the Intermediate Court. Even that case was dismissed on 18 June 2001.

Soon after he approached the Customs Department to have the objection in respect of all three cars lifted, but in vain. He wrote a letter to that department on 30 October 2001 but again without any success. It was only in October 2002 that he sought my intervention in the matter.

Upon being queried by me the department replied that they were still awaiting an official correspondence from the Intermediate Court to the effect that the case before that court had indeed been dismissed and that upon receipt of same they would be seeking further advice from the State Law Office.

As no response was received and being pressed by me, officials of that department proceeded to the Intermediate Court and finally obtained a certified copy of the proceedings.

Finally, after obtaining advice from the State Law Office the Comptroller of Customs informed me that the objection in respect of all three vehicles had been lifted and the National Transport Authority was accordingly informed. A letter to that effect was sent to A.S.J. by the Customs Department itself.

EDUCATION AND SCIENTIFIC RESEARCH

C/2/2003

Child obtains admission to same school as twin sister

In a copy of a letter dated 23 December 2002 addressed to the Honourable Minister of Education and Scientific Research Mrs. D. brought out the following -

- (i) her twin daughters M.B. and A.B. had both passed the CPE Exams with aggregates of 25 and 24 respectively.
- (ii) M.B. scored 5 'A' and was allocated her first choice college i.e. Sodnac State Secondary School, whereas A.B. obtained Aleemiah College, which was her fourth choice.

Mrs. D. informed the Minister that ever since their childhood the twins have been together in the same class both in kindergarten and primary school. They have always obtained similar results and shared the same aspirations. Now they are deeply affected psychologically and the mother feared that this "separation" might impair their health and have a negative impact on their studies.

She further informed the Minister that other children who lived outside the catchment area of Sodnac SSS and who had even scored 4 "A" and 1 "B" had been admitted to that school. She could not understand why child A.B. was not also allocated the same school as her twin.

She therefore requested the Minister to give due consideration to the matter on humanitarian grounds.

I felt that this was a fit case for my intervention and I therefore took up the matter with the Ministry.

In the meantime a copy of Mrs. D.'s letter dated 23 January 2003 addressed this time to the Permanent Secretary revealed that the request of Mrs. D. had been rejected. She explained how the health of A.B. was deteriorating to the extent that the management of Aleemiah College had to call her on three occasions because A.B. suffered from severe headache and could not follow her classes. She again appealed for a transfer of A.B. on humanitarian grounds.

However, the Ministry responded positively to my intervention but asked for a further delay in order to take up the matter with the Mauritius Examinations Syndicate which was responsible for the admission exercise.

Indeed on 3 February 2003 the Ministry informed me that it had been decided that A.B. would be admitted to Sodnac SSS as an exceptional case in view of her grade aggregate.

Although Mrs. D. did not write to me as such but only copied her letters to me, it is considered that our intervention has produced a positive result.

C/12/2003

Lady teacher gets a transfer but no maladministration found

In a letter dated 21 January 2003 one Mrs. Z.B.J., an Education Officer, informed me that she felt victimised because of frequent transfers she was subjected to. In short she averred that during the last five years she had been transferred to different schools on three occasions, whereas many colleagues of hers are not inconvenienced by repeated changes in posting.

According to her those transfers left her with no job satisfaction and she was deprived of the opportunity to feel a sense of achievement. Moreover, she had to cope with three young children and she had no longer any moral strength to cope with and adapt to new circumstances upon every transfer.

My inquiry revealed that the lady had been appointed as Education Officer in 1996 and posted to Sharma Jugdambi State Secondary School. In 1998 it was upon her own request for a school nearest her residence that she was transferred to Professor Hassan Raffa State Secondary School. Again in 2001 it was at her request to be transferred to a school where she would encounter less transport problems that she was transferred to Droopnath Ramphul State Secondary School. With the opening of 15 new State Secondary Schools (Forms 1 to V) and 5 Form VI Colleges in 2003, a large cohort of teachers was recruited as a result of which a major redeployment of teaching staff had to be effected. It was in this context that in January 2003 Mrs. Z.B.J. was transferred back to Professor Hassan Raffa State Secondary School which was not too far from Port Louis, where she lived.

However, in February 2003, following a vacancy at Renganaden Seeneevassen State Secondary School located at approximately one kilometre from Mrs. Z.B.J.'s residence, she was transferred there.

That information was communicated to me by the Ministry in June 2003, i.e. four months after the event. Not satisfied with the length of time the Ministry took to inform me about this I called for an explanation and the reply I received was an example of what it should never be, to wit: "The delay was essentially procedural in nature and is regretted." Thereupon I requested the Permanent Secretary of the Ministry for her personal explanation as regard the delay. Her reply was that -

- (i) it took some time to obtain the required information from the relevant Directorate/Section of the Ministry,
- (ii) there has been quite a few changes during that period in the staffing of the Secondary Education Sector desk at the Ministry.

The Permanent Secretary however added that her Ministry was then engaged in major educational reforms and that was heavily taxing their limited resources resulting sometimes in delays. She offered her regrets for what happened.

I accepted the explanation of the Permanent Secretary but I informed her that in future, whenever the deadline set by me could not be met, it was incumbent on the Ministry to apply for a further delay, giving reasons, but in no circumstances I should be left in the dark as to what is happening.

As regard the complaint itself, bearing in mind that on the last two but one occasions the lady had been transferred at her own request and the context of her last transfer, I found that she had no cause for complaint. Indeed I informed her that I found no maladministration in her case. All the same she wrote to say that she was very happy with her last transfer.

C/13/2003

Incremental credits awarded to complainant

The gist of the complainant's case is that, in his capacity as School Clerk, he has been refused incremental credits for additional qualification obtained from the Institute of Chartered Secretaries and Administrators (ICSA) since August 1995.

When he was promoted to the grade of Usher in a Secondary School on 11 December 1997 he again applied for incremental credits as Usher in 1998. This time he received no reply notwithstanding two reminders sent by him to the Ministry of Education and Scientific Research.

When I took up the matter with that Ministry they referred it to the Ministry of Civil Service Affairs and Administrative Reforms (MCSAAR) for a review, in the light of additional information on the course content of ICSA.

MCSAAR approved the award of two incremental credits to the complainant with effect from 1 July 1998 and informed him directly. However the complainant was not satisfied with the effective date and requested that it should be August 1995, date on which he obtained his qualification.

The explanation of MCSAAR was that incremental credit for additional qualification is awarded for a qualification which, inter alia, is directly related to the duties of the grade and further that School Clerks are not awarded incremental credits in respect of ICSA qualification.

Upon my request the matter was reconsidered and MCSAAR gave its approval for backdating the award to 10 November 1997. Again the complainant was informed directly. As he did not protest again it can safely be assumed that he was satisfied.

C/37/2003

Complainant's salary adjusted after deduction for three days had been effected

S.B., a teacher, protested against the deduction effected from his salary of three days casual leave. His story is that he applied for three days casual leave to be spent abroad one month before the date of his departure but before receiving any reply he proceeded on leave. He only received a reply one month after his application, after he had returned from leave, and it was to the effect that his application had not been approved due to the exigencies of the service. He claimed that such reason did not apply to him as there were eight teachers for four classes at his institution and he believed his application would be granted.

The version of the Ministry of Education and Scientific Research was that since S.B. had gone on leave without prior approval the leave he had taken was considered unauthorised, hence the deduction from his salary.

However, in view of the delay in informing S.B. of the non-approval of his application for leave, the matter was reconsidered and covering approval exceptionally given for the three days casual leave.

The salary of S.B. was accordingly adjusted.

C/67/2003

Two incremental credits awarded to complainant following Ombudsman's intervention

Miss V.D.O. complained about the silence of the Ministry of Education and Scientific Research (MESR) concerning her application made in September 2002 for the award of incremental credit for additional qualification. Indeed, as at 25 February 2003, date of her letter to me, MESR had not made any reply to the complainant.

As MESR had referred the application to the Ministry of Civil Service Affairs and Administrative Reforms (MCSAAR) I first queried the Secretary for Public Service Affairs who informed me that it was MESR itself which did not recommend the application and therefore MCSAAR did not approve the application "in line with paragraph 4 of this Ministry's Circular Note No. 4 of 2001" and they informed MESR accordingly on 27 November 2002.

That Circular Note however, in paragraph 4 itself, states that a reply should be made to the officer concerned informing him of the reasons for which his application cannot be considered. This MESR had failed to do although three months had already gone by.

When questioned by me MESR replied that it had not done so because it was intended to review Miss O.'s case in the light of additional information on the course content of the BSc Social Studies, which Miss O had to her credit. I pause here to wonder why MESR did not do this before making its negative recommendation.

All the same, in June 2003, Miss O.'s case was referred anew to MCSAAR for review and I went back to the Secretary for Public Service Affairs. Finally the application was approved by MSCAAR and it was decided to grant two incremental credits to Miss O with effect from 25 July 2002, date on which she obtained her degree.

Miss O was immediately informed both by me and by MESR.

C/96/2003

Education Officer paid salary arrears

The complaint of M.L., an Education Officer, was to the effect that he had not been paid his salary for the months of January, February and March 2003. His letter was dated 29 March 2003 and, according to him, he was facing extreme financial difficulties.

I immediately sought the explanation of the Ministry of Education and Scientific Research and their version was that M.L. had been granted two years leave without pay as from 9 August 2002 for emigration purposes. He however returned to Mauritius five months later on account of personal problems and resumed duty at his former school on 15 January 2003. As a replacement had already been found his file had to be sent to Headquarters for purposes of reporting his anticipated resumption of duty to the Ministry of Civil Service Affairs and Administrative Reforms and deciding whether his original posting should be maintained. All this accounted for the delay.

However, arrangements were immediately made for the payment of his arrears of salary to be effected exceptionally by manual paysheet during the first week of April 2003.

M.L. thanked us for our intervention but still wondered how much longer he would have had to wait had he not knocked on our door!

C/196/2003

Pupil allowed to sit for CPE Examination

Mrs. Y.C. wrote to me to inform me about a decision of the Ministry of Education and Scientific Research that was causing prejudice to her son and she sought my intervention for redress.

She stated that her son, born in November 1990, was admitted in Standard V at H.B. Government School in the year 2002, after necessary formalities had been completed at the Ministry. At the beginning of 2003 her son was promoted to Standard VI at the same school. However, in mid- February, she was informed by the Headmistress of that school that her son was over-aged to stay in a government primary school and that he could no longer attend school unless and until a special permission was obtained from the Ministry.

She therefore wrote several letters, including one to the Honourable Minister himself, wherein she requested for permission for her son to be allowed to continue attending the H.B. Government School and to sit for the C.P.E. Examinations at the end of the year. She averred that she received no reply but received a copy of an internal memo between two officers of the Ministry which was mailed to her from H.B. Government School without any covering letter. According to the contents of that memo she understood that her request had not been acceded to.

It surfaced that the son was in another school in 2001 but did not pass the end-of-the-year examinations and was therefore not promoted to Standard VI. In that year he had some mild dyslexic problems and had to follow remedial education courses from a speech and language therapist during a period of three months. He improved drastically but had to repeat Standard V. It was however felt that he should be in a new school environment and that is how, with the agreement of the Ministry, she landed at H.B. Government School in 2002.

The official version of the Ministry was that Regulation 14(2) of the Education Regulations 1957 did not allow the Ministry to entertain the request of Mrs. C.

That Regulation reads as follows -

14.(2) No pupil, other than a pupil who repeats any class under regulation 11(1) shall -

(a) remain in Standard VI; or

(b) resit the Certificate of Primary Education Examination, where he reaches 13 on or after 1 January following the Certificate of Primary Education Examinations.

Following correspondence exchanged with the Ministry and a meeting with its Principal Assistant Secretary during which I expressed my dissatisfaction with the reason given by the Ministry to reject the request of Mrs. C., the Ministry maintained its decision after seeking legal advice in the matter.

I therefore resorted to Section 100 of the Constitution and made a formal recommendation to the effect that the pupil be allowed to sit for the C.P.E. Examinations to be held in October 2003. My considered opinion in this case was that -

(i) the pupil, having been born in November 1990, would reach the age of 13 in November 2003 and therefore before 1 January following the C.P.E. Examinations he wanted to sit for. He was therefore not caught under Regulation 14(2) of the Education Regulations which refer to a pupil reaching the age of 13 after 1 January following the C.P.E. Examinations.

(ii) Regulation 14(2) did not apply to a pupil who had repeated a class under Regulation 11(1) and, as pointed out above, the pupil had been allowed to repeat Standard V.

In compliance with Section 100 (2) of the Constitution a copy of my recommendation was sent to the Prime Minister and the Minister of Education and Scientific Research.

We had then reached October 2003 and I requested immediate action on the part of the Ministry as the CPE Examinations were fast approaching.

Two days later I was informed by the Ministry that, in the light of further advice received, it had been decided to allow the pupil to sit for the CPE Examinations as a school-going candidate and that arrangements were being made with the Zone Director and the parents informed accordingly.

An injustice has thus been avoided in time.

ENVIRONMENT

C/319/2003

Polluted river cleaned

According to a press article, Rivière La Chaux at Nouvelle France was so polluted that it represented a real threat to the health of the inhabitants of the region.

One of them who lives near the said river is reported to have said that her life had become hell as she was terribly worried about the health of her grandchildren who might accidentally fall into the river.

That person also related that sanitary inspectors come very irregularly to listen to the complaints of the inhabitants but never has anything been done to remedy the situation.

However, according to the President of the Village Council the situation was due to the negligence of the inhabitants themselves who used to throw all sorts of rubbish into the river, including dead animals.

Be that as it may, I requested the Ministry of Environment to look into the matter and take action.

It would appear that on the same day the article appeared in the newspaper a visit was effected at the site and it was observed that the river was being used as a dumping ground by certain inhabitants. Furthermore, those living on the bank of the river were discharging their wastewater directly into the river thereby causing the proliferation of mosquitoes and flies.

Another visit was effected by officers of the Ministry after receiving my letter and officers of the Ministry of Health and Quality of Life performed a larvaeciding exercise. Those inhabitants who were discharging their wastewater in the river were sensitized about the problem and requested to immediately stop doing so. Their names and addresses were recorded so that notices could be served on them in case of recidive.

Finally it was agreed that the river would be cleared by the Grand Port-Savanne District Council. This was done a few weeks later and the inhabitants had stopped discharging their wastewater into the river, although, according to them, "outsiders" used to come and dump their solid waste there. The help of the Police of Nouvelle France was solicited for maintaining regular patrols there.

FINANCE

C/180/2003

Assistance given to old lady by Trust Fund for the Social Integration of Vulnerable Groups

This is a case which I investigated on my own initiative after taking cognizance of a press article on 27 May 2003.

The article described the plight of an unemployed 63-year old widow after the island was hit by cyclone Dina in January 2002. Her house was destroyed by the cyclone and she was still awaiting assistance for the reconstruction of her house. The daughter of that lady lived with her and they depended only on her old-age pension to survive. Neighbours had helped them by putting up a temporary shelter made of iron sheets and tarpaulin covers. However, whenever it rains water penetrates inside and prevents them from sleeping.

I requested the assistance of the Trust Fund for the Social Integration of Vulnerable Groups which falls under the purview of the Ministry of Finance. An inquiry was made in the matter and the Management Committee of the said Trust Fund recommended the financing of a small corrugated iron sheet housing unit in favour of the lady.

When the officers of the Trust Fund visited the place they informed the lady of the decision taken and extended assistance to her.

The following actions were also taken -

- (i) title deed in respect of the land was regularised;
- (ii) construction permit obtained from the District Council; and
- (iii) application for Rs 40000/- grant for the casting of slab by the National Housing Development Corporation.

In the above-mentioned article the lady is reported to have said the following: "Je ne demande pas grand-chose, mais une petite aide pour reconstruire ma maison. Où trouver l'argent? Je ne travaille pas." This has now been done.

HEALTH AND QUALITY OF LIFE

C/241/2002

Stream cleared – health hazard removed

This case was started by me after I had taken cognizance of a press article entitled “Gare aux moustiques” in October 2002.

The article indeed described the deplorable state of “Ruisseau Fayolle” at Rivière des Créoles which was infested with mosquitoes and the worst was being feared by the inhabitants of the region, especially with summer approaching.

I immediately took up the matter with the Ministry of Health and Quality of Life and a few days later officers of the Health Inspectorate and those of the Medical Entomology Division were sent successively to inspect the site. It was noticed that the stream was blocked with leaves, plants, garbage and mud, thus causing stagnation of water favourable to the breeding of mosquito larvae. A statement of nuisance was served on the District Council for necessary action to be taken.

It would however appear that the District Council did not react and therefore, in view of the likely health hazard, the Ministry itself initiated action to clear and clean the stream and effect anti-malarial work.

As at April 2003 the following works had been done -

- (i) the mouth of Ruisseau Fayolle at the Fish Landing Station, Rivière des Créoles, has been properly cleaned and cleared of all obstructive matters by the maintenance team;
- (ii) the banks of the stream have been cleared of excess vegetation and refuse that had been dumped there; and
- (iii) anti-malarial works have been progressing gradually along the stream from the mouth inwards and to-date more than hundred and fifty metres of the stream have been completed, thus reducing breeding places for mosquitoes.

In addition, a sensitisation exercise was carried out among occupiers of land in the vicinity so that dumping refuse in the stream may be discontinued.

C/61/2003

Retired Nursing Officers employed on month-to-month basis get their due

A group of retired Nursing Officers informed me in February 2003 that they had been re-employed by the Ministry of Health and Quality of Life to give assistance at Nursing Officer Level on a month-to-month basis as from 5 March 2001. They however complained that certain privileges have been denied to them, to wit – end-of-year bonus (2001 and 2002), uniform allowance (2001 and 2002), risks allowance (1 monthly increment as from March 2001) and casual and sick leaves (after 12 months of continuous duty).

The matter was raised with the Ministry and after a few months action was taken for the payment of end-of-year bonus and uniform allowance and for the granting of annual and sick leaves.

As for risk allowance the Ministry also approved payment of one increment at the initial (point) of their salary scale.

All is well that ends well.

C/167/2003

Nuisance abated

A group of taxi-drivers whose base of operation was near a well-known beach hotel addressed their complaint to me as they had to endure a pungent smell emanating from the treatment plant of the said hotel.

Immediately the Ministry of Health and Quality of Life was made aware of the situation and an inspection was carried out by officers of the Health Inspectorate Division a few days later.

They detected a foul smell and fly nuisances which were due to dry sludge around the treatment plant. In addition there was a stacking of waste from horse stables in bags.

Sanitary notices were served on the hotel management summoning them to -

- (i) collect and properly dispose of the spilled dry sludge, and
- (ii) collect and properly dispose of the bags of waste from the stables.

Two days later a follow-up visit was effected and it was found that the notices had been complied with.

The source of the nuisance had been completely abated.

C/238/2003

Nuisance removed following Ombudsman's intervention

A lady living in a housing complex at Vallée des Prêtres complained about a neighbour of hers who was carrying on cabinet-making activities to the detriment of her health and that of her husband on account of the noise level. She averred that she had already made a complaint before, although she did not say to whom, but to no avail.

I requested the Ministry of Health and Quality of Life to look into the matter and report.

Initial site visits carried out by officers of the Ministry disclosed the presence of a wooden corrugated iron sheet structure within which a minor stock of wooden planks, hand tools and electrical machines were found. No activity was however noted at the time of inspection. All the same the wife of the author of the nuisance was informed of the complaint and a month or so later the author himself called at the Port Louis Health Office and stated that he would henceforth discontinue his activities.

Indeed subsequent visits revealed that no further cabinet-making activity was being carried out there and the electrical machines found during the initial visits had been removed.

HOUSING AND LANDS

C/200/2002

Complainant receives fair compensation for his land compulsorily acquired by Government

The complainant in this case wrote to me on 27 August 2002 informing me of Government's proposal to acquire two plots of land belonging to him for the purpose of extending an already existing State Secondary School.

As he was of the view that this was a "commendable project" he agreed to the proposal but expected a fair and adequate compensation in return.

However, he thought that the matter was being delayed too much on account of what he called "administrative bottleneck".

He averred that this "redtapism" was traumatising him "to the core", to the extent that he had to seek psychiatric treatment and was put on anti-depressants.

He therefore sought my intervention in order to speed up matters.

The official version received on 9 October 2002 was that Government had offered the complainant the sum of four million rupees (Rs 4,000,000) which the complainant found too low having regard to the price of land adjacent to his. Be that as it may Government had already gone ahead with the procedure set out in the Land Acquisition Act for the compulsory acquisition of land and on 15 February 2002 the land acquired had already vested in the Government. The latter had now requested the Chief Government Valuer to determine the compensation payable. The latter maintained that the sum of four million rupees was fair and reasonable.

After correspondence exchanged with the two parties and following a joint visit by the two sides and subsequent discussions, Government accepted a counter-offer of five million three hundred thousand rupees (Rs 5,300,000) made by the complainant.

Finally the deed of acquittance in favour of Government was drawn up and the complainant paid in full and final satisfaction on 28 May 2003.

Indeed on 20 July 2003 the complainant confirmed having received the sum of Rs 5,3 million and thanked us for our cooperation in the matter.

JUDICIAL

C/210/2003

Surety refunded

On 13 June 2002 the complainant was conditionally discharged upon his furnishing a surety of Rs 10000/- and to be of good conduct for one year, failing which to undergo three months imprisonment, in connection with a case of possession of stolen property before the District Court of Curepipe.

On 16 June 2003 the complainant wrote to me to say that he had been to the District Court to get back his money but he was told that his file had been mislaid.

Whilst I was investigating into the matter, the complainant wrote to me again to say that he again went to the District Court a couple of times where he was told that the Officer dealing with his file was either off, or had gone out temporarily or had been to the Supreme Court.

I decided to take up the matter with the Master and Registrar of the Supreme Court who, I must say, was very prompt to act, and finally I was informed by him that necessary vouchers had been prepared and submitted for payment.

The complainant was informed accordingly and was requested to inform me once the refund had been effected. He never replied but the case stands as a rectified one.

POLICE

C/92/2002

Lady refunded money seized (Rs 175,420/-) after more than ten years

In a letter dated 15 April 2002 Mrs.M.A. informed me that on 3 September 1992, i.e. nearly ten years before, she was arrested by ADSU officers in connection with a drug-related case and during the raid on her house the officers secured the sum of Rs 180000/- and some foreign currency. Her son as well was arrested. Only her son was prosecuted before the Intermediate Court in 1994 but the case

against him was dismissed. Her complaint was that the money secured from her premises, which was not even produced as exhibits during her son's trial, had up to now not been returned to her, whilst other objects and documents which were also secured had been returned to her in 1995. According to her the officers keep on postponing the return of the money.

My inquiry revealed that the Police secured the sum of Rs 175,420/- and some foreign currencies during the raid. However, around August 1993, the rupees had disappeared from the exhibit room of the Police. I need not dwell on this aspect of the case except to say that two police officers had to resign from the service following the disappearance of the money.

As I wanted to know from the Police as to how they would go about for the refund of the money they sought legal advice in the matter and finally the matter was referred to the Accountant General for the release of a Departemental Warrant for the sum of Rs 175,420/-. On 11 April 2003 Mrs. M.A. was refunded that sum and the foreign currencies, which all along had remained in the custody of A.D.S.U., were also returned to her.

Mrs. M.A. gave a statement to the Police confirming the return of her money and expressed her satisfaction.

C/188/2002

Application for driving licence approved

R.M. lodged a complaint before me to the effect that since one year he had made an application for a driving licence in respect of private cars and motor-cycles but had received no reply in spite of several calls at the traffic branch of Line Barracks.

He admitted in his letter addressed to me that he had, in the past, been convicted on two occasions for larceny but averred that he had now turned over a new leaf and was running a snack in his locality where he was respected.

The version of the Police was that R.M. had a heavy record of criminal convictions dating back to 1973 and it was on account of his criminal record that his application was refused by virtue of Section 41(4)(b) of the Road Traffic Act which reads as follows -

"The Licencing Officer may refuse to grant or renew any driving licence where he is satisfied that, by reason of the character, conduct or record of convictions of the applicant for grant or renewal, the driving of any motor vehicle or class of motor vehicles by that applicant is likely to be a source of danger or prejudice to the public."

However, the Police agreed to conduct a discreet enquiry into his present circumstances in the light of which a decision would be taken.

Indeed some time later the Police informed me that their enquiry had revealed that R.M. was now leading an honest life and therefore a letter was sent to him informing him of the approval for a provisional (learner) driving licence.

When asked to confirm whether he had received a convocation letter for onward processing the complainant made no reply.

His complaint stands as a rectified case.

C/197/2002

Complainant's application for permit to operate night club approved

N.R.'s complaint was to the effect that the Police was objecting to his application for a permit to operate a night club at Grand Baie.

He produced before me the clearances of the Government Fire Services and the District Council of Pamplemousses-Rivière du Rempart.

He also volunteered information to the effect that the building he proposed to use was previously also a night club which had been closed down by the Police because of its dubious activities. But he argued that he had nothing to do with the management of the previous night club and promised to run his own night club in a reputable manner. He even went as far as saying that should there be any future complaint about his night club he will not object to its closing down. It would also appear that he had taken a loan from a bank and borrowed money from his relatives for this venture.

When queried by me the Police stated that the proposed premises were indeed being used as a night club formerly but on account of various illicit and immoral activities carried out there the Police had on several occasions had to intervene in order to restore peace and order, and finally the previous owner was prosecuted for the offence of "keeping brothel" with the result that he had to cease operating.

According to the Police a new night club there would be a source of criticism from the general public and therefore they had no choice but to object to N.R.'s application.

I informed the Police that it would be unfair to visit the present applicant with the sins of the previous owner and requested for a full inquiry into the matter, including recording statements from neighbours.

Four months later the Police informed me that they had completed their inquiry and no longer objected to N.R.'s application.

Justice has thus been done.

C/221/2002

Illegal business stopped following complaint received by Ombudsman

A fully-licensed restaurant keeper held the following licences issued by the District Council of his locality -

- (i) Restaurant Keeper – licence duty Rs 7,000 yearly,
- (ii) Retailer of beer, cider, rum, liquor, alcoholic drinks and beverages on and off – licence duty Rs 3,000 yearly,
- (iii) Retailer of cakes and soft drinks – licence duty Rs 200 yearly.

Furthermore he was paying a sum of Rs 2,000 yearly for scavenging services in respect of his restaurant.

His complaint was that there was a "law breaker" who was selling "grillade" and other foodstuff and drinks in the open air next to his establishment without any licence whatsoever, with all its attending inconveniences – air pollution, noise nuisance, etc. According to him he has lodged several complaints to numerous authorities but to no avail. He therefore sought my intervention.

I requested the Commissioner of Police for a report on the matter. It surfaced that the person who was operating illegally had, in the past, been booked and prosecuted for trading without licence. She was convicted and fined. Nonetheless she carried on with her activities but following my intervention she was again booked for the same offence and prosecuted. Police patrol further revealed that the "law breaker" had ceased her activities.

A statement was recorded from the complainant in which he stated that he was satisfied with action taken.

C/307/2002

Attorney-at-Law's request for documents attended to after two years

The complainant, an Attorney-at-law, had written to the Commissioner of Police on three occasions during the year 2001, requesting for copies of certain documents relating to a road accident in which his client was involved. On 19 December 2002 he complained to me that the Commissioner had neither acknowledged receipt of his letters nor had supplied him with the documents he required.

I reminded the Commissioner of Police that, in the past, such situations had arisen and I had to intervene but it would appear that there has been a relapse at the department concerned, with the result that I am again receiving complaints of this nature.

On 26 February 2003 the Commissioner informed me that the complainant was written to on 6 February 2003 requesting him to call at Curepipe District Headquarters to collect the said documents.

I am once more drawing the Commissioner's attention to this kind of problem which represents a real loss of precious time for one and all and which, with some diligence, can be easily avoided.

C/22/2003

Passport returned to foreign national

A Swiss national, 71 years of age and of failing health, wrote to me on 30 January 2003 to inform me that his passport had been confiscated by the Police in February 2001 following a false declaration of sexual assault made against him by his maid.

In connection with this case he has appeared before the District Magistrate eight times and reported to the Police thirty-eight times.

He also informed me that the maid had retracted herself subsequently and, as there was no longer any charge against him, he wished to retrieve his passport and go back to Switzerland, his country of origin.

In their report to me the Police confirmed that the maid had, in a subsequent statement, stated that her employer had never attempted upon her chastity nor assaulted her but instead it was her husband who instigated her to make this false accusation. The husband was looked for but has never been traced out.

On 5 September 2002 the file was forwarded to the office of the Director of Public Prosecutions for advice and, upon my insistence that the Police should liaise with that office in order to expedite matters, I was informed that the Director of Public Prosecutions had on 13 March 2003 advised no further action.

Objection to the departure of the complainant was lifted a few days later and he was given back his passport.

The complainant wrote again to thank us for our intervention.

C/29/2003

Objection to departure against complainant waived and his application for a passport granted

H.O.'s complaint dated 30 January 2003 was two-fold -

- (i) an objection to his departure had not yet been lifted notwithstanding the fact that there was no more any criminal case pending against him, and
- (ii) his application for a passport had been rejected.

My inquiry showed that H.O. was involved in two cases: one of swindling and the other of forgery. Both offences were committed in 1994 and he was convicted and sentenced in both cases as follows -

- (a) in the swindling case: two years imprisonment on each count (9 counts) inflicted on 7 May 1997,
- (b) in the forgery case: six months imprisonment with hard labour inflicted on 3 June 1997.

According to H.O. he was discharged from prison on 31 October 2001 and had, since, turned over a new leaf and been leading a normal life. He even secured a good job. He now wanted to travel abroad and he reproached the Police for not waiving the objection to departure and not granting him a passport.

The matter was taken up with the Commissioner of Police and on 14 February 2003 the objection to departure was waived and he was personally informed through phone by an officer of the Passport and Immigration Office that he could come and collect his passport against payment of a fee, which he did on 26 March 2003.

C/41/2003

Complainant gets back his belongings after Ombudsman's intervention

During the night of 26 August 2001 unknown persons broke into the house of complainant's father where he was also living. Among the items that were stolen were the passport, local driving licence and international driving licence of the complainant. The next day, during a search effected in the vicinity of the house by complainant's father, the above items and certain other articles were found. The local police was immediately informed and two officers came and took away everything for purposes of investigation.

Subsequently the complainant called several times at the local police station in order to recover his belongings but, according to him, the Police Officers were unaware of the whereabouts of the passport, which, by the way, was endorsed with a student visa for Australia valid until the end of 2005.

He therefore solicited my help to have his passport and licences returned to him.

When queried by me the Police informed me that the accused had remained unknown and the case had been disposed of on 20 July 2002. However it was only after my intervention on 17 February 2003 that the complainant's belongings were returned to him.

PRISONS

C/239/2003

Detainee issued with reading glasses

A detainee wrote to me at the end of June 2003 to inform me that he had undergone an eye operation at Moka Hospital some eight months before and had been prescribed glasses by the doctor. As he had no means to purchase such glasses he applied for assistance to the Prison Administration but he was told that he would have to wait for another four months.

When I queried the Commissioner of Prisons I was told that following the detainee's request for free glasses from the Ministry of Social Security, National Solidarity and Senior Citizen Welfare & Reform Institutions, the prescribed form was filled in by the Prison Welfare Officer and forwarded to that Ministry. Subsequently an Optician called at the detention centre to see the detainee for the trial of frames.

Following my intervention the Optician was contacted and he promised that the glasses would be issued by the end of July 2003. Indeed the glasses were issued to the Ministry on 25 July 2003 and the detainee, who was discharged from prison a few days later, was requested to collect his glasses at the Ministry.

C/374/2003

Detainee's visits restored

The main complaint of a foreign national who was being detained in Beau Bassin Prison was that the visits she was receiving once weekly from the representatives of a sect had been cancelled since two months. In spite of all sorts of representations made by her to have these visits restored she has been unsuccessful. She claimed that she sorely missed the comfort these visits provided her with.

Following my intervention a meeting was held between the representative of the Commissioner of Prisons and the Secretary for Home Affairs. It was decided to authorise the visits again.

Another complaint made by the detainee was that she was not authorised to buy hair shampoo and insect repellent which she needed on account of a problem with her hair and for insect bites respectively.

The explanation of the Commissioner of Prisons as regards the insect repellent was that same was not authorised for security reasons but regular spraying of pesticide was effected in the dormitories.

As regards her hair problem the case was referred to the Prisons Medical Officer who was of the opinion that it was not a medical problem but rather an aesthetic one. However she was allowed to follow treatment with a skin specialist.

PUBLIC UTILITIES

C/92/2003

Water supply restored

A press article dated 18 March 2003 entitled "Les misères d'un handicapé" described the condition in which one A.L. of Petit-Paquet, Montagne Blanche, was living: no regular supply of tap water for months on end, nor could he collect water from the Central Water Authority's water tank as he was physically handicapped. His grandmother, with whom he was living, was much too old to carry water.

According to the said article other inhabitants also complained about the irregular supply of tap water – sometimes at 11 p.m. Their complaints at the Citizen's Advice Bureau of their locality had been in vain.

I immediately requested the Ministry of Public Utilities to look into the matter and within days, after certain works had been effected, a regular supply of tap water was restored to the house of A.L. He even gave statement on 10 April 2003 to the effect that he was now satisfied with his water supply and hoped it would continue.

This is also my hope.

Water supply improved

“Le calvaire de l’eau” was the title of an article which appeared in a daily in June 2003 to describe the plight of about a hundred families living in Kanpur, Nouvelle France. The sub-title of the article went on as follows: “Dans ce hameau, c’est une denrée rare. La disette quasi-permanente est lourde de conséquences pour les habitants. Derrière leur humour, une grande détresse.....”

I took up the matter with the Ministry of Public Utilities and informed them that it was unacceptable that people in modern Mauritius could be made to bear so much hardship with regard to such a basic necessity of life as water. I requested them to take remedial action as a matter of priority.

The matter was investigated into by the Central Water Authority. It was observed that whilst the supply of water in lower Kanpur was satisfactory, this was not the case in upper Kanpur where the water supply was for only eight hours a day and at a low pressure.

I was informed by the Ministry that the C.W.A. would take necessary action to rezone the area with a view to providing upper Kanpur with an adequate supply of water. Works had already started.

Some six weeks later works were completed and the number of hours of water supply had increased from eight to eighteen daily and the pressure was adequate.

REGISTRAR OF CIVIL STATUS

C/307/2003

Lady from England gets her Mauritian Identity Card

On 27 August 2003 I received a letter from one Mrs. P.H. of Lincolnshire, England, who complained about her not being issued with an Identity Card when she was in Mauritius the year before.

My inquiry revealed that she was born at Victoria Hospital in Mauritius in 1942 of parents of British nationality. Her birth was registered in the Birth Register kept by the British Army stationed at Vacoas in Mauritius at that time. The Prime Minister’s Office produced before me a copy of her birth certificate and informed me that in 2002 she was granted Mauritian citizenship on the basis of her birth on Mauritian territory. She now wanted to be issued with a Mauritian birth certificate so that she would be entitled to obtain her identity card.

In her letter to me Mrs. P.H. informed me that she would be coming to Mauritius on 23 September 2003 and expressed the hope that I would be able to intervene in her favour for a Mauritian birth certificate to be issued to her.

She attended my Office on 24 September 2003 and she was explained that as her birth was not registered with the civil status authorities of Mauritius she was not, according to law, entitled to a Mauritian birth certificate. However, on the basis of her citizenship certificate, she was eligible for a Mauritian Identity Card. She was explained the procedure to be followed and on the same day she presented herself at the National Identity Card Unit and was issued with her Identity Card.

In another letter dated 9 October 2003 from England she expressed her thanks and satisfaction for our prompt intervention in the matter.

RODRIGUES

C/127/2003

Salary of Rodriguan teachers adjusted

In a joint letter dated 28 April 2003 addressed to me, a group of Rodriguan teachers complained about the fact that they were not receiving the same treatment as their Mauritian counterparts, inasmuch as the latter had received two increments on their salary whereas in Rodrigues only one increment had been paid, notwithstanding the fact that they had successfully passed the Advanced Certificate of Education in August 2002. They therefore requested me to look into their case.

The Island Chief Executive's version was that subsequent to their being awarded the above-mentioned certificate approval was sought from the Ministry of Civil Service Affairs and Administrative Reforms for the grant of two additional increments to the Rodriguan teachers in accordance with Recommendation 2 paragraph 14.6.10 of the Errors, Omissions and Clarification of the 1993 PRB Report. The Ministry advised that they should join the new salary scale for Teacher/Senior Teacher possessing the Advanced Certificate of Education.

The Island Chief Executive also explained that in line with the Recommendation 4 paragraph 12.8.10(v) of the PRB Report 1998 which stipulated that for "additional qualifications requiring up to 2 years study full time or equivalent part-time" one increment is to be granted, the complainants were paid one increment only as they had followed less than 2 years study full time.

However, as the Ministry of Education had requested the payment of two additional increments upon successful completion of the Advanced Certificate in Education, advice was sought from the Ministry of Civil Service Affairs and Administrative Reforms for the adjustment of their salary and same was allowed.

C/351/2003

Salary of Charge Nurse adjusted

Mrs. M.P., a Charge Nurse of Rodrigues, informed me that on 8 October 2002 she was informed by the Ministry of Health and Quality of Life that she had been promoted as Charge Nurse with effect from 29 May 2000. However, one year later, at the time she wrote to me, her salary had not yet been adjusted in spite of several oral representations made by her.

She therefore enlisted my help for remedial action to be taken.

My inquiry revealed that indeed Mrs. M.P. was promoted Charge Nurse with effect from 29 May 2000 with salary at the rate of Rs 10170/- monthly. Since she was drawing a higher salary at the date of her promotion a recommendation was made that her salary be adjusted accordingly. The approval of the Ministry of Health and Quality of Life was obtained and Mrs. M.P.'s salary was adjusted at the rate of Rs 17575 monthly.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND SENIOR CITIZENS WELFARE AND REFORM INSTITUTIONS

C/130/2001

Ex-labourer gets lump sum plus interests after several years

The complainant in this case is a widow and an ex-labourer who had worked in a sugar estate for more than thirty years and who had retired upon reaching the age of sixty in 1991 i.e. more than ten years before she wrote to me.

It was only a couple of years back that she came to know that she was entitled to a lump sum for contributions to the Sugar Industry Pension Fund, which she avers she has not received.

She was told by officers at the Ministry of Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions that somebody else must have impersonated her and cashed the money (Rs 5,469.94). The matter was reported to the Police who inquired into the matter but for the last two years she had not heard from the Police regarding the outcome of the case.

I queried the Commissioner of Police who informed me that the Director of Public Prosecutions had advised no further action but that the matter be referred to the National Pensions Appeal Tribunal, which was done.

Before the Tribunal the Ministry wasn't able to produce copy of the cheque drawn in favour of the complainant in view of the number of years that had passed and the bank's inability to retrieve the original cheque.

In the meantime the person who had allegedly witnessed payment of the lump sum to the complainant, was traced out but her evidence led to nowhere as the fingerprint expert could not conclude positively upon comparison of the prints on the paysheet with that of the complainant.

Pressed by me the Ministry paid to the complainant the sum of Rs 19,159.73 representing the lump sum plus interests.

C/82/2003

Contributions on behalf of lady worker paid up by employer following Ombudsman's intervention

D.C. made a complaint on behalf of his wife, who was working for a manufacturing company, regarding contributions to the National Pensions Scheme for financial years 1998/1999, 1999/2000 and 2001/2002 which were not included in the statement of contributions sent to the wife.

According to D.C. he wrote several letters to the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions but received no reply. He phoned them up but no action was taken. He therefore sought my intervention for remedial action to be taken.

The Ministry's version was that their officer in St. Pierre had informed the complainant that the case was being inquired into at the Beau Bassin Office of the Ministry.

However, during the course of my investigation the wife's employer submitted its Annual Return for 1998/1999 and contributed the appropriate amounts on behalf of the wife. For the two other periods the company promised to do so within a short delay. Indeed a few weeks later the company paid the appropriate contributions on behalf of the wife.

The Ministry thereafter sent an up-dated statement of account to the complainant's wife.

I must point out that it was not the Ministry's fault that the previous statement of account did not show the contributions in question as the employer had not submitted its Annual Returns. But where the Ministry faulted was that they failed to take action until I intervened in the matter.

C/252/2003

Complainant gets old age pension and issued with bus pass

In July 2003 M.F.N. complained that he had applied for old age pension (basic retirement pension) and a concessionary bus pass since 20 February 2003 but had not obtained satisfaction as yet.

The version of the Ministry was that the application, although made in February 2003, could only be processed in March 2003, upon M.F.N. reaching the age of sixty. Moreover, information had to be sought from the Passport Office as regard the date of return to Mauritius of M.F.N. And, to top it all, the latter had provided the Ministry with a wrong bank account number.

Fortunately all these issues were resolved within a matter of days and M.F.N. was paid his basic retirement pension through his bank and a bus pass was issued to him.

Retired worker paid his dues

B, a retired worker, had contributed to the National Pension Fund until the end of August 2002, date of his retirement. He received a lump sum from the Ministry and was issued with a report certifying he had contributed to the said Fund up to the year 2000 only. When he sought an explanation regarding the mistake about the year nobody was able to give him a good explanation. He therefore lodged a complaint before me.

Upon my intervention the Ministry looked into the matter and impliedly conceded their mistake as a further lump sum was paid to the complainant for period ending 2001 and the needful was being done for period July 2001 to August 2002.

Asked to inform me once he received his money the complainant made no reply. His complaint however stands as justified.

SELECTED OWN-MOTION CASES

C/146/2003 – Ministry of Housing and Lands

Poor living conditions of some twenty families on sugar estate camp at Britannia. Matter referred to the Ministry on 16 July 2003 and, on 21 October 2003, a morcellement permit for the subdivision of land at St. Avoild (Camp Berthaud) Britannia for residential purposes issued to Mon Trésor and Mon Désert Ltd for purposes of re-housing sugar camp dwellers.

C/158/2003 – Ministry of Environment

River pollution at Rivière Sèche caused by dumping of all sorts of rubbish. Matter taken up with Ministry of Environment on 16 May 2003 which in turn took up the matter with the District Council concerned. By mid-June cleaning works completed.

C/163/2003 – Ministry of Local Government and Rodrigues

Flooded bridge representing danger to road users at Anse Jonchée. Matter taken up with Ministry and Chief Executive, Road Development Authority. Following my intervention additional drains have been constructed at Anse Jonchée for solving the problem of flooding in this region.

C/213/2003 – Ministry of Environment

Sainte-Anne bridge at Centre de Flacq flooded each time it rains because of illegal dumping in the river below. Causes a lot of inconvenience to users thereof.

Following my intervention waste cleared and water flows freely in the river.

C/224/2003 – Ministry of Public Infrastructure, Land Transport and Shipping

Bad state of road and danger to road users at Simonet Lane, Canot. Matter taken up on 25 June 2003 with the Ministry which in turn referred it to the District Council concerned. By end of June and beginning of July 2003 necessary repairs effected and request for limited access to the road made to the Traffic Management Unit.

C/225/2003 – Ministry of Local Government and Rodrigues

Insufficient street lighting poses security problems to inhabitants of Kanpur. Matter taken up with Ministry which referred the matter to the District Council of Grand Port/Savanne. Within a few weeks four lamps fixed by the District Council and connection to the street lighting network done by the Central Electricity Board.

C/237/2003 – Ministry of Public Utilities

Poor supply of water to villagers of Palmar since forty years. Ministry requested to look into the matter. In less than one year the Central Water Authority completed all pipe-laying works and the water supply substantially improved in the whole region.

C/311/2003 – Ministry of Environment

Concrete benches opposite primary school at Providence were in a very poor and dirty state and constituted an eye-sore. Matter referred to Ministry of Environment on 3 September 2003 and remedial action taken by District Council within a month.

C/312/2003 – Ministry of Public Utilities

Absence of street lighting at Soreze. Matter taken up with the Ministry which referred the case to Ministry of Local Government and Rodrigues. Within three months 12 sodium vapour lamps installed by Pailles Village Council and Central Electricity Board requested to do the connection to the existing network.

C/378/2003 – Police

Non-payment of increase in salary and other issues causing uneasiness among certain police officers. Matter taken up with Commissioner of Police. The following measures have been taken -

- (i) payment of increment for 25 years service in the same grade to eligible constables,
- (ii) Corporal allowance restored and to be paid until retirement or promotion whichever is the earlier,
- (iii) night duty allowance paid to eligible officers,
- (iv) car loan facilities granted to eligible officers, and
- (v) promotion to grades of Corporal and Sub-Inspector effected.

STATISTICAL SUMMARY OF COMPLAINTS

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Accountant General	-	-	1	1	-	-	-	2	4
Agriculture, Food Technology and Natural Resources	3	-	-	7	-	-	-	7	17
Arts and Culture	-	-	-	1	-	-	-	-	1
Attorney General's Office	-	-	-	1	-	-	-	-	1
Civil Service Affairs and Administrative Reforms	3	-	2	2	-	-	-	-	7
Commerce and Cooperatives	-	-	-	-	1	-	-	2	3
Commissioner of Income Tax	-	-	-	-	1	-	-	-	1
Comptroller of Customs	1	-	-	1	-	-	-	1	3
Education and Scientific Research	10	-	9	13	-	-	1	14	47
Environment and Urban and Rural Development	1	-	-	-	-	-	-	-	1
Carried Forward	18	-	12	26	2	-	1	26	85

STATISTICAL SUMMARY OF COMPLAINTS — continued

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	18	—	12	26	2	—	1	26	85
Environment	6	—	1	2	1	—	—	6	16
External Communications	—	—	—	1	—	—	—	—	1
Finance	1	—	—	4	1	—	1	—	7
Financial Secretary	—	—	1	—	—	—	—	—	1
Fisheries	—	—	2	1	—	—	—	1	4
Health and Quality of Life	12	—	1	6	5	1	1	17	43
Housing and Lands	3	—	—	5	—	—	1	16	25
Income Tax	—	—	1	—	—	—	—	1	2
Information Technology and Telecommunications	—	—	—	—	—	—	—	1	1
Judicial	1	—	—	2	1	—	—	2	6
Carried Forward	41	—	18	47	10	1	4	70	191

STATISTICAL SUMMARY OF COMPLAINTS — *continued*

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	41	—	18	47	10	1	4	70	191
Labour and Industrial Relations, Employment and Human Resource Development	—	—	—	—	—	—	—	1	1
Labour and Industrial Relations	—	—	2	—	1	—	—	1	4
Local Government and Rodrigues	6	—	2	3	—	—	—	7	18
Local Government and Rodrigues (National Development Unit)	—	—	—	—	—	—	—	1	1
Passport and Immigration Office	—	—	—	—	1	—	—	—	1
Police	21	—	4	30	5	—	3	12	75
Prime Minister's Office	—	1	—	3	—	—	—	1	5
Prisons	19	—	10	50	15	—	1	19	114
Public Infrastructure, Land Transport and Shipping	7	—	2	6	7	—	—	5	27
Public Utilities	3	—	—	3	1	—	—	6	13
Carried Forward	97	1	38	142	40	1	8	123	450

STATISTICAL SUMMARY OF COMPLAINTS — *continued*

Ministries/Departments	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Entertained	Not Investigated	Pending	Total No. of Complaints
Brought Forward	97	1	38	142	40	1	8	123	450
Registrar of Associations	—	—	—	—	1	—	—	1	2
Registrar of Civil Status	1	—	—	—	—	—	—	—	1
Rodrigues	10	—	12	53	23	—	4	144	246
Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions	5	—	2	4	1	—	—	2	14
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
Youth and Sports	—	—	—	1	—	—	—	—	1
TOTAL	114	1	52	202	65	1	13	270	718

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Accountant General		
C/297/2002	No action taken to relieve complainants of their liability as guarantors in respect of purchase of car.	Not justified
C/74/2003	Length of service not properly computed.	Explained
C/98/2003	Complainant avers that interest claimed from him on amount due by him to Government is undue.	Pending
C/392/2003	No reply to representation made concerning increments due to complainant.	Pending
Agriculture, Food Technology and Natural Resources		
C/125/2002	Encroachment on complainant's land. No reply to complaint made to Ministry.	Pending
C/168/2002	Application for land conversion permit since more than four years not favourably considered.	Pending
C/183/2002	Request by complainant to regularise his occupation of State land for the last nineteen years still being awaited.	Explained
C/224/2002	Request for increase of allowance and inclusion of same in salary for purposes of retiring benefits.	Explained
C/228/2002	Issue of development permit awaiting clearance from Police.	Explained
C/249/2002	Unreasonably long delay in dealing with complainant's application for a land conversion permit.	Pending
C/269/2002	Deductions from complainant's salary for unauthorised leave wrongly effected.	Rectified
C/283/2002	Anomaly in salary.	Explained
C/302/2002	No reply to application for land conversion permit made more than two years ago.	Pending
C/30/2003	Application for subdivision of land not considered.	Explained
C/69/2003	Deduction of complainant's allowance following what he considers to be a case of mis-reporting against him.	Rectified
C/77/2003	No reply to application for land conversion permit made some 14 months ago.	Pending
C/89/2003	Group of watchmen contests the allocation of watchman's overtime duties to relief workers and not to them.	Rectified
C/104/2003	Extra duty allowance not paid to complainant.	Pending
C/138/2003	Retired pensioner's request for pension not attended to.	Explained
C/179/2003	Application for land conversion permit rejected without any reason being given.	Explained
C/420/2003	Application for land conversion permit submitted since seven years not yet considered.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Arts and Culture		
C/221/2003	Absence of leisure facilities in village.	Explained
Attorney General's Office		
C/4/2003	Complainant contests decision of Curator of Vacant Estates.	Explained
Civil Service Affairs and 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.	Rectified
C/86/2002	Request to consider period served as Trainer on temporary basis as length of service for leave and pension purposes.	Rectified
C/293/2002	Complainant has been working for thirty years in the same grade without being promoted.	Explained
C/17/2003	Period of service as "Agricultural Cadet" not reckoned for pension purposes.	Rectified
C/249/2003	Wrong computation of salaries.	Not justified
C/274/2003	Anomaly in salary.	Explained
C/275/2003	Offer of employment withdrawn. Complainant claims she was wrongly advised and did not know how much time she had to reply.	Not justified
Commerce and Cooperatives		
C/45/2003	Ex-sand miners claim not to have received any compensation following Government's decision to prohibit such activity.	Discontinued
C/299/2003	No reply to request for payment of extra duty allowance since more than 9 months.	Pending
C/441/2003	Complainant not assigned responsibilities attached to her post.	Pending
Commissioner of Income Tax		
C/262/2003	Complainant avers that the agreement he and the Commissioner entered into for the payment of income tax is not being respected by the Commissioner who is now claiming a bigger amount.	Discontinued
Customs		
C/255/2002	Application for removal of objection to transfer of ownership of imported vehicles not considered.	Rectified
C/187/2003	Complainant, a Senior Customs and Excise Officer, claims that his frequent transfers to the airport unduly penalise him etc. as he lives in Baie du Tombeau.	Explained
C/379/2003	Travelling expenses reduced since more than a year.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
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/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.	Not justified
C/65/2002	No consideration given to request by Senior Teacher to have her transfer reconsidered.	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/158/2002	Application for recognition and equivalence of complainant's certificate not considered.	Pending
C/215/2002	Non-payment of motivation allowance to complainant.	Not justified
C/234/2002	Application for duty remission on purchase of car made by retired public officer more than a year ago not yet considered.	Rectified
C/272/2002	Application to employ third party as Principal of College turned down by Private Schools Secondary Authority in an arbitrary manner.	Pending
C/2/2003	Complainant's daughter not admitted to school allocated to her twin sister. Decision has deep psychological effect on both children.	Rectified
C/7/2003	Parent seeks admission to school of his child who reached 5 years of age only three days after the deadline.	Explained
C/8/2003	Teacher avers that his transfer to a new school is unjustified.	Not justified
C/11/2003	Complainant feels victimized by his recent transfer.	Not justified
C/12/2003	Complainant, an Education Officer, feels victimised by frequent changes in posting.	Not justified
C/13/2003	Application for incremental credits on account of additional qualifications rejected.	Rectified
C/37/2003	Complainant contests deduction from his salary of three days casual leave.	Rectified
C/44/2003	Request by complainant for a transfer of his daughter from one school to another not acceded to.	Explained
C/56/2003	Mauritian student abroad awaiting in vain endorsement of her application for scholarship.	Explained
C/57/2003	Complainant, an usher, contests his proposed transfer from one school to another.	Rectified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Education and Scientific Research — <i>continued</i>		
C/63/2003	Complainant claims he has been the victim of injustice, favouritism and discrimination in the allocation of classes.	Explained
C/67/2003	No reply to application for incremental credit for additional qualifications.	Rectified
C/83/2003	Estranged husband contests the transfer of his child from one school to another.	Explained
C/96/2003	Education Officer not paid salary for three months after resuming work from leave without pay.	Rectified
C/97/2003	Complainant, an Executive Officer, not satisfied with her transfer.	Rectified
C/105/2003	Complainant avers that he has been deprived of his rights and privileges.	Explained
C/159/2003	Education Officer requests that he be posted to a school where pupils can benefit from his experience as Chemistry teacher inasmuch as he is now doing administrative tasks only at school.	Explained
C/194/2003	Incentive allowance cancelled and special allowance not paid.	Explained
C/196/2003	Complainant's son not allowed to be in government primary school as he is over-aged.	Rectified
C/218/2003	Complainant's daughter not allowed to study 8 subjects at Form IV level at State Secondary School. She is allowed to do only 7 subjects.	Not justified
C/234/2003	Payment of allowances to certain primary school teachers who have opted to work in ZEP schools (Zone d'éducation prioritaire) stopped.	Pending
C/241/2003	Delay in processing application for scholarship.	Explained
C/245/2003	Denied increment, anomaly in salary etc.	Explained
C/255/2003	Salary not commensurate with qualifications held by complainant, etc.	Pending
C/273/2003	Complainant avers that he has been deprived of his rights and dues as Education Officer.	Not investigated
C/305/2003	Complainants aver that they are being penalised at the Pre-School Trust Fund as their previous service at the Sugar Industry Labour Welfare Fund is not taken into account.	Explained
C/328/2003	Complainant not paid salary by employer, a private college. Nothing done by Ministry.	Explained
C/367/2003	Complainant disagrees with rules of Mauritius Examinations Syndicate.	Not justified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Education and Scientific Research — <i>continued</i>		
C/407/2003	Incremental credits denied to complainants.	Pending
C/409/2003	Lump sum and other benefits wrongly computed.	Pending
C/412/2003	Non-payment of unused pre-retirement leave.	Pending
C/415/2003	Not paid for extra hours of work put in, etc.	Explained
C/422/2003	Anomaly in salary.	Pending
C/429/2003	Deduction of salary in connection with absences to attend course at University of Mauritius.	Pending
C/432/2003	Complainant not appointed as Senior Primary School Inspector.	Not justified
C/438/2003	Application forms not submitted to Public Service Commission by Ministry.	Not justified
C/450/2003	Request for responsibility allowance for performing additional work turned down.	Pending
Environment and Urban and Rural Development		
C/110/2000	Air pollution and noise nuisance posed by factory.	Rectified
Environment		
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.	Rectified
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.	Discontinued
C/48/2003	Air pollution etc.	Pending
C/158/2003	River pollution.	Rectified
C/166/2003	Dumping old car parts at housing estate.	Rectified
C/173/2003	Noise and other environmental nuisances.	Explained
C/213/2003	Bridge in deplorable state causing accumulation of waste etc.	Rectified
C/253/2003	Complainant contests "Stop Order" issued against him.	Pending
C/292/2003	Training of horses on beach – hazard for public.	Explained
C/311/2003	Concrete benches an eye-sore opposite school.	Rectified
C/319/2003	Polluted river.	Rectified
C/362/2003	Neglect of duty by "Police de Environnement" in respect of complaints of noise pollution.	Not justified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Environment — <i>continued</i>		
C/424/2003	Application for project to manufacture plastic and other products wrongly rejected.	Pending
C/446/2003	Ministry's decision not to issue E.I.A. permit to complainant unfair.	Pending
External Communications		
C/282/2002	Injustice caused to complainant by action of Civil Aviation Department.	Explained
Finance		
C/48/2002	Interest unduly claimed from complainant upon purchase of land.	Explained
C/274/2002	Complainant's claim for arrears of pension and other allowances from the Mauritius Ex-Services Trust Fund rejected.	Explained
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.	Discontinued
C/88/2003	Pro-rata bonus not paid to complainant who is on leave without pay.	Explained
C/151/2003	Complainant contests proposed amendment to Scheme of Service as this is going to penalise her.	Explained
C/153/2003	Complainant avers that his posting in a particular section of the Ministry is unjust.	Not investigated
C/180/2003	Homeless and jobless widow and daughter awaiting reconstruction of house destroyed since cyclone Dina (January 2002) by authorities concerned.	Rectified
Financial Secretary		
C/201/2003	Cash in lieu of vacation leave not taken denied.	Not justified
Fisheries		
C/1/2003	Request for traineeship period to be reckoned for pension purposes.	Not justified
C/62/2003	Public Officer called upon to perform duties outside his Schedule.	Not justified
C/73/2003	Complainant requests the restitution of his old fisherman's card or a new one.	Pending
C/363/2003	Seniority list contested by complainants.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Health and Quality of Life		
C/431/98	Air and noise pollution caused by complainant's neighbour.	Explained
C/84/99	Smell nuisance caused by pigsty.	Pending
C/251/2000	Application for leave remains without reply.	Pending
C/286/2000	Smoke and odour nuisances harmful to health and environment.	Discontinued
C/190/2001	Application by owner of enclaved land to use part of State land in order to access public road still not considered.	Explained
C/204/2001	Application for leave not considered by Ministry.	Discontinued
C/286/2001	Complainant has been overpaid salary. Now states that it will be difficult for her to refund. Seeks my intervention.	Rectified
C/15/2002	Unjustified change in posting.	Explained
C/57/2002	Noise nuisance.	Discontinued
C/93/2002	Odour nuisance caused by poultry farming.	Rectified
C/123/2002	Noise nuisance caused by complainant's neighbour's factory etc.	Rectified
C/130/2002	Complainant avers he is the victim of frequent transfers etc.	Rectified
C/155/2002	Noise and air pollution.	Explained
C/162/2002	Nuisance caused to complainant by furniture Workshop.	Rectified
C/220/2002	Complaints' mother attending Jeetoo Hospital referred from one department to another and still awaiting for surgical intervention.	Explained
C/241/2002	Stagnation of water leading to breeding of mosquitoes.	Rectified
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.	Rectified
C/279/2002	Unprofessional behaviour of doctor towards complainant.	Discontinued
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
C/16/2003	Environmental problems (noise and smell) caused by enterprise.	Pending
C/32/2003	Nuisance caused by discharged of waste water from neighbour's premises. No action by authorities concerned.	Discontinued
C/61/2003	Retired Nursing Officers re-employed on contract denied certain privileges.	Rectified
C/165/2003	Sanitary nuisance caused by complainant's water drainage.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Health and Quality of Life — <i>continued</i>		
C/167/2003	Odour nuisance at treatment plant of beach hotel causing great inconvenience to taxi drivers based in the vicinity.	Rectified
C/178/2003	Smell nuisance representing health hazard.	Rectified
C/182/2003	Noise nuisance.	Explained
C/203/2003	Claim for extra duty allowance not acceded to. No reason given.	Pending
C/220/2003	Obstruction of footpath giving rise to unhygienic conditions.	Pending
C/238/2003	Noise and dust nuisances caused by complainant's neighbour. No action taken by authority concerned.	Rectified
C/243/2003	Non-payment for goods delivered to government.	Not entertained
C/247/2003	Complainant, a Ward Manager, claims to have suffered injustice upon his transfer from one hospital to another.	Rectified
C/257/2003	Complainant's son not getting appropriate medical treatment.	Pending
C/323/2003	Noise and odour nuisances etc. caused by workshop next to complainant's house. No action by authorities concerned.	Pending
C/324/2003	Allowance received not adequate.	Pending
C/358/2003	Complainant avers that he should be refunded money spent in private for operation upon his mother which operation should have been done in a public hospital.	Pending
C/361/2003	Odour and other nuisances caused by cowshed. No action taken by authorities concerned.	Pending
C/380/2003	Odour nuisance emanating from spice-crushing plant.	Not justified
C/399/2003	Complainants recruited as Community Health Development Motivators but have not received their confirmation letter.	Pending
C/401/2003	No reply to application for refund of expenses incurred in respect of operation performed abroad.	Pending
C/431/2003	Complainant's wife conveyed to site of work where blood collection was scheduled but did not take place. Inconvenience caused to couple.	Pending
C/439/2003	Complainant avers that he has heard that he will not be promoted.	Not investigated
C/445/2003	Complainant avers he is victim of administrative injustice as regards his future promotion.	Pending
Housing and Lands		
C/457/98	Association of cooperative societies fears that State land allocated to them may be reduced.	Rectified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Housing and Lands — <i>continued</i>		
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.	Rectified
C/67/2000	No reply to application for authorisation to subdivide land made more than a year ago.	Pending
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/112/2002	Application to convert hawker's licence into a beach hawker's licence not attended to.	Pending
C/200/2002	Delay in finalising acquisition of complainant's land by Ministry.	Rectified
C/210/2002	Access to 'Pas Geometriques' held by complainant on lease blocked by another similar lessee.	Explained
C/261/2002	Complainant avers that her ex-husband is squatting on State land leased to her. No action by the authorities.	Explained
C/34/2003	Application for plot of State land not yet considered.	Explained
C/53/2003	Compensation not paid to owners of land nearly three years after its acquisition.	Pending
C/54/2003	No reply to application for transfer of lease of 'Pas Geometriques' made since seven months.	Pending
C/58/2003	Application for land conversion permit not attended to.	Pending
C/146/2003	Poor living conditions of some twenty families on sugar estate.	Explained
C/188/2003	Application for 'morcellement' made since 8 months. No reply yet.	Explained
C/229/2003	Application for building site lease not yet granted.	Pending
C/232/2003	Abusive transfers etc.	Pending
C/251/2003	Application for land conversion permit not yet considered after nearly five years.	Pending
C/291/2003	Denied overtime.	Not investigated
C/330/2003	Complainants not yet compensated for land compulsorily acquired by government since three years.	Pending
C/393/2003	Complainant not yet paid for compulsory acquisition of his land.	Pending
C/403/2003	Complainant avers that the proposed excisions by government of two portions of land from a greater plot belonging to him will injuriously affect the remaining part. Proposes one portion only.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Housing and Lands — <i>continued</i>		
C/404/2003	Application to transfer State land refused – no reason given.	Pending
C/421/2003	No reply to claim for compensation in respect of land compulsorily acquired by Government.	Pending
C/434/2003	State land leased to complainant not according to lease agreement.	Pending
Income Tax		
C/301/2002	Belated claim for deduction in respect of handicapped persons turned down.	Not justified
C/390/2003	Complainant avers that her deceased father has been wrongly assessed.	Pending
Information Technology and Telecommunications		
C/387/2003	Belated appointment causes complainant to lose certain benefits.	Pending
Judicial		
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.	Explained
C/51/2003	Security furnished by employer in favour of employee involved in road accident case nine years ago not refunded.	Discontinued
C/210/2003	Surety deposited by complainant not returned to him on the ground that his file is not to be found.	Rectified
C/226/2003	Money deposited as recognisance by complainant in favour of another person not returned to him after trial over.	Explained
C/448/2003	Deposit as security not yet returned to complainant although case heard and determined.	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/318/2002	Complainant avers that he has been treated unfairly by Ministry regarding office accommodation which the Ministry rents from him.	Not justified
C/209/2003	No action by Ministry against complainant's former employer regarding unpaid overtime claims.	Discontinued
C/309/2003	No action taken by Ministry regarding complainant's claim against his employer for gratuity on account of premature retirement.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Labour and Industrial Relations — <i>continued</i>		
C/410/2003	No action by Ministry regarding complainant's claim for compensation for summarily dismissal by ex-employer.	Not justified
Local Government and Rodrigues		
C/94/2002	Poor living conditions of sixteen families in village.	Pending
C/185/2002	Untarred road causes problems to inhabitants of locality etc.	Explained
C/26/2003	Allegation of victimisation by fireman because he refused to sign an entry in the occurrence book, etc.	Not justified
C/27/2003	Complainant who is a fireman avers he has been given a punitive transfer etc.	Not justified
C/154/2003	Uncovered drains representing danger to road users, especially children.	Explained
C/163/2003	Flooded bridge representing a danger to road users.	Rectified
C/181/2003	Nuisance caused by solid waste.	Rectified
C/184/2003	Trading without licence.	Explained
C/225/2003	Insufficient street lighting poses security problems for inhabitants.	Rectified
C/256/2003	Eye sore in the sea.	Rectified
C/263/2003	Pot hole representing danger to road users.	Rectified
C/264/2003	Dangerous structure liable to cause injury to persons.	Rectified
C/320/2003	Absence of drains causes flooding of premises of some twelve households.	Pending
C/322/2003	Flooding of roads, absence of street lighting, etc.	Pending
C/365/2003	Football pitch converted into parking for buses.	Pending
C/366/2003	Untarred road poses numerous problems to inhabitants.	Pending
C/405/2003	Money due to complainant for works done.	Pending
C/426/2003	No action taken regarding application for tarring of road.	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
Passport and Immigration Office		
C/87/2003	No reply to application for visa made by complainant on behalf of foreign national.	Discontinued
Police		
C/90/2001	Barrister-at-law avers that he has been insulted and humiliated by Police Officer.	Discontinued

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Police — continued		
C/19/2002	Complainant detained by Police in a sexual offence case. Claims he is innocent.	Not investigated
C/39/2002	Complainant not made aware of the outcome of a declaration he made to the Police.	Explained
C/44/2002	Period served as Special Police Constable not recognised as pensionable service.	Rectified
C/82/2002	Obstruction of pavement where complainant has a shop. No action taken by authorities.	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.	Rectified
C/188/2002	Application for driving licence in respect of motor cycles and private cars not considered since one year.	Rectified
C/197/2002	Complainant contests decision of Police objecting to his application for running a night club.	Rectified
C/219/2002	Complainant avers that the Police Complaints Bureau refused to record his statements.	Not justified
C/221/2002	No action taken by authorities concerned against complainant's neighbour who is carrying on business illegally.	Rectified
C/227/2002	Allegation of serious wounds and blows inflicted upon detainee by other detainees. No action taken by the Prison administration.	Rectified
C/237/2002	Detainee on remand for several months. Delay by Police in lodging case against him.	Rectified
C/246/2002	Complainant not informed of his rights by Police before his statement was recorded.	Discontinued
C/259/2002	Complainant avers that the Police refused to record his statement following a threat of bodily harm against him.	Rectified
C/266/2002	Complainant victim of a road accident. Alleged offender allowed to leave the country. No follow up action by the Police.	Rectified
C/267/2002	No follow up action by Police following declaration of wounds and blows etc. made by complainant.	Explained
C/290/2002	Larceny case reported by complainant. No further action by the Police.	Explained
C/298/2002	Complainant avers that a false allegation has been made against his wife in respect of a drug offence.	Not investigated
C/307/2002	Request by Attorney at Law for documents relating to motor accident made nearly two years ago not attended to.	Rectified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Police — continued		
C/311/2002	No proper action taken by Police against foreigner who is indebted to complainant.	Explained
C/3/2003	Assaulted by police officers during his arrest.	Explained
C/9/2003	No action taken following report of damaging vehicle.	Explained
C/22/2003	Complainant's passport (foreign) seized by Police since 2 years following criminal charge against him. Not formally charged yet. Requests that his passport be returned to him.	Rectified
C/28/2003	Complainant's husband detained on remand in connection with an embezzlement case. Husband has confessed his guilt. No trial yet.	Rectified
C/29/2003	Objection to departure against complainant not lifted years after cases against him heard and determined, and his application for passport not considered.	Rectified
C/39/2003	Brutalised by police officer.	Explained
C/41/2003	Passport and driving licences of complainant taken away by Police for purposes of inquiry but not yet returned to him after more than a year.	Rectified
C/42/2003	Complainant detained in prison in connection with a case of selling drugs. Claims she is innocent.	Not investigated
C/46/2003	Failure to prosecute driver of car allegedly responsible for the accident in which the complainant was injured.	Pending
C/55/2003	Request by detainee to give a statement to the Police following an incident in prison. No follow up action by Police.	Explained
C/59/2003	Assault by Police Officers on complainant.	Explained
C/64/2003	Nuisance caused to complainant and his family by neighbouring tobacco shop. Matter reported to the Police. No successful action taken.	Explained
C/72/2003	Noise and odour nuisances caused by complainant's neighbour.	Explained
C/76/2003	Detainee in custody for fifteen months without trial.	Explained
C/78/2003	Complainant arrested in connection with drugs case. Car he was driving secured by Police. Car belongs to his father. Not yet returned to the latter.	Pending
C/99/2003	Harrassment by Police Officer.	Explained
C/102/2003	Declaration of forgery made to the Police. No action yet taken.	Rectified
C/107/2003	No follow up action in respect of two declarations of assault made by complainant.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Police — continued		
C/109/2003	Complainant avers that he has been arrested for an assault case since eight months but his statement has still not been recorded by the Police.	Rectified
C/112/2003	Foreign currency secured from complainant upon his arrest not returned to him seven years after case heard – sentenced to life imprisonment.	Explained
C/137/2003	Refusal by Police to enforce the law in a case of obstruction by complainant's neighbour.	Discontinued
C/168/2003	Complainant held on remand since ten months in a case of larceny by breaking. No trial yet.	Explained
C/169/2003	Money secured from detainee when he was arrested some nine years ago not returned to him although his case has been heard and determined.	Not justified
C/172/2003	Complainant under remand since 11 months and not yet prosecuted.	Explained
C/183/2003	Trading without licence.	Explained
C/193/2003	Dangerous bend – hazard for road users.	Rectified
C/195/2003	Complainant avers that he has been threatened by a Chief Inspector of Police.	Not justified
C/200/2003	Complainant being detained since more than two years without trial.	Rectified
C/204/2003	Complainant arrested more than two years ago for larceny. Case not yet heard.	Explained
C/205/2003	Nuisance calls reported by the complainant to the Police. Still no action taken.	Explained
C/260/2003	Complainant avers he has been given inaccurate and misleading advice by the Principal Personnel Officer as a result of which he has suffered injustice.	Explained
C/261/2003	Complainant avers he is being detained without trial since 22 months.	Explained
C/265/2003	Violence by police officers against complainant.	Pending
C/266/2003	Detainee arrested some two years back in connection with a murder case. Still detained. Requests to be released on bail or put on trial as early as possible.	Explained
C/271/2003	Detainee's apartment damaged by fire during his stay in Prison. No report sent to him yet.	Explained
C/287/2003	Complainant detained for more than fifteen months without trial.	Discontinued

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Police — continued		
C/296/2003	Money secured from complainant upon his arrest not returned to him after case against him has been dismissed.	Rectified
C/313/2003	Foreign detainee on remand for last 15 months in connection with importation of dangerous drugs. Request for early trial.	Explained
C/317/2003	Detainee requests that a statement be recorded from him by the Police following an alleged assault upon him by Prison Officers.	Rectified
C/329/2003	Detainee not taken to hospital as ordered by specialist doctor.	Pending
C/331/2003	Search effected by Police Officers at complainant's place without his permission.	Discontinued
C/334/2003	Assets frozen on charge of drug dealing. Wants freezing order lifted.	Explained
C/335/2003	Parking problems caused by office and showroom.	Pending
C/371/2003	Complainant not informed of the offence with which he is charged.	Explained
C/378/2003	Non-payment of increases in salary etc.	Pending
C/385/2003	Disturbance caused by drunkards etc. No police action.	Rectified
C/395/2003	Salary unpaid for last fifteen months.	Pending
C/397/2003	Detainee claims that his detention is purely punitive.	Explained
C/398/2003	Police Officer refuses to record complainant's declaration.	Explained
C/411/2003	Complainant avers he has not been refunded full amount of his contribution upon his membership cessation of Police Welfare Association.	Not justified
C/417/2003	Complaint contests the objection taken by the Police concerning her application for a trade licence in respect of a restaurant.	Pending
C/436/2003	Complainant detained for 29 months without trial.	Pending
C/447/2003	Police officer refuses to take down complainant's declaration.	Pending
C/451/2003	Harrassment and brutality by Police Officers.	Pending
C/457/2003	Money intended for detainee attending court not credited to his account.	Pending
Prime Minister's Office		
C/212/2002	Delay in the filling of the posts of Senior Scientific Officer (Forensic Science) causes prejudice to complainants.	Partly rectified
C/25/2003	Complainants denied in-house DNA training for Forensic Science Laboratory Personnel.	Explained
C/246/2003	No reply to application for citizenship.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Prime Minister's Office — <i>continued</i>		
C/308/2003	Complainant not issued with a new identity card in replacement of original one which he has lost.	Explained
C/433/2003	Delay in receiving reply regarding non-payment of salary to complainant.	Pending
Prisons		
C/10/2002	Detainee contests decision of Commissioner of Prisons to transfer him from Beau Bassin to Phoenix Prison, etc.	Explained
C/102/2002	Detainee not getting adequate food in view of his ailment.	Explained
C/284/2002	Application for denture turned down.	Explained
C/285/2002	Detainee has an eye problem and is not receiving appropriate treatment, etc.	Explained
C/286/2002	Detainee avers that his account is not being properly handled.	Explained
C/296/2002	No reason given to detainee regarding his transfer to high-security prison etc.	Explained
C/314/2002	Disappearance of detainee's books from his cell etc.	Discontinued
C/319/2002	Detainee deprived of remission.	Explained
C/322/2002	Visit to complainant by three persons not allowed.	Explained
C/323/2002	Detainee not receiving adequate medical treatment.	Explained
C/325/2002	Detainee not allowed to practice his religion etc.	Explained
C/326/2002	Detainee's extra-remission work stopped suddenly.	Explained
C/5/2003	Detainee not allowed to wear appropriate dress for prayers.	Explained
C/6/2003	Fourteen-month old child still not declared as father, who was a detainee at time of birth and still is, has not been provided necessary assistance.	Rectified
C/10/2003	Delay in posting detainee's letters etc.	Pending
C/14/2003	Detainee not satisfied with quality and quantity of food served etc.	Explained
C/18/2003	Detainee not getting the medical attention he expects.	Not justified
C/19/2003	Detainee contests police surveillance which is to follow after his release from prison.	Not justified
C/20/2003	Detainee avers that he has been subjected to a search on his person through vengeance of a Prison Officer, etc.	Explained
C/21/2003	Detainee not allowed to write to the Supreme Court.	Explained
C/24/2003	Detainee not satisfied with the medical treatment he is receiving.	Explained
C/38/2003	Detainee complains about conditions of detention (dirty clothings, no bed sheet etc.)	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Prisons — continued		
C/40/2003	Delay in issuing spectacles to detainee.	Rectified
C/43/2003	Detainee fears risk of contamination.	Explained
C/47/2003	Detainee's extra-remission work stopped all of a sudden.	Explained
C/50/2003	Detainee is not satisfied with the change of the place where medication is issued to him.	Not justified
C/60/2003	Remand detainee not allowed to wear clothes of his choice.	Explained
C/65/2003	Detainee not satisfied with food served.	Rectified
C/66/2003	Detainee not satisfied with the food served in view of his illness.	Explained
C/68/2003	Detainee denied right to visit his mother who is also undergoing imprisonment, etc.	Rectified
C/79/2003	Detainee requests his transfer from one prison to another for his own security as a result of threats against his person.	Rectified
C/81/2003	Detainee considers he is not receiving appropriate treatment. Claims that he has not been given the medicine he desired to have.	Not justified
C/85/2003	Detainee avers he is not getting proper medical treatment.	Not justified
C/86/2003	Request for transfer from prison in Rodrigues to prison in Mauritius constantly postponed.	Rectified
C/90/2003	Deduction effected from detainee's earnings considered unfair by the latter.	Rectified
C/93/2003	Detainee not satisfied with the food served.	Explained
C/94/2003	Detainee, converted to Islam, not allowed to attend mosque for Friday prayer.	Rectified
C/125/2003	Detainee avers having been beaten up by Prison Officers.	Not investigated
C/126/2003	Detainee has a diet problem.	Explained
C/129/2003	Detainee not getting appropriate medical treatment. Wishes to be examined by specialist.	Pending
C/135/2003	Detainee not satisfied with the amount of food served etc.	Explained
C/155/2003	Detainee's privileges denied to complainant.	Discontinued
C/156/2003	Prison hospital officer transferred from one prison to another without any reason etc.	Not justified
C/164/2003	T-shirt and short of detainee seized by Administration and burned.	Explained
C/170/2003	Detainee avers he is not getting appropriate medical treatment and is losing weight.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Prisons — continued		
C/185/2003	Property belonging to detainee not transferred upon his movement from one prison to another.	Explained
C/186/2003	Detainee requests that his period of detention before sentence be deducted from the sentence.	Explained
C/190/2003	Detainee not getting appropriate food.	Explained
C/191/2003	Detainee avers that he is being constantly harassed by high-ranking officers.	Explained
C/192/2003	Detainee's postcards not posted etc.	Explained
C/198/2003	Detainee placed on Special Watch and denied certain privileges.	Explained
C/207/2003	Detainee avers he is not getting proper medical care.	Not justified
C/208/2003	Foreign national's request to be transferred to his home country where he would spend the rest of his jail sentence not considered.	Explained
C/211/2003	Detainee avers he is not getting appropriate medical treatment and he is not happy with the quality of food served.	Explained
C/212/2003	Detainee's security threatened by Prison Officer.	Discontinued
C/214/2003	Detainee's right to purchase articles restricted.	Discontinued
C/217/2003	Not getting appropriate medical attention.	Rectified
C/235/2003	Detainee avers he is being constantly abused by Prison Officer and is not receiving appropriate medical care for his illness.	Not justified
C/236/2003	Detainee complains about the amount of food he is served.	Explained
C/239/2003	Application for issue of glasses delayed. Detainee suffering from his eyes.	Rectified
C/240/2003	Detainee's request to be sent to Moka Eye Hospital to have his eyes examined turned down.	Rectified
C/244/2003	Tardy declaration of birth of detainee's child - application by him not considered with diligence.	Rectified
C/250/2003	Detainee dies in custody. Assistance from prison officers came too late.	Explained
C/267/2003	Detainee not satisfied with the food served.	Rectified
C/284/2003	Detainee avers he was victim of sodomy in his cell. No statement recorded from him yet by the Police.	Pending
C/288/2003	Detainee avers he has been transferred from one prison to another without any obvious reason etc.	Discontinued
C/289/2003	Detainee not satisfied with the amount of food served.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Prisons — continued		
C/290/2003	Detainee's personal belongings missing and quantity of food served not adequate.	Explained
C/297/2003	Detainee not satisfied with the quality and quantity of food served.	Discontinued
C/300/2003	Detainee claims that his cell is dirty and his mattress is infected with bugs.	Rectified
C/301/2003	Detainee's weekly allowance from his earnings not enough to purchase what he needs.	Explained
C/302/2003	Detainee suffers from skin problem. Not getting appropriate treatment.	Not justified
C/303/2003	Detainee avers that he is the victim of injustice by senior Prison Officers.	Explained
C/304/2003	Detainee not satisfied with conditions of detention etc.	Discontinued
C/306/2003	Items of detainee's property have disappeared.	Discontinued
C/310/2003	Detainee not made aware of the charge against him.	Explained
C/314/2003	Detainee not aware of the charge against him.	Explained
C/315/2003	Detainee not satisfied with medical treatment he is getting.	Explained
C/316/2003	Detainee's sandals seized but not returned to his property.	Discontinued
C/321/2003	Detainee's request to be examined by eye specialist turned down.	Discontinued
C/333/2003	Detainee not issued with his earnings for five weeks.	Discontinued
C/336/2003	Detainee states that he is being persecuted in prison etc.	Discontinued
C/357/2003	Detainee avers that his fundamental rights are being denied etc.	Discontinued
C/359/2003	Detainee not allowed to attend funeral of his father.	Discontinued
C/369/2003	Detainee not issued with facilities to keep his cell clean etc.	Explained
C/370/2003	Detainee suffers from ulcer. Not getting appropriate treatment.	Rectified
C/373/2003	Drain close to detainee's cell gives rise to unbearable odour. No action taken in spite of his complaint.	Rectified
C/374/2003	Detainee's religious visits cancelled.	Rectified
C/376/2003	Detainee avers that he is being "tortured" because he suffers from H.I.V. etc.	Pending
C/377/2003	Detainee who is HIV-infected not getting appropriate food etc.	Explained
C/382/2003	Detainee's right to religious visits cancelled, etc.	Pending
C/384/2003	Special food given to detainee stopped.	Not justified
C/388/2003	Not getting proper amount of food etc.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Prisons — <i>continued</i>		
C/389/2003	Detainee not issued with denture etc.	Pending
C/394/2003	Discharged from hospital for no valid reason and not getting appropriate medical treatment following discharge.	Explained
C/396/2003	Amount of food and medical treatment not adequate.	Explained
C/402/2003	Personal belongings of detainee seized and not returned to him in spite of his request.	Explained
C/406/2003	Detainee alleges that he is being punished as regard his treatment and conditions of detention because of what other detainees have done.	Explained
C/408/2003	Detainee avers he is not getting appropriate medical treatment.	Rectified
C/413/2003	Detainee avers he has not been sent back to his original jail after following treatment in another jail.	Explained
C/414/2003	Psychological pressure made to bear on detainee.	Pending
C/416/2003	Detainee complains about the conditions in which his cell is found and about the quality of food served.	Rectified
C/418/2003	Detainee's clothings not returned to him upon his transfer from one prison to another.	Discontinued
C/423/2003	Detainee who suffers from skin problem avers he is not getting appropriate medical treatment.	Pending
C/425/2003	Locked up 23 hours a day, no proper health care, insufficient food, etc.	Explained
C/430/2003	Detainee has several health problems. Not getting appropriate medical care, etc.	Pending
C/437/2003	Detainee threatened by Prison Officer.	Pending
C/444/2003	Detainee locked up in Segregation and Protection Unit for no reason.	Pending
C/449/2003	Detainee not allowed more than one hour exercise per day, not given the required amount of food, etc.	Pending
C/452/2003	Detainee avers he is locked up 24 hours a day. Other conditions of detention unhealthy.	Pending
C/453/2003	No appropriate medical care, etc.	Pending
C/454/2003	Special food prescribed by nutritionist denied to detainee, etc. Other conditions of detention leave much to be desired.	Pending
C/455/2003	Letters written by detainee not sent to addressees.	Pending
C/456/2003	Detainee's request for more food not attended to.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Public Infrastructure, Land Transport and Shipping		
C/273/2001	Offending structures put up by complainant's neighbour.	Discontinued
C/290/2001	No action taken against complainant's neighbour who is erecting a building without leaving statutory distance.	Rectified
C/295/2001	Offending building put up by complainant's neighbour. No action taken by the authority concerned.	Discontinued
C/54/2002	Flooding of drain causing great inconvenience to inhabitants in the neighbourhood.	Pending
C/115/2002	Application for registration with Ministry made more than a year ago. No decision taken yet.	Explained
C/129/2002	Length of service not properly computed.	Explained
C/133/2002	Untarred roads causing serious problems to inhabitants of locality.	Rectified
C/135/2002	Illegal construction put up by complainant's neighbour.	Discontinued
C/306/2002	Illegal building put up by complainant's neighbour. No proper action by authorities concerned.	Discontinued
C/315/2002	No public transport available to inhabitants of locality.	Discontinued
C/15/2003	Building without permit by complainant's neighbour.	Discontinued
C/23/2003	Complainant's application for a Public Service Vehicle licence turned down.	Not justified
C/36/2003	Complainant contests the issue of a building permit which allows construction near road alignment.	Pending
C/49/2003	Illegal construction put up by complainant's neighbour. No action taken by authority concerned.	Rectified
C/70/2003	Application for conductor's licence wrongly rejected.	Rectified
C/75/2003	Illegal construction put up by complainant's neighbour.	Pending
C/80/2003	Noise problem from factory caused by electric motors.	Explained
C/100/2003	Dangerous road bend represents danger to road users and pedestrians.	Rectified
C/110/2003	Complainant avers he has not received a clear reply from the National Transport Authority regarding his application for a taxi licence.	Explained
C/136/2003	No reply to request to have road repaired.	Rectified
C/152/2003	Offending wall put up by complainant's neighbour.	Discontinued
C/222/2003	Inadequate transport facilities.	Explained
C/224/2003	Bad state of road – danger to road users.	Rectified
C/259/2003	Complainant avers that his non-appointment to a higher grade in an acting capacity is discriminatory.	Not justified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Public Infrastructure, Land Transport and Shipping — <i>continued</i>		
C/269/2003	Illegal construction put up by complainant's neighbour blocks his access road. No action by the Ministry concerned.	Explained
C/276/2003	Illegal constructions put up by complainant's neighbour. Matter reported to authorities concerned but no action taken.	Pending
C/368/2003	Dangerous road curve.	Pending
Public Utilities		
C/76/2002	Complainant contests bills from Wastewater Management Authority.	Explained
C/289/2002	No water supplied to inhabitants of locality during the day for years.	Pending
C/316/2002	Blocked drain.	Explained
C/71/2003	Defective street lights since several months.	Discontinued
C/92/2003	Irregular supply of water.	Rectified
C/108/2003	Complainant still awaiting duty-free certificate for purchase of car since three years.	Pending
C/223/2003	Inadequate supply of water.	Rectified
C/237/2003	Poor supply of water to villagers since forty years.	Pending
C/272/2003	No reply to letter written more than a year ago to Wastewater Management Authority.	Pending
C/285/2003	Overflow of waste elements representing health hazard. No appropriate measure taken by the responsible Authority.	Explained
C/312/2003	Absence of street lighting.	Rectified
C/332/2003	Overflowing of drain. No action by appropriate authorities whose officers visited the site.	Pending
C/440/2003	Poor water supply.	Pending
Registrar of Associations		
C/312/2002	Irregularities committed by association. No action taken by authority concerned.	Discontinued
C/443/2003	Refusal of Registrar of Associations to intervene in a particular matter concerning an association.	Pending
Registrar of Civil Status		
C/307/2003	Complainant born in Mauritius of British parents in 1942 not granted Mauritian birth certificate.	Rectified
Rodrigues		
C/113/95	Application for transfer of State land not considered by the administration.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
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/379/96	Length of service not properly computed.	Pending
C/97/97	Length of service not properly computed.	Pending
C/294/97	Complainant received no lump sum or pension upon his retirement from the public service.	Pending
C/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
C/115/98	Length of service not properly computed.	Discontinued
C/143/98	Length of service not properly computed.	Explained
C/177/98	Length of service not properly computed.	Pending
C/253/98	Length of service not properly computed.	Pending
C/339/98	Length of service not properly computed.	Pending
C/357/98	Length of service not properly computed.	Pending
C/358/98	Length of service not properly computed.	Pending
C/361/98	Application for State land not considered.	Explained
C/376/98	Length of service not properly computed.	Explained
C/392/98	Length of service not properly computed.	Rectified
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/74/99	Length of service not properly computed.	Pending
C/88/99	Length of service not properly computed.	Discontinued
C/116/99	Lease agreement in favour of complainant not yet drawn up despite the fact that he is paying rental since three years.	Explained
C/124/99	Length of service not properly computed.	Pending
C/125/99	Length of service not properly computed.	Discontinued
C/130/99	Length of service not properly computed.	Explained
C/131/99	Length of service not properly computed.	Pending
C/132/99	Length of service not properly computed.	Pending
C/155/99	Length of service not properly computed.	Pending
C/171/99	Length of service not properly computed.	Discontinued
C/172/99	Length of service not properly computed.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
C/187/99	Application for lease of State land not yet finalised. Nearly six years have gone by.	Pending
C/189/99	Length of service not properly computed.	Discontinued
C/246/99	Length of service not properly computed.	Discontinued
C/249/99	Length of service not properly computed.	Pending
C/269/99	Length of service not properly computed.	Discontinued
C/275/99	Length of service not properly computed.	Discontinued
C/349/99	Length of service not properly computed.	Discontinued
C/355/99	Application for plot of State land for agricultural purposes not granted.	Pending
C/371/99	Length of service not properly computed.	Discontinued
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.	Discontinued
C/390/99	Length of service not properly computed.	Pending
C/420/99	Length of service not properly computed.	Explained
C/426/99	Length of service not properly computed.	Discontinued
C/439/99	Length of service not properly computed.	Pending
C/21/2000	Length of service not properly computed.	Discontinued
C/42/2000	Length of service not properly computed.	Pending
C/77/2000	Length of service not properly computed.	Explained
C/82/2000	Length of service not properly computed.	Discontinued
C/97/2000	Length of service not properly computed.	Rectified
C/133/2000	Length of service not properly computed.	Discontinued
C/139/2000	Length of service not properly computed.	Rectified
C/149/2000	No pension paid to retired public officer.	Pending
C/156/2000	Length of service not properly computed.	Explained
C/157/2000	Length of service not properly computed.	Pending
C/184/2000	Length of service not properly computed.	Explained
C/194/2000	Length of service not properly computed.	Pending
C/216/2000	Length of service not properly computed.	Pending
C/234/2000	Length of service not properly computed.	Explained
C/235/2000	Length of service not properly computed.	Rectified
C/258/2000	Length of service not properly computed.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
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
C/5/2001	Length of service not properly computed.	Explained
C/8/2001	Land dispute at Petit Brule. Intervention of Rodrigues Administration solicited.	Pending
C/56/2001	Length of service not properly computed.	Pending
C/59/2001	Length of service not properly computed.	Rectified
C/64/2001	Length of service not properly computed.	Pending
C/74/2001	Length of service not properly computed.	Pending
C/79/2001	Length of service not properly computed.	Pending
C/96/2001	No reply to application for commercial lease for construction of a restaurant made more than seven years ago.	Explained
C/100/2001	Length of service not properly computed.	Pending
C/101/2001	Length of service not properly computed.	Rectified
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.	Discontinued
C/124/2001	Length of service not properly computed.	Pending
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/158/2001	Length of service not properly computed.	Pending
C/198/2001	Request to transfer residential lease not entertained.	Pending
C/200/2001	Length of service not properly computed.	Explained
C/221/2001	Length of service not properly computed.	Explained
C/228/2001	Application for transfer of lease of State land not considered.	Pending
C/230/2001	Length of service not properly computed.	Pending
C/238/2001	Length of service not properly computed.	Discontinued
C/245/2001	Length of service not properly computed.	Pending
C/256/2001	Complainant's salary not adjusted following report of ad hoc Committee into "alleged anomalies".	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
C/258/2001	Application for lease of agricultural land made since about six years. Case not yet finalised.	Pending
C/260/2001	Drainage problem at Port Mathurin.	Pending
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/281/2001	Length of service not properly computed.	Discontinued
C/282/2001	Length of service not properly computed.	Pending
C/287/2001	Length of service not properly computed.	Pending
C/299/2001	Length of service not properly computed.	Pending
C/312/2001	Widow of late public officer avers she receives no pension after death of husband.	Pending
C/317/2001	Length of service not properly computed.	Pending
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/329/2001	Length of service not properly computed.	Pending
C/8/2002	Length of service not properly computed.	Discontinued
C/17/2002	No reply to application for State land for residential purposes made four years back.	Pending
C/28/2002	Length of service not properly computed.	Discontinued
C/34/2002	Vacation leave not enjoyed and extra days' work not paid.	Explained
C/43/2002	Length of service not properly computed.	Explained
C/58/2002	Length of service not properly computed.	Not justified
C/71/2002	Length of service not properly computed.	Pending
C/75/2002	Length of service not properly computed.	Explained
C/80/2002	Length of service not properly computed.	Pending
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
C/114/2002	Application for commercial lease made seven years ago. Not yet considered.	Pending
C/116/2002	Length of service not properly computed.	Not justified
C/163/2002	Request for transfer of ownership of building onto complainants' names not considered after more than four months.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — <i>continued</i>		
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/216/2002	Complainant avers non-payment of passage benefits and short payment of accumulated sick leave.	Explained
C/226/2002	Length of service not properly computed.	Explained
C/239/2002	Length of service not properly computed.	Explained
C/240/2002	Length of service not properly computed.	Explained
C/257/2002	Passage benefits not paid to complainant.	Not justified
C/270/2002	Bonus not paid to complainant's deceased husband.	Explained
C/276/2002	Allowance not paid to complainant for performing certain duties.	Not justified
C/277/2002	Length of service not properly computed.	Explained
C/280/2002	Length of service not properly computed.	Explained
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.	Not investigated
C/313/2002	Length of service not properly computed.	Explained
C/317/2002	Pension not paid to complainant, widow of deceased government pensioner.	Explained
C/320/2002	Length of service not properly computed.	Pending
C/321/2002	Length of service not properly computed.	Explained
C/33/2003	Length of service not properly computed.	Rectified
C/35/2003	Length of service not properly computed.	Pending
C/52/2003	Lump sum short paid and mileage allowance not paid.	Not justified
C/84/2003	Claim for passage benefits after twenty years service.	Explained
C/91/2003	Length of service not properly computed.	Not justified
C/103/2003	Length of service not properly computed.	Not investigated
C/106/2003	Length of service not properly computed.	Explained
C/111/2003	Length of service not properly computed.	Not investigated
C/113/2003	Length of service not properly computed.	Discontinued
C/114/2003	Length of service not properly computed.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
C/115/2003	Length of service not properly computed.	Pending
C/116/2003	Length of service not properly computed.	Pending
C/117/2003	Land leased to complainant trespassed upon by her son with the complicity of the Cadastral Office.	Pending
C/118/2003	Complainant avers that allowance he is getting is not appropriate.	Not justified
C/119/2003	Anomaly in salary.	Discontinued
C/120/2003	Length of service not properly computed.	Pending
C/121/2003	No reply to application for State land made some years back.	Pending
C/122/2003	Length of service not properly computed.	Pending
C/123/2003	Length of service not properly computed.	Pending
C/124/2003	Length of service not properly computed.	Not justified
C/127/2003	Complainants aver they have received only one increment instead of two after having passed their Advance Certificate in Education.	Rectified
C/128/2003	Length of service not properly computed.	Discontinued
C/130/2003	Application for lease granted but lease document not yet issued after more than three and a half years.	Pending
C/131/2003	Allowance not paid since nine years.	Pending
C/132/2003	Length of service not properly computed.	Not investigated
C/133/2003	Allowance not paid.	Pending
C/134/2003	Complainant made to work during period he was supposed to be on pre-retirement leave.	Pending
C/139/2003	Anomaly in lump sum received by complainant on retirement.	Pending
C/140/2003	Length of service not properly computed.	Explained
C/141/2003	Length of service not properly computed.	Pending
C/142/2003	Not receiving any widow's pension since husband's death.	Explained
C/143/2003	Complainant not satisfied with retiring benefits paid to him.	Not justified
C/144/2003	Length of service not properly computed.	Not justified
C/145/2003	Complainant not satisfied with the amount of money granted to him for casting the slab of his house.	Explained
C/147/2003	Not yet appointed Tradesman Assistant (Carpenter) in spite of aptitude test and interview.	Explained
C/148/2003	Complainant has undergone aptitude test as Tradesman Assistant (Carpenter) and has also been interviewed years back, but not yet appointed.	Explained

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — continued		
C/149/2003	Subsidy on diesel not paid.	Pending
C/150/2003	Length of service not properly computed.	Pending
C/157/2003	Application for rehabilitation of house destroyed during cyclone not yet attended to.	Pending
C/160/2003	Complainant avers that he is homeless but his application for a house has been rejected.	Explained
C/161/2003	Application for house to the Trust Fund for the Social Integration of Vulnerable Groups not considered.	Explained
C/162/2003	Application for house to the Trust Fund for the Social Integration of Vulnerable Groups not considered.	Pending
C/171/2003	Complainant not satisfied with lump sum received upon retirement.	Explained
C/174/2003	Length of service not properly computed.	Explained
C/175/2003	Length of service not properly computed.	Explained
C/176/2003	Length of service not properly computed.	Pending
C/189/2003	Length of service not properly computed.	Explained
C/197/2003	Complainants aver that they have received only one increment instead of two after having passed their Advance Certificate in Education.	Rectified
C/199/2003	Length of service not properly computed.	Pending
C/206/2003	Short-payment in lump sum received by complainant.	Explained
C/215/2003	Allowance for performing higher duties stopped.	Pending
C/216/2003	Lump sum not yet paid to heirs of deceased public officer.	Pending
C/219/2003	Length of service not properly computed.	Explained
C/227/2003	Lease agreement in respect of State land for residential site not yet issued to complainant.	Pending
C/230/2003	Application for house since three years.	Pending
C/231/2003	Length of service not properly computed.	Explained
C/233/2003	Complainant not awarded actingship.	Explained
C/242/2003	Length of service not properly computed.	Explained
C/248/2003	Allowance not paid.	Pending
C/258/2003	Length of service not properly computed.	Explained
C/268/2003	Application for the adjustment of public holidays still not attended to.	Pending
C/270/2003	Detainee's house where his family lives destroyed during cyclone. No help received from concerned authorities.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — <i>continued</i>		
C/277/2003	Length of service not properly computed.	Explained
C/278/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/279/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/280/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/281/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/282/2003	Claim for passage benefits.	Explained
C/283/2003	Length of service not properly computed.	Explained
C/286/2003	Length of service not properly computed.	Pending
C/293/2003	Delay in processing application for building permit.	Pending
C/294/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/295/2003	Request for assistance from Trust Fund for the Social Integration of Vulnerable Groups not attended to.	Pending
C/298/2003	Length of service not properly computed.	Pending
C/318/2003	Complainant's post declared vacant on account of prolonged absences. Nothing paid to him.	Pending
C/325/2003	Length of service not properly computed.	Explained
C/326/2003	Length of service not properly computed.	Pending
C/327/2003	Not satisfied with lump sum received.	Not justified
C/337/2003	Shortage of senior staff at night.	Pending
C/338/2003	Sick leave allowance not paid to retired complainant.	Pending
C/339/2003	Lease agreements not yet issued to complainant.	Pending
C/340/2003	Complainant avers that her civil status documents have not been returned to her by the Administration.	Pending
C/341/2003	Allowance for working extra hours not paid.	Pending
C/342/2003	Length of service not properly computed.	Explained
C/343/2003	Length of service not properly computed.	Pending
C/344/2003	Vacation leave short paid.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Rodrigues — <i>continued</i>		
C/345/2003	Complainant still awaiting reply to application for extension of lease of State land after one year.	Pending
C/346/2003	Favouritism regarding allocation of new car for driving purposes to freshly recruited driver.	Pending
C/347/2003	Sick leave allowance not paid to retired complainant.	Pending
C/348/2003	No reply to application for State land made since three years.	Pending
C/349/2003	Complainant's pension not correct.	Pending
C/350/2003	Inducement allowance wrongly calculated.	Pending
C/351/2003	Anomaly in salary and wrong calculation of responsibility allowance.	Rectified
C/352/2003	Social aid granted to child decreased. Hardship case.	Pending
C/353/2003	Retiring benefits, except lump sum, not yet paid to retired officer.	Pending
C/354/2003	Poor conditions of work, no facilities etc.	Explained
C/355/2003	Allowances not paid to hospital servants/attendants.	Pending
C/356/2003	No reply to request for transfer of land.	Pending
C/360/2003	No assistance from the administration in connection with complainant's damaged house.	Pending
C/364/2003	Wrong computation of pension.	Not justified
C/375/2003	No reply to application for State land for commercial purposes since four years.	Pending
C/381/2003	No reply yet to application for residential lease made since six years.	Pending
C/383/2003	Acting allowance not paid.	Pending
C/386/2003	Length of service not properly computed.	Pending
C/427/2003	Length of service not properly computed.	Pending
C/435/2003	Benefits not paid to complainant.	Pending
C/442/2003	Request by complainant for benefits after having left his post without notification.	Pending
C/458/2003	Length of service not properly computed.	Pending

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions		
C/130/2001	Complainant avers that she never received the lump sum allegedly paid to her.	Rectified
C/256/2002	Claim of mileage allowance denied to Senior Social Welfare Officer.	Not justified
C/31/2003	Complainant who has undergone a heart operation two years ago avers that the social assistance he is receiving is not sufficient.	Explained
C/52/2003	Lump sum short paid and mileage allowance not paid.	Not justified
C/82/2003	No reply received by complainant regarding letters he wrote to the Ministry in respect of wife's statement of account regarding contributions to the National Pensions Scheme.	Rectified
C/101/2003	Complainant contests the findings of the Medical Board/ Medical Tribunal which have led to his basic invalidity pension being disallowed.	Explained
C/177/2003	Overpayment made on behalf of deceased person. Heir claims hardship in refunding the amount.	Discontinued
C/202/2003	Complainant avers that his transfer from one place to another was abrupt and punitive etc.	Explained
C/252/2003	Old age pensioner still awaiting for his pension and concessionary bus pass after more than three months.	Rectified
C/254/2003	Complainant not appointed in time. Now cannot be appointed because of his age.	Explained
C/372/2003	Detainee's wife and daughter not receiving any assistance from Ministry.	Rectified
C/391/2003	Wrong computation of complainant's contribution to the National Pension Scheme.	Rectified
C/419/2003	Complainant's right leg amputated. Still not paid invalid's pension.	Pending
C/428/2003	Pension of detainee's wife reduced.	Pending
Training, Skills Development and Productivity (Employment Division)		
C/141/02	Complainant awaiting for a job since 21 years having registered in 1981.	Explained
Wastewater Management Authority		
C/144/2002	Overflow of wastewater causing nuisance to neighbours.	Rectified

<u>No.</u>	<u>Subject of Complaint</u>	<u>Result</u>
Women's Rights, Child Development and Family Welfare		
C/79/2002	Request for revision of salary not considered.	Explained
C/95/2003	Craft workers at National Women's Council not yet confirmed in their posts since two and a half years.	Not investigated
Youth and Sports		
C/228/2003	Complainant, who is a disabled "handisportsman", avers he is victim of maladministration of handisports in Mauritius.	Explained

Printed by the Government Printing Office
Republic of Mauritius
October 2004