

40th
Annual Report
of the
Ombudsman



January – December 2013

OFFICE OF THE OMBUDSMAN

OMB 13/04 VOL. XXXX

30 May 2014

His Excellency, Mr. Rajkeswur Purryag, GCSK, GOSK
President of the Republic of Mauritius
State House
Le Réduit

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 40th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2013.

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 2013

Year under review

This is the 40th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2013 in the course of which we registered a total of 348 new cases as detailed below.

Statistics for 2013

Case intake

Ministries/departments	...	...	...	261
Local Authorities	...	...	...	59
Rodrigues Regional Assembly	...	...	...	<u>28</u>
Total	...	...	...	<u>348</u>

Cases dealt with

Ministries/Departments

Rectified	...	...	...	...	...	85
Not Justified	...	...	...	...	...	11
Explained	...	...	...	...	...	129
Discontinued	...	...	...	...	...	20
Not Investigated	...	...	...	...	...	5
Not Entertained	...	...	...	...	...	3
Pending	...	...	...	...	...	<u>76</u>
Total	...	...	...	...	...	<u>329</u>

Local Authorities

Rectified	...	...	...	...	...	19
Explained	...	...	...	...	...	27
Discontinued	...	...	...	...	...	7
Pending	...	...	...	...	...	<u>33</u>
Total	...	...	...	...	...	<u>86</u>

Rodrigues Regional Assembly

Rectified	...	...	...	...	...	9
Not Justified	...	...	...	...	...	1
Explained	...	...	...	...	...	14
Pending	...	...	...	...	...	<u>12</u>
Total	...	...	...	...	...	<u>36</u>

On the whole therefore our statistics for 2013 are as follows -

Cases pending as at 31 December 2012	...	102
Case intake in 2013	...	348
Cases dealt with in 2013	...	451
Cases rectified	...	113

Cases not justified	...	...	...	...	12
Cases explained	...	...	...	...	170
Cases discontinued	...	...	...	...	27
Cases not investigated	...	...	...	...	5
Cases not entertained	...	...	...	...	3
Cases pending as at 31 December 2013	...				121

Accordingly, the percentage of “rectified” cases during the year has been twenty five per cent. Cases still to be resolved at the end of 2013 increased by nineteen as compared to the same period in 2012.

Further, 160 complainants thought it fit to file a copy of their complaint directed against institutions falling outside our sphere of operation. It is a sign of the confidence people have in our institution. Accordingly, in a helping spirit, we followed up cases which we considered deserving with the institutions concerned until some kind of solution was found.

We also received 322 “miscellaneous” complaints against numerous bodies and organs that fell outside our jurisdiction. As a matter of principle such cases are referred to the concerned authority and the writer accordingly informed. However, in certain cases we went the extra mile and made a special effort to help to the best of our ability.

Rodrigues

We effected one working trip to Rodrigues during the period 22 through 25 October 2013.

Altogether 37 persons called on us at the meeting place put at our disposal by the Rodrigues Regional Assembly, through the Chief Commissioner’s Office. They comprised –

- (i) new complainants who came with and deposited their letters of complaint;
- (ii) complainants whose cases were pending before us and who had been specifically summoned by us for further discussion and follow up purposes;
- (iii) complainants who came to simply inquire about the status of their cases before us;
- (iv) people who came to inquire about the procedure for lodging a complaint before our Office;
- (v) one Departmental Head against whose Commission there was a complaint still to be resolved and whom we had summoned to appear before us.

Four new cases were registered in Rodrigues itself and by the end of the year the total number of complaints amounted to twenty-eight.

The Mauritian Ombudsman institution revisited

Last year Mauritius celebrated the 45th anniversary of its independence, achieved in the year 1968 when a new Constitution was adopted.

In Chapter IX of the Constitution an Office of Ombudsman was established and the manner of his appointment, mandate, powers, etc. spelt out.

The creation of such an Office came in the wake of recommendations made by the well-known Constitutional Commissioner, Professor S.A. de Smith of the University of Cambridge in his report in November 1964 as a prelude to future political and constitutional developments of Mauritius and eventually its independence.

In one of the Chapters of his report entitled “The Ombudsman” Professor de Smith stated the following:

“An Ombudsman for Mauritius would be essentially an independent public officer charged with the duty of investigating and reporting on allegations of maladministration (including unfairly discriminatory acts) made against public authorities and their officials. He would have no power to annul or vary any act or decision, but he would be empowered to make recommendations to the competent authority for granting redress to an aggrieved complainant. He would conduct his inquiries informally and privately; he would not be entitled to single out individual public officers for condemnation in his published reports; he would screen the public service from unjustified criticism, and he would acquire a body of information which would enable him to act as an impartial adviser to the administration. He would, in fact, provide a link between Government and the governed which is at present lacking in Mauritius.”

He went on to say that although the Ombudsman was principally a Scandinavian institution he considered the model to be manifestly inappropriate for export to a Commonwealth country like Mauritius. He therefore drew heavily on the New Zealand pattern, that country being the first Commonwealth country to appoint an Ombudsman, but he incorporated in his recommendations a number of variations designed to take into account the different circumstances and constitutional position of Mauritius. He added that “An Ombudsman cannot be bought off the peg; he must be made to measure”.

Professor de Smith also recommended that the first holder of the office to be a non-Mauritian. His advice was followed and the then Prime Minister of Mauritius wrote to the then Swedish Prime Minister on 14 November 1968 asking the Swedish Government if it would suggest a name. By letter dated 25 June 1969 the then Swedish Minister for Foreign Affairs replied, putting forward the name of Mr Gunnar Lindh, a Judge from Stockholm.

The choice of Sweden is explained by the fact that the modern concept of the Ombudsman institution is of Swedish origin and dates back to 1809 when the Swedish Parliamentary Ombudsman was established in order to safeguard the rights of citizens against maladministration of government departments and institutions. It was independent of the executive branch of government and had considerable experience in the field of ombudsmanship and the resolution of complaints.

In Mauritius alike emphasis is laid in the Constitution on the independence of the Ombudsman. Indeed Section 101(1) of the Constitution provides that in the discharge of his functions, the Ombudsman is not subject to the direction or control of any other person or authority and no proceedings of the Ombudsman is to be called in question in any court of law.

So the first Ombudsman for Mauritius, Mr Gunnar Lindh, assumed duty in March 1970 but in the meantime the Ombudsman Act 1969 had been voted by Parliament. However, for reasons we need not go into, Mr Lindh offered his resignation on 15 January 1972 which became effective on 19 January 1972, in accordance with section 117 of the Constitution. Subsequent Ombudsmen have all been Mauritian citizens.

The Ombudsman Act, referred to above, made provisions for the oath of office to be taken by the Ombudsman as well as other members of his staff, which is to the effect that they shall maintain secrecy and not divulge any information received in the exercise of their duties. The Act also provided for the procedure to be followed during proceedings before the Ombudsman and made it an offence

punishable by a fine and imprisonment for any person to influence or attempt to influence the decision of the Ombudsman with regard to any complaint before the latter.

Whereas the jurisdiction of the Ombudsman initially covered all Government departments, the Police Force, the Prison Service and 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, the Constitution was amended in the year 2003 by the National Assembly, enlarging the Ombudsman's powers so as to enable him to investigate into complaints against local authorities and the Rodrigues Regional Assembly. The amendment became effective on 24 April 2006 by virtue of Proclamation No. 5 of 2006.

Mention must also be made here of the amendment made to the Ombudsman Act in the year 2012 (Act No. 27 of 2012) in order to improve and speed up service delivery to our citizens. The salient features of that amendment require that complainants must first address their complaints in writing to the department or authority concerned and if no written reply of any sort is received within five working days they can immediately seize the Ombudsman.

There are however exceptions to the powers of investigation of the Ombudsman. The Constitution indeed provides that the following persons and authorities do not fall under the scrutiny of the Ombudsman –

- (i) the President or his personal staff;
- (ii) the Chief Justice;
- (iii) any Commission established by the Constitution or its staff;
- (iv) the Director of Public Prosecutions or any person acting in accordance with his instructions; and finally
- (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.

Otherwise, for the purposes of any investigation, 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.

Let me conclude by saying that our democratic system is constantly evolving and good administration is considered as a human right. Any citizen has a legitimate right to complain whenever he considers that he has sustained a prejudice or an injustice as a consequence of maladministration. It is up to the Ombudsman to investigate into the complaint made to his Office and thereafter to make his recommendation in the event he considers the complaint to be justified. However, a decision perceived as being wrong or as unfair or unreasonable by an individual may prove to be a sound one but the investigation is not time lost as the inquiry process helps to better understand both the complaint and the decision taken.

Overall therefore the Ombudsman's mission is to oversee administrative action with a view to upholding democratic principles of transparency and accountability. His commitment is to ensure fairness and justice.

Interviewer from South Africa

At the end of July last year we received a request from the African Ombudsman Research Centre (AORC), located at the University of KwaZulu-Natal, Durban, South Africa, for an interview to be carried out by Professor Managay Reddi, Dean and Head: School of Law, College of Law and Management Studies, University of KwaZulu-Natal, in the context of a Comparative Analysis of the Legal Systems of Ombudsman offices in Africa. The interview was to be of myself as Ombudsman and two senior members of our staff.

Professor Reddi arrived in Mauritius on 27 August 2013 and conducted her interviews on the next day and left on the day after.

On 30.08.2013 she mailed us to express her heartfelt thanks and added that “I would like to let you know how impressed I am at the good work you and your office are doing. You are an inspiration to anybody who has the good fortune to have contact with you”. Such words can only encourage our Office to persevere along the path we have chosen.

A few months later Professor Reddi made available to our Office her report entitled “An African Journey Towards Good Governance: The History of the African OMBUDSMAN AND MEDIATORS ASSOCIATION”, co-authored by Dr. David Barraclough, an academic editor and writer attached to the School of Law at the University of KwaZulu-Natal, South Africa.

Colloquium in Nairobi, Kenya

At the invitation of the Chairperson of the Commission on Administrative Justice (Office of the Ombudsman) of Kenya, Commissioner Otiende Amollo, EBS, I actively participated in a Regional Colloquium for Ombudsman Institutions in Africa held in September 2013 and which was very well attended. At the instance of the organisers I made a presentation on the topic of “Complaint Handling Lessons from Africa”, drawing from my own experience as Ombudsman of Mauritius.

Acknowledgements

Our citizens have continued to show their trust and confidence in our Office by soliciting our intervention and assistance in respect of their problems with various administrations. We are thankful to them and we can assure the population at large that our Office is totally independent and is open to one and all for handling their complaints in a confidential manner as required by our Constitution.

I would also like to place on record my deep sense of appreciation and thankfulness to the entire staff of my Office for their dedication at work in the fulfilment of our mission. They have also been actively involved in the preparation of this Report, as is the case every year.

Many thanks also to the various administrations whose actions have come under our scrutiny and whose cooperation has been up to expectations.

Lastly I am thankful to my various colleagues from different countries and jurisdictions who continue to make available to our Office their Annual Reports, without forgetting the International Ombudsman Institute whose “Ombudsman News” we keep on receiving regularly and which keeps us aware of decisions, happenings and developments in the field of ombudsmanship the world over.

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 ministries/government departments, local authorities and the Rodrigues Regional Assembly.

Appendix D is a statistical summary of the complaints received according to the ministry/department or local authority concerned as well as the Rodrigues Regional Assembly.

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

As is well known by now, certain District Councils have been split into two distinct entities, e.g the District Council of Moka-Flacq has now become the District Council of Moka and the District Council of Flacq. For the purposes of this Report we have retained the appellation as it was at the time of opening of files.

30 May 2014



(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) the Rodrigues Regional Assembly or any officer of the said Assembly;
 - (f) any local authority or any officer of such local authority;
 - (g) 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 anybody 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) Every complaint made to the Ombudsman shall be in writing.

(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 immediately forward the letter, unopened, by registered post to the Ombudsman.

(3) No complaint shall be entertained by the Ombudsman unless the complainant –

- (a) has, before making the complaint, made a written representation to the relevant department or authority and not received within 5 working days –
 - (i) a written substantive reply; or
 - (ii) a written reply in which the department or authority states the action it is initiating and the date by which a substantive reply shall be made, such date being not more than 45 days of the date of receipt of the written representation by the department or authority;
- (b) is dissatisfied with any reply given to him by the department or authority;
- (c) has sufficient interest in the subject matter of the complaint;
- (d) specifies the nature of the complaint, the reasons for his grievance and the redress being sought; and
- (e) encloses every document or other information which is relevant to the complaint.

(4) Where a department or authority receives a written representation under subsection (3), it shall make a written reply or written substantive reply, as the case may be, within the time limit specified in that subsection.

(5) (a) On receipt of a complaint under this section, the Ombudsman shall, within 5 working days of the date of receipt –

- (i) make a written reply to the complainant, stating the action the Ombudsman is taking; and
- (ii) where the department or authority has failed to comply with subsection (4), order the department or authority concerned to make, not later than 7 working days from the date of the order, a substantive reply to the complainant.

(b) The department or authority shall –

- (i) comply with an order under paragraph (a)(ii); and
- (ii) at the same time, forward a copy of its reply to the Ombudsman.

(6) In the discharge of his functions relating to an investigation, the Ombudsman may order a department or authority to submit comments and to provide such information and documents relating to the investigation, within such time as may be specified in the order, and the department or authority shall comply with the order.

(7) Where a department or authority fails to comply with subsection (4) or an order under subsection (5)(a)(ii) or (6), the Ombudsman shall request the principal officer of that department or authority to take such action as he considers appropriate.

(8) In the discharge of his functions relating to the report of his opinion and reasons pursuant to his investigation, the Ombudsman shall endeavour, within 45 days of the date of receipt of a copy of the written reply under subsection (5), to forward the report to the principal officer of the department or authority concerned.

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.

5A. Annual Report

In the discharge of his functions relating to his annual report, the Ombudsman shall, not later than 30 June in each year, make the report in respect of the preceding year to the President.

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.

SUMMARIES OF SELECTED COMPLAINTS

MINISTRIES/DEPARTMENTS

ACCOUNTANT GENERAL

C/45/2013

Money seized by Police returned to detainee

According to detainee X he was sentenced on 11 August 2011 by the Intermediate Court in a case of drug dealing to pay a fine of Rs 80000/- which he was unable to pay and was thus undergoing imprisonment for non-payment of the said fine.

He averred that at the time of his arrest by the Police a sum of Rs 17000/- was seized from him but at the hearing the court ordered that the money be returned to him without any condition.

Up to the time of writing i.e. 19 February 2013 his money had still not been returned to him and so he sought our intervention in the matter.

We first consulted the Court Manager of the Intermediate Court and he informed us that according to the court record the needful had been done since 30 November 2011 for the refund of the sum of Rs 17000/- to the detainee. He furthermore pointed out that the refund had been effected by means of a cheque dated 01 March 2012 from the Office of the Accountant General.

No sooner had we taken up the matter with the Accountant General than a fresh Payable Order for the amount of Rs 17000/- dated 27 March 2013 was sent to the detainee who had it cashed on 02 May 2013.

EDUCATION AND HUMAN RESOURCES

C/153/2013

Complainant's daughter awarded scholarship

Complainant's daughter ranked first at the Cambridge Higher School Certificate in Telegu language in 2012. Consequently she was informed by the Mauritius Institute of Training and Development (MITD) that she had been awarded a scholarship in Telegu and therefore followed all necessary procedures and was expected to leave for India by the end of June 2013 after receiving a call from Osmania University.

However, according to the complainant, students who had ranked 3rd and 8th had already been confirmed and were to leave on 30 July 2013 but nobody at the MITD or at the Indian Embassy could explain how his daughter had been left out, as it were.

This undated complaint was addressed to the Honourable Prime Minister but as it was copied to our Office and received on 30 July 2013 we took the initiative of soliciting the views of the Senior Chief Executive of the Ministry of Education and Human Resources. In his reply dated 28 August 2013 the latter indicated that the Ministry had started to receive offers for seats at Indian Universities as from the beginning of July 2013 and that the process would continue until the end of August/beginning of September 2013.

As regards the case of complainant's daughter, her offer dated 01 August 2013 was received at the Ministry on 02 August 2013 and she was contacted on the same day. She therefore repaired to the Scholarships Section on the same day to accept the scholarship and complete all formalities.

It was the Senior Chief Executive himself who informed us that the girl had left for her studies at the Andra University in Visakhapatnam on 06 August 2013. Small wonder we did not hear from the father again.

C/172/2013

Equivalence certificate issued after nearly five months

Three months after making a request for an equivalence of his Chartered Institute of Marketing, Level 7, Professional Postgraduate Diploma in Marketing at the Tertiary Education Commission (TEC), D.J. had received no reply. He even averred that he had missed the opportunity to have a seat at the Open University of Mauritius for the August 2013 intake precisely because he had not yet produced his equivalence certificate. So he solicited our intervention in the matter.

We took up the matter directly with the Director of the TEC who immediately replied that the application was still in process as the views of the University of Mauritius had been sought in respect of D.J.'s application inasmuch as his qualification was equivalent to a qualification of the University of Mauritius.

Finally, after receiving the views of the University of Mauritius, the Panel on Recognition and Equivalence of Post Secondary Educational Qualifications of the Tertiary Education Commission examined the request at its meeting of 02 October 2013 and decided that the Level 6 Professional Diploma in Marketing (2010) and Level 7 Professional Postgraduate Diploma in Marketing (2013) both taken together and awarded by the Chartered Institute of Marketing, United Kingdom, was equivalent to the BSc (Hons) in Marketing awarded by the University of Mauritius.

Consequently, on 03 October 2013, the Commission issued the equivalence certificate to D.J. who confirmed having received same.

C/205/2013

Outstanding claim settled

The Director of a private company complained about the deduction of a sum of Rs 26000/- from the overall costs of burglar-proofing works amounting to Rs 360950/- the company had undertaken on behalf of the Ministry.

In short the version of the Ministry was that the deduction concerned two different schools where only partial works had been done. In fact the Ministry submitted a breakdown of the works to be done by the company and explained in details why deductions had been effected.

In the light of the breakdown submitted I suggested that the Director be convened at the Ministry to discuss the matter, which was done. A week later the Ministry informed me that at a meeting held at the Ministry both parties had agreed that only 50% of the amount deducted would be paid i.e. a sum of Rs 13000/- which the Ministry stated would be settled upon submission of the relevant claim.

Unfortunately that sum was not paid to the company although, according to its Director, the claim was submitted on the day following the meeting. This was not denied by the Ministry and, following my recommendation that the outstanding amount be paid without any further delay, action was immediately taken and the Director of the company finally confirmed having received payment.

FINANCE AND ECONOMIC DEVELOPMENT

C/212/2012

Leave treated as sick leave converted into vacation leave for convalescence purposes

The main thrust of A.J.'s complaint is that he has on several occasions applied for vacation leave for convalescence purposes in accordance with recommendations of the PRB Report 2008 and supported each time by a medical certificate but his requests have always been turned down by his immediate superior. He averred that he was subject to harassment by the latter as each time he absented himself on medical grounds he was put on sick leave.

I raised the matter with the Financial Secretary (F.S.), Ministry of Finance and Economic Development with a view to obtaining the version of A.J.'s superior. However, the F.S. informed me that the representation made by A.J. would be treated at the level of the Ministry itself and their views would be transmitted to A.J.'s department.

The matter got delayed for a while at the Ministry due to a change in posting and the F.S. applied for a further delay to reply to our query, which was readily granted.

Finally the F.S. informed me that A.J.'s superior has been requested to convert A.J.'s sick leave into vacation leave for convalescence purposes and to strictly adhere to the recommendations of the PRB Report 2008 and to send a copy of the approval letter for vacation leave to the HR Section of the Ministry.

In a letter of thanks A.J. stated as follows: "I wish to express my heartfelt thanks to you for having given due consideration to my plea and for having intervened to correct the injustice done to me"

C/79/2013

Officer compensated for work done during leave prior to retirement

The complaint of this Senior Procurement and Supply Officer of the Ministry of Finance and Economic Development (MOFED) was to the effect that he had not been paid for period 03 November 2012 to 25 January 2013 during which period of leave prior to retirement he had been working.

Our inquiry revealed that prior to his retirement the officer was entitled to 188 days vacation leave with effect from 03 November 2012. However, through oversight, his case was not processed in time and it was only on 27 November 2012 that a letter was issued to him informing him that he was being granted 155 days vacation leave prior to retirement with effect from 03 December 2012. However, later on his Director informed that the officer had been retained to assist him on certain urgent issues. Finally the officer proceeded on leave prior to retirement on 26 January 2013.

MOFED sought the exceptional approval of the Ministry of Civil Service and Administrative Reforms (MCSAR) for the payment to the officer of cash in lieu of vacation leave for period

03 November 2012 to 25 January 2013. The request was however turned down by MCSAR on the ground that its prior approval had not been sought and that the situation was not one that required the officer to work during pre-retirement leave as there was replacement available.

We pursued the matter further on the ground that it would have been unfair not to compensate the officer who had offered assistance to his Director and a strong recommendation was made to that effect.

Finally the MCSAR exceptionally approved payment to the officer who confirmed having received payment on 30 September 2013.

C/81/2013

Transport allowance paid to complainant

This is a complaint by a Word Processing Operator, Mrs S.L., about non-payment of her transport allocation by her employer, a public body, notwithstanding the fact that approval for payment had been given by the Ministry of Civil Service and Administrative Reforms.

When we took up the matter with the Senior Chief Executive of the Ministry of Civil Service and Administrative Reforms he replied that he had first sought the explanation of the Secretary of that body as to why its Financial Operations Officer had raised objection to comply with the Ministry's earlier decision to approve payment.

Upon receiving the explanation of the said Secretary, which we need not go into, the Senior Chief Executive informed him that it maintained its earlier decision and requested the Secretary to take early action to give effect to the decision.

A few days later Mrs S.L. informed our Office that she had been paid arrears of her travelling allowance to her entire satisfaction.

C/138/2013

Income tax refunded to complainant

In July 2013 one lady, Mrs G.L. claimed that in February and June 2012 she claimed tax refund to the tune of Rs 31000/- from the Mauritius Revenue Authority but, up to the time of writing, she had not even received an acknowledgment letter from that body.

The Director-General of the Mauritius Revenue Authority (MRA) informed our Office that the lady and her husband had submitted NIL returns for Years of Assessment 2011 and 2012 but not for Year of Assessment 2013. According to his version the letters which Mrs G.L. claimed to have written in February and June 2012 had not reached his Office.

However, following a letter dated 12 June 2013 from Mrs G.L. she was requested to submit her Income Tax Return for Year of Assessment 2013. It would then be possible for the MRA to process the refund of tax which had been deducted by her bank in the tax year 2010.

Two months later Mrs G.L. herself emailed our Office saying that she had finally received a cheque from the MRA representing tax refund for 2010.

GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE

C/95/2013

Complainant's retirement benefits adjusted and pension revised

In a letter dated 15 May 2013 Mrs D.D. averred that there had been an error in the calculation of her pensionable service. According to her the mistake had been committed by her former employer, the National Women's Council, when it forwarded her particulars of service to the State Insurance Company of Mauritius Ltd (SICOM) to compute her gratuity and monthly pension.

Although Mrs D.D. wrote to the Council and to the parent Ministry about this shortcoming they both kept silent. She therefore turned to our Office for help.

We took up the matter straight away with the Permanent Secretary, Ministry of Gender Equality, Child Development and Family Welfare who in turn referred it to the Council. The latter asked for clarification from SICOM and, after obtaining the required information, requested SICOM to make necessary adjustments to the retirement benefits of Mrs D.D., which was done in July 2013.

Furthermore, Mrs D.D.'s pension was revised with effect from August 2013.

HEALTH AND QUALITY OF LIFE

C/175/2011

Allowances for performing higher duties paid to complainant after a very long wait

This is a case which took us nearly eighteen months to solve to the entire satisfaction of the complainant, Mr A.G., an Acting Senior Health Records Officer.

The facts of this matter were very simple and are as follows:

- (i) In January 2010 A.G. was requested by the Chief Health Records Officer to assume duty as Acting Senior Health Records Officer in Rodrigues for a period of one year against payment of an acting allowance.
- (ii) Upon his return to Mauritius in January 2011 from Rodrigues, A.G. was again requested by the Chief Health Records Officer to perform the duties of Acting Senior Health Records Officer at the Moka Eye Hospital against payment of an acting allowance.
- (iii) A.G. accepted both offers in order to gain experience and also looked forward to the payment of his acting allowance as he had registered for a BSc Course at a private school and had already paid registration fees.
- (iv) Up to the time of writing (21 September 2011), A.G. had not yet received any allowance, either for the Rodrigues service or for serving at the Moka Eye Hospital.
- (v) A.G. averred that he had to withdraw from the BSc Course as he did not have the required financial resources to pay for the fees.
- (vi) Notwithstanding numerous inquiries at his Ministry, A.G. was told each time that the matter was still under consideration at the Public Service Commission, a body over which our Office has no jurisdiction as per the Constitution. We therefore had to fall back on the Ministry and the latter on the Public Service Commission.

Our inquiry revealed that A.G. was the holder of a Diploma from the Institute of Health Records Information Management (IHRIM), which was one of the requirements for appointment to the post of Senior Health Records Officer. Furthermore A.G. was the only officer in the Health Records Cadre willing to proceed to Rodrigues to take up the job. We were told that the matter was still under consideration at the Public Service Commission.

On 06 December 2011 we were informed that the Public Service Commission had, on 03 November 2011, conveyed covering approval for the assignment of duties of Senior Health Records Officer to A.G. on ground of administrative convenience with effect from 06 January 2010 for a period of one year. Arrangements were made in the meantime for payment of responsibility allowance to A.G.

As expected, A.G. wrote back on 20 December 2011 to inform our Office that no actingship allowance for period January 2011 to date had been paid. We had to take up the matter further with the Ministry and we were informed at the end of January 2012 that the needful was being done *vis à vis* the Public Service Commission.

Unfortunately five months later A.G. had still not been paid the allowance for the year 2011. The matter was pursued further and it was only on 25 February 2013 that the Public Service Commission gave the necessary covering approval for period (i) 12 January 2011 to 29 January 2012 and (ii) 01 February 2012 to 18 January 2013.

It was only on 24 May 2013 that A.G. received his outstanding allowance but he was satisfied with our continued support.

C/38/2013

Action taken following Ombudsman's intervention

This is a complaint regarding noise nuisance and air pollution caused by a motorcycle "workshop". Several reports to different authorities had been made but no action has been taken.

We first took up the matter with the Senior Chief Executive, Ministry of Health and Quality of Life who reported as follows –

- (a) One Mr M., the alleged wrongdoer, has converted one room in his residence for reparation of motorcycles without a Building and Land Use Permit from the Pamplémousses District Council. He works occasionally alone without any employee. No grinding or drilling machines or any electric motors were being used and all works were being done manually. Painting works were not effected on site and no trace of paint or other smelling chemical solutions were noted on the premises. Mr M. also informed that he hardly does testing of motorcycles in his "workshop". In view of the activities in the "workshop" and the fact that it is being operated on a very small scale, air and noise pollution would hardly be created by such practice.
- (b) The access used by the complainant and his family to get to their premises has been partly blocked by unused motorcycles and spare parts as well as rubber tyres, scrap metals and other odds and ends. These items can favour breeding of vermin and vectors, hence representing a nuisance to public health. Accordingly, Notices have been issued for the safe disposal of all these items.

- (c) Furthermore, the matter has been referred to the Pamplémousses District Council, which is the licensing authority with respect to illegal operation of a “workshop”, for appropriate action.

We then pursued the issue regarding the illegal operation of the “workshop” with the District Council of Pamplémousses. Its Chief Executive informed us that –

- (i) No Building and Land Use Permit had been issued for the operation of a “workshop” nor was any trade fee being paid, and
- (ii) A site visit effected revealed that no operation of a motorcycle “workshop” had been observed.

The Chief Executive further informed us that the Council would still investigate as to whether any alleged “workshop” was being operated outside normal working hours and that, if such was the case, the Council would initiate appropriate action. A month later the Chief Executive informed us that there was no such “workshop” in operation.

As for the Ministry, it informed us that according to another site visit effected no activity as before was being carried out there and all wastes had been properly collected and disposed of, meaning that the Sanitary Notices issued had been complied with.

Informed about the above findings, the complainant was invited to inform our Office whether he had any further representation to make but he kept silent.

C/164/2013

Responsibility allowance paid to complainant

A.K.S., a Pathological Laboratory Assistant, complained about non-payment of responsibility allowance for performing the duties of Senior Pathological Laboratory Assistant from 07 March to 10 April 2013 in the Malaria Section of the Central Health Laboratory. He averred that he had been assigned such duties for “administrative convenience” and expected to be paid a responsibility allowance. Unfortunately he was informed some time later that payment of such allowance had not been approved.

The official version was that A.K.S. had replaced another officer without the approval of the Responsible Officer which version was bluntly denied by A.K.S. who further averred that at the end of February 2013 he was told by the Principal Medical Laboratory Technologist through the Chief Medical Laboratory Technologist that his name was on the actingship list to replace the Senior Pathological Laboratory Assistant from 07 March to 10 April 2013, as averred in his letter of complaint.

In the light of same I requested the Senior Chief Executive to cause a thorough inquiry to be made into the above averment by A.K.S. by recording the statements of the Principal Medical Laboratory Technologist and the Chief Medical Laboratory Technologist.

Finally the Senior Chief Executive filed a copy of a letter from the Consultant in Charge (Pathology) to the effect that indeed A.K.S. was assigned such duties which he performed to his satisfaction. He even recommended payment of an appropriate allowance which was, in the end, approved by the Ministry.

HOUSING AND LANDS

C/243/2012

Application for housing unit approved

The thrust of Mrs S.'s complaint was that her application for a NHDC housing unit had still not been considered after two years.

I took up the matter with the Senior Chief Executive, Ministry of Housing and Lands and his version dated 11 December 2012 was that –

- (i) On 10 September 2010 Mrs S. applied for a housing unit and after an interview a letter of offer for a unit at Calebasses was issued to her on 17 November 2011. On 22 November 2011 she made a deposit of Rs 55,000;
- (ii) Mrs S. did not inform the NHDC at the time of her application that she was co-owner of an apartment with her ex-husband. On 23 October 2012, she sold her shares to her ex-husband from whom she was divorced since 19 January 2011;
- (iii) As Mrs S. and her husband benefitted from a grant for casting of roof slab in 1998, Mrs S. was then not eligible for Government grant of Rs 33,000.
- (iv) Mrs S. was also not eligible for a housing unit as her monthly repayment exceeded 30% of her net monthly income. Mrs S. had informed that she was not in a position to make an additional deposit of Rs 25,000; and
- (v) A recommendation for the case of Mrs S. to be treated on humanitarian ground may be submitted to the Sub-Committee for sales for consideration at its next meeting.

After pursuing the matter further we were informed at the end of December 2012 by the Senior Chief Executive that Mrs S.'s request for a housing unit with credit facilities at subsidized rate of interest had been approved on humanitarian ground by the NHDC Ltd.

The NHDC Ltd would proceed with the delivery of keys to Mrs S. after signature of the deed of sale and completion of financial and administrative formalities.

Mrs S. was requested by our Office to inform us once the keys to her housing unit were handed over to her but she did not reply.

C/61/2013

Grant of new building site lease over State Land subject to special condition

R.J. averred that since about two years he had applied to the Ministry for a plot of State Land in Cap Malheureux but so far had not received any reply to his application.

The Ministry explained that the leaseholder over the said plot had passed away ever since 1970, leaving as sole heirs and parties entitled to apprehend his estate and succession his seven legitimate children and his surviving spouse. In April 2012 the heirs submitted an affidavit whereby only six out of the eight heirs had given their consent and authorization for the transfer of the lease in favour of the complainant, R.J. and his brother, another heir.

On several occasions the heirs had been requested to produce an affidavit witnessing the consent of all the heirs for the drawing up of two new building site leases. However, in July 2012 the

complainant requested the Ministry to reconsider the case for a transfer of the lease in his own name and that of his brother.

Finally, the Ministry approved the grant of two new building site leases to both the complainant and his brother subject to the special condition that the lessees would be solely responsible for the payment of any claim or assertion of every kind and nature in respect of the grant of the leases from other heirs.

INDUSTRY, COMMERCE AND CONSUMER PROTECTION

C/232/2012

Outstanding mileage allowance paid

Towards mid-December 2012 the complainant, a Consumer Protection Officer claimed that, at the time of writing, his mileage allowance for the months of August through November 2011 had not been paid to him. He was verbally informed that payment could not be effected due to lack of funds as the financial year in question had already lapsed.

He averred that on 22 February 2012 he wrote to his Ministry apologizing for his late submission and in April 2012 he informed his Permanent Secretary (PS) of the financial hardship caused to him and requested to be informed when he would be paid. No reply was received. So he solicited our assistance in the matter.

We inquired into the matter and one week later it was the officer himself who informed us that payment of the sum of Rs 19284.60 had been effected through his bank account.

He further stated that he wished “to express my deep appreciation to the Ombudsman’s Office for the prompt action which was taken in my case and without which that sum of money would have remained long due to me. I consider that through the Ombudsman’s Office justice has been rendered to me”.

C/83/2013

Reduction in basic salary cancelled and arrears paid

Four Consumer Protection Officers had recourse to our Office in April 2013 for what they considered to be a very serious matter, to wit: a reduction of three increments in their basic salary.

Indeed, ever since December 2010 they were granted three increments upon their appointment as Consumer Protection Officers (CPO) but, on 19 December 2012, at a meeting held at the Human Resource Section of their Ministry, they were verbally informed that they had been erroneously paid three increments upon their appointment as CPO and that according to PRB Report 2008 Recommendation 18.8.9(ii) they should have retained their previous salary.

In a correspondence dated 10 January 2013 they made representations to their Ministry to the effect that the above Recommendation was not applicable to them and they provided several reasons in support. On 16 January 2013 each one of them received a letter from the Ministry to the effect that they had been overpaid and that their salary would be reduced with effect from January 2013. Effectively their basic salary was reduced by three increments since January 2013. When they requested the Senior Human Resource Officer of the Ministry, both in writing and verbally, to furnish

the reason for the decision they were simply informed on 18 April 2013 that a reply would be made to them in due course. Unfortunately that reply never came and our intervention in the matter was solicited.

We took up their case with both the Ministry of Industry, Commerce and Consumer Protection and the Ministry of Civil Service and Administrative Reforms. The latter Ministry, after consultation with the Pay Research Bureau, finally came up with the conclusion that the case can be considered as being similar to a grade to grade promotion and therefore marked by the grant of three increments.

On 10 July 2013 the four complainants were so informed in writing by their Ministry. They indeed confirmed at the end of August 2013 that their salary slips reflected the adjustment of their basic salary with the three increments in question together with arrears due. They concluded their final letter to our Office by saying “We wish to place on record our profound appreciation for your prompt and effective intervention in the matter without which we could have still been waiting for an outcome.”

All is well that ends well!

POLICE

C/81/2012

Complainant’s privacy protected

G.P lodged a complaint before our Office alleging that he had written to the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping about an illegal camera installed on the wall of his next door neighbour with the result that it interfered with the privacy of premises in the vicinity, including his. He was informed that the matter had been referred to the Police but as no action had been taken by the latter he requested our intervention.

I initially questioned the Commissioner of Police about this case and he informed me that following a visit by the Police it was observed that in fact the neighbour had installed two cameras in his yard, both projecting in his yard at different angles. However, as the matter fell squarely under the purview of the Data Protection Office (DPO), the Commissioner of Police requested that the matter be referred to the DPO for investigation, which we did.

Several months later the DPO informed our Office that, after having recorded the statements of both the complainant and the neighbour in question, a first site visit was effected. The DPO’s report indicated that there was in fact one camera which could potentially view in the direction of the complainant’s house. The neighbour was informed accordingly and he took remedial measures. After further site visits and other additional measures taken it was finally found that all cameras were positioned to view within the neighbour’s premises only.

In a statement dated 27 March 2013 the complainant declared that he was satisfied with the enquiry conducted into his complaint and declared that the cameras were no longer invading his privacy.

C/161/2012

Convicted detainee’s money returned to her

Mrs J.B., a Seychelles national, was arrested in 2004 in connection with a drug-related case and in 2006 she was sentenced to undergo seven years imprisonment.

Upon her arrest by ADSU she was informed that the money seized from her would be returned to her after her trial. Indeed after her case was heard and determined she was informed through a letter from the Supreme Court that as there was no freezing order in respect of her money she could claim it back.

She therefore wrote to ADSU on 27 June 2012 in order to have her money back but she received no reply. She therefore sought our intervention a few weeks later.

According to the version of the Commissioner of Police the money was still in police custody and a reply was being awaited from the Office of the Director of Public Prosecutions as to the disposal of the money in as much as there were other accused parties involved in the case.

Finally we were informed by the Commissioner himself that the following sums of money had been returned to the complainant on 29 May 2013 at Beau Bassin Prison, to wit: 605 Seychelles Rupees, 305 US Dollars and 565 Euros. She was reported to be satisfied.

C/55/2013

Complainant provided with necessary information regarding fatal accident case

D.B.'s father was the victim of a hit and run case at Royal Road, Rose Belle, on 13 May 2011. Five days later the father passed away.

On 08 March 2013 D.B. addressed a letter to the Commissioner of Police to complain about the fact that he had never been made aware of the outcome of the inquiry into this fatal accident case, notwithstanding his several calls at the Rose Belle Police Station. He copied that letter to our Office, inter alia, which was received on 15 March 2013.

We enquired about D.B.'s complaint and on 23 March 2013 he was convened at the Rose Belle District Headquarters where he was given all the necessary information and was reassured that the Police report was being forwarded to the Office of the Director of Public Prosecutions.

In a final letter a few weeks later D.B. confirmed that he was fully satisfied with the information given to him by the Police.

C/216/2013

Foreign detainee's belongings returned to her

On 31 October 2013 we received a complaint from a female detainee, a Malagasy national, who had been sentenced by the Supreme Court to undergo twenty-five years penal servitude for the importation of dangerous drugs and trafficking, to the effect that her personal belongings comprising of several pieces of valuable jewelry, mobile phones and money in different currencies had not been returned to her by the Police. Even a call from the Prison Administration to the Police was in vain.

She further averred that she was about to be deported to her own country, having completed all formalities, and therefore requested our assistance for the return of her belongings.

Fifteen days after taking up the matter with the Commissioner of Police all the private property mentioned by the complainant in her letter had been returned to her at the Women Prison in Beau Bassin. She even acknowledged receipt of same in a written statement and made no further complaint.

PRISONS

C/238/2012

Spectacles issued to detainee

Detainee C.A. had a serious eye problem and in his letter dated 15 November 2012 he informed our Office that his next appointment was in March 2013 which he considered too far away as he was undergoing a lot of suffering.

I took up his case with the Commissioner of Prisons with a request that the detainee's appointment be brought forward having regard to his circumstances.

My request did not fall on deaf ears as the detainee was made to attend the Eye Hospital on 03 December 2012 and then again one week later. He was advised by the Ophthalmologist to wear spectacles and a proper prescription was given to him and immediately acted upon – corrective lenses were issued to him.

He was advised to report back in case of any further problem but we did not hear from him again.

C/50/2013

Detainee issued with a new set of clothing

Detainee P. wrote to our Office on 05 March 2013 from Petit Verger Prison where he was detained since 27 September 2012 complaining that he was badly in need of a pair of clothing inasmuch as no new clothing had been issued to him ever since his admission there. Therefore day in day out he has been wearing the same set of clothing for the last five months. He also claimed that he requested a spoon for eating purposes but same was refused and he had to eat with his hands.

Asked for his version the Commissioner of Prisons averred that the detainee had been transferred from Beau Bassin Prison on 05 February 2013 and was on that day wearing a pair of new clothing. Upon admission he was issued with a second pair of clothing but he insisted on having a new pair. He was informed by the Officer in Charge that new clothing was not available then but he would be given a pair in good condition. The detainee refused and stated he would wait until new sets were received.

The Commissioner further explained that normally new sets are received at the end of each month from the tailor shop through the Store. For the month of January 2013 the stock was not enough whereas that of February 2013 had been delayed. It was only on 20 March 2013 that new sets were received. On the next day the detainee was issued with a new set of clothing. He confirmed having received same in a written statement and he declared that he was satisfied.

As for spoons, the Commissioner stated that for security reasons detainees are issued with soft plastic spoons which often got broken. Nevertheless detainees are issued with such spoons as and when required.

C/101/2013

Detainees separated for security reasons

Detainee X who is undergoing imprisonment at the Central Prison for a drug-related case complained to our Office about the presence of detainee Y in the same Block, who he averred had assaulted him and even threatened to kill him and do harm to his family.

X's various pleas to the Prison Administration to do something about it fell on deaf ears. His request to meet the Commissioner of Prisons was also ignored.

We took up the matter immediately with the Commissioner of Prisons and within a few days he reported that, following a report by the Prison Intelligence Unit, detainee Y was transferred to another segregation unit in the same prison.

A statement was recorded from detainee X in which he confirmed that he and detainee Y were no longer in the same Block and that he now felt secure.

I wish to place on record my appreciation for the prompt action taken by the Commissioner of Prisons in view of an impending assault on the person of detainee X.

C/120/2013

Detainee referred to another hospital for his tests

A Malagasy detainee who had been remanded to prison ever since 2007 and sentenced in the year 2012 to 35 years imprisonment for the importation of dangerous drugs had a problem in his throat ever since 2010 and had been attending the ENT Hospital on several occasions for various tests.

On Tuesday 18 June 2013 he had another appointment for an echography but on the eve he was informed by the Prison Nurse that his appointment had been postponed to another date, without being informed of the reason thereof. According to him the doctor had told him that a surgical intervention had to be done very quickly.

I requested the urgent attention of the Commissioner of Prisons in the matter. The latter informed me that the appointment of the detainee had been postponed due to a fault in the equipment and that no other appointment had yet been fixed.

On several occasions subsequently the Hospital was contacted but the equipment had not yet been repaired. I kept on following up the matter with the Commissioner of Prisons and finally, without any further ado, the detainee was referred to the PMOC for his echography on 15 July 2013 and on 18 July 2013 for a radiography.

As there seemed to be no urgency according to the doctor's report the matter rested there and we did not hear from the detainee again.

C/202/2013

Detainee's problems solved

Detainee P. has been under detention since 2005 and in 2009 he was sentenced to undergo thirteen years imprisonment on a charge of manslaughter.

His complaint was that after he had worked for four years in the kitchen during normal hours and for a certain period of time during odd hours on extra-remission, the Prison Administration had removed him from the kitchen and consequently he remained "jobless" so to speak.

His second complaint was that his old mother could not visit him at Beau Bassin Prison as she could not walk long distances from the bus-stop to the Prison. He made a request for a transfer to the G.R.N.W. Prison which was situated nearer his mother's residence or to the New Wing of Beau Bassin Prison which was next to the bus-stop.

The detainee's requests for work and for a transfer were taken up with the Commissioner of Prisons. He was called at the Office of the Assistant Superintendent of Prisons and allowed to explain his problems clearly. At the end of the day his request for a transfer to the New Wing was favourably considered and thus both his extra-remission work and visit problems would be solved.

Indeed in a written statement the detainee averred that he was fully satisfied.

**PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT,
LAND TRANSPORT & SHIPPING**

C/228/2011

Dangerous footbridge repaired following Ombudsman's intervention

A press article dated 28 November 2011 on the poor quality of the structural stability of a footbridge at Beau Plan attracted my attention.

This is how the article, accompanied by a photo, described the fault –

“Un grave accident risque de se produire sous la passerelle située à proximité du rond-point de Beau Plan à Pamplémousses. Un morceau du béton s’est détaché du support et il y a de fortes possibilités qu’il tombe. C’est sans doute des poids-lourds avec leur chargement qui sont la cause de ce dégât. Mais les autorités ont intérêt à agir vite”.

As I was convinced that the situation was very risky for road-users I immediately called upon the Permanent Secretary, Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping to look into the matter with a view to taking remedial measures without delay.

I received a prompt reply from the Supervising Officer of that Ministry informing me that according to the Road Development Authority (RDA) it would appear that the damage to the footbridge had been caused by an unauthorized oversized vehicle. The RDA further reported that the structural stability of the footbridge had not however been affected and that it had already initiated procedures to have the footbridge repaired by a specialist contractor.

Quotations received by the Ministry for the repair of the footbridge were however considered to be on the high side but at the same time, following expert advice received by the RDA, the latter did not consider the repairs to be a matter of urgency and informed our Office that it would itself undertake some localized repairs to the footbridge “for aesthetic purpose”.

A copy of the expert advice received was submitted to our Office at my request. Whilst the Ministry spoke about localized repairs for aesthetic purpose, the conclusion at the end of the report spoke of having “to ascertain the structural integrity of the steel members for efficiently distribute (?) the loading to the column support during the replacement of the damaged sections”.

When queried by me about this difference of opinion, the Ministry replied that the words “during the replacement of the damaged section” referred only to the methodology of work and reassured our Office that the RDA would be taking action as per the best professional practice.

It was only on 17 October 2012 that the RDA awarded the contract and works were expected to be completed by 29 November 2012. In January 2013 we were informed that works on the footbridge had been completed.

No accident was reported thereafter.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/214/2012

Increased social aid awarded following the Ombudsman's intervention

A copy of a letter dated 27 October 2012 addressed to our Office revealed that one Ms M.J.C. had been living a destitute and miserable life throughout. Moreover she was HIV positive and two of her three minor children were also HIV positive and were living in a shelter of the Child Development Unit. Social aid in respect of a third child aged 15 who was attending school had been apparently refused to her.

I requested the Permanent Secretary of the Ministry to look into the matter and submit his report promptly.

The version of the Ministry was that Ms M.J.C. had applied for social aid at the Grand Bay Office in respect of her 7-year old sick child and was paid an amount of Rs 1519 per month from September to November 2012.

However, in December 2012, she moved from Grand Bay to Pailles and she was awarded the sum of Rs 1956 for herself and for another child on ground of abandonment, over and above the sum of Rs 1519 in respect of her sick child.

C/217/2012

Social aid reinstated

On 02 November 2012 one Mrs S. informed our Office that payment of her monthly social aid of Rs 2129 had been unjustly interrupted since June 2012.

The version of the Permanent Secretary, Ministry of Social Security, National Solidarity and Reform Institutions, was that –

- (i) Mrs S. put up a claim for social aid on ground of abandonment at Terre Rouge Social Security Office on 6th September 2011;
- (ii) she was living with her husband and they had two children. She abandoned the conjugal roof as her husband was reported to be an alcoholic and an irresponsible man. She was paid social aid amounting to Rs 1654 for period 06.09.2011 to 30.09.2011. Her case was regularized and she was paid Rs 1985 as from the month of October 2011;
- (iii) her social aid was stopped after June 2012 when it was disclosed that she was living in concubinage with another man. On 8th October 2012, she produced a letter from the Child Development Unit that her second partner had also abandoned her and that she had only two children. She was paid social aid of Rs 1703 for period 8th October 2012 to 31 October 2012. Her case was again regularized, and she was entitled to Rs 2129 as from November 2012;
- (iv) in December 2012, following representation letter received from our Office, it was disclosed that she had two children with the second partner. A fresh claim for social aid for herself and her four children was filled in on 12 December 2012 and she was paid Rs 3055 + bonus of Rs 3055 on December payday; and
- (v) as from January 2013 Mrs S. is being paid Rs 3162.

Asked whether she was now satisfied, Mrs S. made no reply.

C/220/2012

Financial assistance provided to complainant

Mrs S.D.L. informed our Office in November 2012 that she had been refused social aid by the Social Security Officer of her locality, both on her own behalf as she had been abandoned by her partner and on behalf of her two children, one aged 13 and attending school in Triolet and the other aged 5 attending a specialized school for handicapped children.

We asked for a report on this case and the Permanent Secretary, Ministry of Social Security, National Solidarity and Reform Institutions confirmed that Mrs S.D.L. had been abandoned with two children under her responsibility. Her case was registered in December 2012 and the following payments made to her in the same month: (i) a carer's pension amounting to Rs 3056/- monthly in respect of the disabled child and (ii) an amount of Rs 1637/- monthly for abandonment.

C/257/2012

Financial assistance granted following Ombudsman's intervention

At the end of December 2012 we received a complaint from Mrs M.J.B. to the effect that all her claims for financial assistance in favour of her daughter, aged 14, who is in Form II at a PreVoc school, had been turned down. She claimed that she was separated from her husband since five years and was herself not in good health and thus unable to work.

I requested a social enquiry report in this case and I was informed that indeed Mrs M.J.B. lived separately from her partner and had one dependent child. It was also averred that each time she produced a medical certificate she had been paid social aid, the last time being in September 2012 after which she did not turn up again.

Following my request for enquiry she was called at the local Social Security Office where she turned up on 05 February 2013. After examination she was awarded social aid on behalf of her daughter and herself and income support as from 08 February 2013 to the tune of Rs 2256/- monthly.

C/53/2013

University fees paid by the National Solidarity Fund

Mrs S.R. had applied for financial assistance at the National Solidarity Fund (NSF) in order to pay for her daughter's university fees. She was called for enquiry and submitted all necessary documents. Seven months later she had still not received any reply from the NSF.

In a letter dated 12 March 2013 Mrs S.R. asked for assistance from our Office.

Enquiry revealed that Mrs S.R. had initially made an application for academic year 2010/2011 in favour of her daughter. In the year 2012 she obtained financial assistance to the tune of Rs 10000.

Mrs S.R. made a second application for academic year 2012/2013 and on 08 May 2013, i.e after our intervention in the matter, a refund of 50% university fees was recommended by the Board of the NSF and payment of the sum of Rs 9675 was effected.

Mrs S.R. made no further representation.

C/99/2013

Nearly five years of arrears of old age pension paid to complainant following the Ombudsman's intervention

In an email dated 23 May 2013 one Mrs H. aged nearly 65, informed our Office that her old age pension had not been paid to her ever since she reached the age of 60 i.e. for almost five years!

She averred in her complaint that ever since October 2012 she had submitted all relevant documents which were verified and deemed sufficient by the officer who handled her case. She was informed that her application would take a few weeks to be processed and that she would receive a reply by post. Unfortunately after numerous phone calls no one was able to provide a valid reason for the unreasonable and unacceptable delay in the processing of her application.

As there was a prima facie case of negligence in this matter we requested the Permanent Secretary of the Ministry to give his personal attention to this complaint and to come up with a clear explanation.

Before we received the Permanent Secretary's reply, Mrs H. informed us, again by email, that she had finally been awarded her old age pension, but instead of receiving arrears with effect from October 2008 when she attained the age of 60, she only received payment as from April 2012, whereas her bus pass was effective as from 14 October 2008.

We therefore had to go back to the Permanent Secretary who finally informed our Office that all arrears amounting to Rs 54,464 were paid by cheque on 13 June 2013. He also informed us that the Deputy Commissioner contacted Mrs H. personally and tendered his sincere apologies to her and that action was being taken against the officers concerned at his Ministry for negligence.

Mrs H. accepted the apologies and informed our Office that she was satisfied and did not wish to pursue the matter further.

C/140/2013

Ad hoc allowance paid

The gist of R.N's complaint dated 09 July 2013 was that after having been assigned the duties of Principal Social Security Officer (PSSO) as from 16 April 2012 his allowance for also performing duties for the then Industrial and Vocational Training Board (IVTB) was cancelled as from the same date.

R.N. claimed that he was informed that the disallowance was an administrative decision and that he should submit a new claim in order to obtain such allowance. Therefore on 31 August 2012 he submitted a written request for the restoration of the allowance but to no avail.

The Permanent Secretary of the Ministry of Social Security, National Solidarity and Reform Institutions explained that as authority for the payment of the ad hoc allowance existed for only 17 PSSOs, the Commissioner, Social Security, was requested to provide all information and details regarding the need for two additional officers at the level of PSSO, i.e. R.N. and another officer, to perform such duties for the IVTB for period 16 April to 31 December 2012. Thereafter, on 05 July 2013, the approval of the Ministry of Civil Service and Administrative Reforms (MCSAR) was sought for payment.

However, as 3 PSSOs had stopped performing the duties for the IVTB as from the beginning of 2013, R.N. was accommodated against the approval for the 17 PSSOs as from 01 January 2013. Furthermore, as all previous authorities for payment of allowances lapsed on 01 January 2013 following the implementation of the PRB Report 2013, fresh authority for payment was sought from the MCSAR. Unfortunately as the reply received on 27 May 2013 from the latter Ministry did not cover all the different grades, the issue was referred back to the MCSAR on 14 June 2013 for reconsideration of the different quantum of ad hoc allowance payable. In the meantime no officer was being paid ad hoc allowance since 01 January 2013.

Finally, on 03 September 2013, the Permanent Secretary, Ministry of Social Security, National Solidarity and Reform Institutions informed our Office that following approval conveyed by the MCSAR action was taken for the payment to R.N. as well as to the other officer concerned a monthly ad hoc allowance of Rs 600 for the period 16 April to 31 December 2012.

Moreover, following the PRB Report 2013, action was also taken for the payment of the revised quantum of the allowance to all officers performing duties for the IVTB with effect from 01 January 2013.

We requested R.N. to inform our Office once he received his dues but he did not do so.

C/206/2013

Arrears of carer's allowance paid to complainant

The complainant, a lorry driver, had a son aged 17 who was handicapped. In a letter dated 16 October 2013 he averred that after receiving "social aid" in favour of that child for the last ten years payment was suddenly stopped as from February 2013.

Several attempts by the complainant to have payment restored proved successful and payment resumed as from July 2013 but no payment in respect of the months of February to June 2013 was effected. He therefore sought our assistance to obtain payment for these five months.

Our inquiry into the matter disclosed that it was through negligence that the "carer's allowance" in favour of the child was renewed with effect from July 2013 instead of February 2013. However, immediately after, payment of arrears for the months of February to June 2013 was effected much to the satisfaction of the complainant.

LOCAL AUTHORITIES CITY COUNCIL OF PORT LOUIS

LA/C/24/2013

Illegal structure demolished

One Mr G.R. of Port Louis complained about the various problems and inconvenience encountered by his family on account of an accumulation of rainwater in his yard during and after every heavy rainfall.

He averred that the owner of a nearby plot of land had converted his land into a parking area for the customers of his supermarket and, in the process, had erected an illegal concrete structure

right over a large drainage canal in front of the parking area, thus causing obstruction to the flow of rainwater which ended in his yard.

According to G.R. two letters of complaint were sent to the Municipal authorities of Port Louis on 10 January and 14 April 2013 but no action was taken to remedy the situation. So he lodged a complaint at our Office on 11 June 2013.

Following our intervention a Notice was first served on the representative of the supermarket for operating a parking without permit.

Then in July 2013 the Chief Executive of the Council informed us that remedial action would be taken but as the demolition of the concrete covers over the drain would cause considerable noise, thus hindering the smooth running of a nearby school, works were programmed during school holidays in August 2013.

Indeed G.R. later informed us that remedial measures had been taken in August 2013 “due to your support and intervention” and that the illegal concrete structure had been demolished and replaced by a metallic structure.

LA/C/39/2013

Municipal lanterns removed

Three brothers living along a common private road wrote to the Chief Executive of the City Council of Port Louis requesting him to cause the lanterns erected along that road by the Council to be removed.

The reasons invoked by them were that these lights disturbed their sleep and tranquility at night and furthermore the electric wire was very loose, thus representing a danger to their families. They requested our intervention in the matter.

Their request was immediately taken up with the Chief Executive and, without further ado, the three lanterns were removed, much to the satisfaction of the complainants.

DISTRICT COUNCIL OF BLACK RIVER

LA/C/45/2013

Action taken immediately by Council to unblock river mouth

Our Office took the initiative of reporting a case of obstruction of a river mouth at Barachois, Tamarin, on 13 September 2013 to the Chief Executive of the Council, inviting him to take necessary action.

On the same day, in the evening, the mouth of the river was dredged and the river started to flow freely immediately after.

It was explained to us that the mouth of the river was silted up, which, according to the Chief Executive, was a recurrent feature there due to the frequent sanding up of the lagoon.

It is hoped that dredging would also become a recurrent feature!

DISTRICT COUNCIL OF FLACQ

LA/C/13/2013

Danger posed by branches of banyan tree removed

A banyan tree in Poste de Flacq caught fire somehow and after a few months some of its big branches started to fall on the road thus posing a danger to passers-by.

Our Office immediately took up the matter with the Chief Executive of the District Council and a few days later he reported that part of the tree which represented a danger to the public had been cut and the site cleaned.

Thus a potential danger for the public has been removed.

LA/C/25/2013

Action taken by Council following the Ombudsman's intervention

On 28 June 2013 A.K. wrote to our Office complaining that he made an application to the District Council of Flacq two months before for (i) the provision of street lighting and (ii) the tarring of the road where he had just constructed his new house but nothing had been done notwithstanding his numerous phone calls.

A.K. even went to the extent of lodging a complaint at the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping but again no action was taken.

He therefore urged our Office to intervene in the matter urgently as he was not willing "to put my family's life in danger due to lack of street lighting and bad condition of the road".

When the matter was taken up with the Chief Executive of the said District Council he reported more than two months later that –

- (a) the road had been declared public on 24 July 2013;
- (b) crusher run had been spread and the road levelled on 23 August 2013; and
- (c) the tarring of the road would be done on 13 September 2013.

At the beginning of October 2013 the Chief Executive informed our Office that the Council had completed the tarring of the road on 19 September 2013 but as no mention was made about the request for street lighting we had to pursue that issue further until we were informed at the end of October 2013 that the Council had completed the installation of the street lanterns.

We did not hear from A.K. again.

LA/C/33/2013

Rubbish carted away

On 12 August 2013 an article in the press concerning illegal dumping by the roadside in Trou d'Eau Douce caught our attention. It would appear, according to the inhabitants, that no action had been taken by the authorities concerned.

The Chief Executive of the Council was written to on the same day and during the next two days, i.e on 13 and 14 August 2013 two lorries of waste were carted away from the site. The author(s) of the nuisance could not however be identified.

All the same the inhabitants of the village must have been satisfied with action taken.

DISTRICT COUNCIL OF PAMPLEMOUSSES

LA/C/43/2013

Dumping ground cleaned through and through

Our Office took cognizance of a press article dated 12 September 2013 which spoke of odour nuisances, illegal dumping of construction materials, animal corpses and a feeling of insecurity on the part of certain inhabitants of a “morcellement” at Le Hochet.

When we queried the Chief Executive of the Council about the situation he informed us that he had referred the matter to the contractor for necessary action and even filed a copy of that letter in which mention was made of nuisances caused by illegal dumping and non-removal of refuse. The Chief Executive assured us that the Council would follow up and closely monitor the situation.

Near the end of October 2013 the Chief Executive reported that necessary cleaning works had been done by the said contractor but we requested the Chief Executive to inform us whether the works done were to the satisfaction of the Council to which he replied in the affirmative.

MOKA FLACQ DISTRICT COUNCIL

LA/C/23/2012

Remedial measures taken to avoid stagnation of rainwater

J.G. addressed a complaint to the Chief Executive of the then Moka-Flacq District Council on 28 June 2011 which was to the effect that each time there is rainfall water collects on the road which passes in front of his house thus causing flooding which lasts for hours much to the inconvenience of one and all.

On 18 July 2011 an officer of the Council came for a site visit but one year later no remedial measure was taken. So J.G. lodged a complaint at our Office at the end of June 2012.

According to the Chief Executive, whose explanation we sought, an absorption drain 25 metres long needed to be constructed but due to budgetary constraint the matter had been referred to the National Development Unit for the needful to be done.

We therefore took up the matter with the Supervising Officer of the Ministry of Public Infrastructure, National Development Unit and Land Transport and Shipping (National Development Unit) who informed us that their Engineers had been requested to carry out a survey and came to the conclusion that a resurfacing of the road would stop rain water from stagnating.

Immediately after a works order was issued for the said resurfacing but it so happened that several requests were received at that Ministry for the widening of the road itself. The requests were favourably considered and a fresh survey had to be carried out.

Finally the Ministry decided to carry out resurfacing works and construction of an absorption drain along adjoining roads as well and it was in June 2013 that our Office was informed that all works had been completed. We did not hear about widening of the road again.

J.R. wrote back to confirm that all works had indeed been undertaken and added the following: “I hereby wish to express my gratitude and extend very sincere thanks to you and to all officers of your department for the wonderful job done”.

LA/C/33/2012

Drains cleared and street lighting restored

In August 2012 I picked up a press article about blocked drains and absence of street lighting in Camp de Masque.

The Chief Executive of the District Council was seized of the matter and fifteen days later he reassured me that the cleaning of the drains was in progress. Our Office followed up the matter with the Chief Executive who informed us one month later that the cleaning of the drains had been completed.

But as no mention was made of street lighting we pursued the matter further until we were informed that street lighting had been reinstated.

We were also informed that drains in that region were being cleaned frequently and that additional drains would be constructed.

RODRIGUES REGIONAL ASSEMBLY

ROD/C/11/2012

Allowance paid to officer upon intervention of the Ombudsman

Mr R.A., a Senior Procurement and Supply Officer (SPSO) assumed duty in Rodrigues on 13 June 2011 in replacement of one Mr D.C., Assistant Manager Procurement and Supply Officer (AMPS), upon instructions received from the Financial Secretary.

Since the grade of AMPS was one above the grade of SPSO he applied for an ad hoc allowance which was initially refused, the reason being that there was no post of AMPS on the Rodrigues Establishment. It is interesting to know that the Island Chief Executive (I.C.E), Rodrigues Regional Assembly, did approve of such payment but same was turned down by the Financial Secretary (F.S.).

One month after R.A. had written to our Office we took up the matter directly with the F.S. and indicated to him that an officer who assumes a higher post upon the instructions of his superiors and discharges his responsibilities should be entitled to an appropriate allowance. The F.S. informed us that his Office will look into the possibility of paying to R.A. an allowance on humanitarian grounds. In this context the F.S. requested the Rodrigues Regional Assembly to submit in details the additional tasks performed by R.A. during his posting in Rodrigues, over and above his duties as SPSO.

A couple of months later the F.S. informed us that a recommendation had been made to the I.C.E. to pay an allowance to R.A. on humanitarian grounds.

After being so informed, R.A. informed us that on three occasions he inquired from the Office of the I.C.E. about payment but each time he was told that the file was “under process”. Sheer

bureaucracy! I therefore had to go back to the F.S. requesting him to see to it that his recommendation be implemented straight away.

In the beginning of 2013 R.A. informed our Office that he had finally received the sum of Rs 38,887.50 representing arrears of ad hoc allowance for period June 2011 to June 2012, when his tour of service in Rodrigues ended.

ROD/C/20/2012

Complainant's salary adjusted and arrears paid to him

J.E.S.H.'s complaint was that there was an anomaly concerning his salary as Educator. He had twice written to his Departmental Head (on 16 November 2011 and 18 April 2012) but received no reply.

As soon as he lodged his complaint before us on 13 July 2012, we queried the Departmental Head and we learned that the latter had referred the matter to the Island Chief Executive (I.C.E.).

It took several months for a decision to be taken in the matter as it was only in January 2013 that our Office was informed that J.E.S.H.'s salary would be adjusted with effect from January 2013 and that arrears to the tune of Rs 55,808.49 would be paid to J.E.S.H. along with his salary for the month of January 2013.

As we did not hear from the complainant again it is assumed that he had obtained satisfaction.

ROD/C/1/2013

Officer of Fire Services granted incremental credit

C.P. lodged a complaint on 09 January 2013 to the effect that his application for an award of incremental credit for additional qualifications had not been attended to although he had obtained a Bachelor's Degree in Management.

Although C.P. was not quite clear as to when he made his application, our investigation into the matter revealed that his application had been submitted by the Departmental Head of the Chief Commissioner's Office to the Island Chief Executive ever since 10 July 2012 for approval.

After taking up the matter with the Departmental Head on 11 February 2013 he informed our Office that on 22 February 2013 his Office was informed that approval had been obtained for the payment of one increment to C.P. with effect from 01 January 2013 in accordance with paragraph 18.9.19 of the PRB Report 2013.

Necessary action was therefore taken for the adjustment of C.P.'s salary accordingly.

ROD/C/10/2013

Track road extended for the benefit of two totally handicapped children upon the insistence of the Ombudsman

Mr C.B. informed our Office in July 2013 that he has twin sons aged four who are both 100% disabled.

He averred that in June 2012 he wrote to the Departmental Head of the Commission for Social Security requesting an extension by about 30 metres of the existing track road near his residence, which would facilitate the transportation of his boys from their residence in Marechal to La Ferme Hospital where they were regularly following treatment. Unfortunately no action had been taken. And so he requested our support on “humanitarian grounds” for the extension of the said track road.

We took up the matter directly with the Island Chief Executive who requested the Departmental Head to take immediate action.

However, the Island Chief Executive, informed us soon afterwards that the Commission would include C.B’s request for extension “in the next Works Order to be issued in respect of the construction of track roads/footpaths around Rodrigues subject to availability of fund”.

As I did not agree with the official stand taken in this matter I requested the Island Chief Executive to consider the request more carefully as I felt that there was no need to wait for the construction of track roads/footpaths around the whole island whilst the request had been made more than a year before on humanitarian grounds and that there was a real urgency in this matter.

We finally received a reply from the Island Chief Executive that his Office had been informed by the Departmental Head that action would be initiated immediately.

Before the end of the year our Office was informed that the construction of the track road had been completed as requested.

What a relief it was for the B family!

ROD/C/11/2013

Retired officer’s pension adjusted

An undated complaint from Mr C.A., a retired public officer of Rodrigues, received at our Office on 30 August 2013 was to the effect that his pension had not been accurately computed.

The matter was taken up with the Island Chief Executive who referred the matter to the Accountant-General.

Less than a month later, the latter informed us that C.A’s pension had been revised and payment of arrears was to be effected end of October 2013.

Although we requested C.A. to inform our Office once he received payment he did not do so, nor did he call on us during our visit in Rodrigues in October 2013 although convened.

The case stands as rectified.

STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Accountant General	2	-	2	-	-	-	-	4
Agro-Industry, Food Production and Security	1	2	1	-	-	-	1	5
Arts & Culture	-	-	-	-	-	-	1	1
Civil Service and Administrative Reforms	4	-	2	-	-	1	4	11
Education & Human Resources	7	-	11	-	1	1	13	33
Energy & Public Utilities	-	-	1	-	-	-	-	1
Environment and Sustainable Development	-	-	1	-	-	-	-	1
Finance & Economic Development	5	-	2	-	-	-	-	7
Foreign Affairs, Regional Integration & International Trade	-	-	2	-	-	-	1	3
Gender Equality, Child Development and Family Welfare	1	-	1	-	-	-	1	3
Carried forward	20	2	23	-	1	2	21	69

STATISTICAL SUMMARY OF COMPLAINTS – *continued*

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	20	2	23	–	1	2	21	69
Health & Quality of Life	6	–	9	1	1	–	6	23
Housing and Lands	5	–	8	1	–	–	9	23
Industry, Commerce & Consumer Protection	2	–	–	1	–	–	–	3
Information & Communication Technology	–	–	1	–	–	–	–	1
Labour, Industrial Relations and Employment	2	–	–	–	–	–	–	2
Local Authorities	19	–	27	7	–	–	33	86
Local Government and Outer Islands	–	–	–	–	–	–	1	1
Police	12	–	21	3	–	–	11	47
Prime Minister's Office (Civil Status Division)	–	–	–	–	–	–	1	1
Prisons	22	6	40	4	1	1	17	91
Carried forward	88	8	129	17	3	3	99	347

STATISTICAL SUMMARY OF COMPLAINTS – continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	88	8	129	17	3	3	99	347
Public Infrastructure, National Development Unit, Land Transport and Shipping	1	–	3	1	1	–	2	8
Registrar General	–	2	2	–	1	–	1	6
Rodrigues	9	1	14	–	–	–	12	36
Social Integration and Economic Empowerment	1	–	7	–	–	–	–	8
Social Security, National Solidarity and Reform Institutions	13	1	14	9	–	–	6	43
Tertiary Education, Science, Research and Technology	–	–	–	–	–	–	1	1
Tourism and Leisure	1	–	1	–	–	–	–	2
TOTAL	113	12	170	27	5	3	121	451

No.	Subject of Complaint	Result
ACCOUNTANT GENERAL		
C/256/2012	Interest wrongly charged on car loan.	Explained
C/45/2013	Money seized from detainee not returned to him after trial in spite of court order.	Rectified
C/51/2013	Increase in salary not paid to complainant.	Rectified
C/98/2013	No end of year bonus paid to heirs of deceased public officer.	Explained
AGRO-INDUSTRY AND FOOD SECURITY		
C/31/2013	Complainant contests Ministry's decision not to give him clearance to put up a building on a river reserve.	Not Justified
C/52/2013	Anomaly in complainant's salary and salary scale.	Not Justified
C/73/2013	Private company ignored in respect of Global Environment Facility Scheme financed by UNDP.	Rectified
C/87/2013	Abandoned orchard cause the ire of the neighbourhood as it has become the source of various nuisances.	Pending
C/128/2013	Complainant not allowed to opt for voluntary retirement scheme.	Explained
ARTS & CULTURE		
C/192/2013	Non-payment of copyright fees	Pending
CIVIL SERVICE AND ADMINISTRATIVE REFORMS		
C/243/2011	Complainants employed on daily basis for three years have not benefitted from any form of leave or other compensation.	Rectified
C/241/2012	Application for additional increment turned down.	Explained
C/255/2012	Complainant considers as arbitrary and prejudicial the decision of the Ministry to deprive him of the benefit of casual leave.	Rectified
C/3/2013	Request for adjustment of salary not entertained.	Pending

No.	Subject of Complaint	Result
<i>CIVIL SERVICE AND ADMINISTRATIVE REFORMS – continued</i>		
C/59/2013	No reply to request for certificate of service made more than three months ago.	Explained
C/107/2013	Complainant avers he is being transferred from one organisation to another too frequently.	Rectified
C/133/2013	Delay in receiving reply to request for additional pension.	Rectified
C/152/2013	Refusal of emigration leave.	Not entertained
C/199/2013	Non-approval of request by public officer to do private work after normal office hours.	Pending
C/224/2013	Application for a monthly allowance in lieu of duty exemption on car wrongly rejected.	Pending
C/260/2013	No reply to request for one additional day as annual casual leave.	Pending
EDUCATION AND HUMAN RESOURCES		
C/105/2012	Non-payment of salary to complainant who holds an “Eligibility Certificate to teach”.	Pending
C/152/2012	Increments not paid to complainant following publication of PRB Report 2008.	Explained
C/193/2012	Anomalous salary conversion.	Explained
C/221/2012	Non-payment of incremental credit.	Rectified
C/245/2012	Request for transfer on humanitarian grounds by complainant, a primary school educator, not entertained.	Explained
C/5/2013	Complainant’s five-year old child not admitted to school of their catchment area.	Rectified
C/14/2013	Primary School Teacher alleges unsolicited and unjustified transfer.	Explained
C/17/2013	Application for leave denied.	Explained
C/19/2013	Application for award of incremental credit for additional qualification not considered.	Rectified
C/20/2013	Complainant, an Educator, avers discrimination in respect of his transfer from one school to another.	Explained

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES – <i>continued</i>		
C/32/2013	Complainant, a Deputy Head Master (Urdu), fears he may be unjustly transferred as another Deputy Head Master (Urdu) has been posted at the same school.	Explained
C/34/2013	Complaint against transfer exercise made by Educator.	Explained
C/41/2013	Complainant avers favouritism in respect of class allocation.	Explained
C/106/2013	Supply teacher employed since more than eight years not yet appointed on a permanent basis.	Pending
C/109/2013	Delay in issuing government guarantee in respect of loan taken by complainant for her studies.	Rectified
C/134/2013	Application for transfer of complainant's ward from one school to another refused.	Not Investigated
C/141/2013	Complainants deprived of additional increment.	Explained
C/143/2013	No reply to request for information regarding illegal occupation of building belonging to complainant's client.	Pending
C/145/2013	Terms and conditions of work for supply teachers not satisfactory.	Pending
C/147/2013	Constant victimization and harassment of complainant by his superiors.	Not Entertained
C/153/2013	Complainant avers injustice towards his daughter as regard award of scholarship	Rectified
C/158/2013	Award of scholarship to complainant for postgraduate studies withdrawn.	Explained
C/172/2013	Delay in obtaining equivalence certificate from the Tertiary Education Commission.	Rectified
C/174/2013	No reply to application for one additional increment for long service.	Pending
C/178/2013	Non-payment of remuneration to complainant, a resource person.	Pending
C/179/2013	Non-payment of remuneration to complainant, a resource person.	Pending

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES – <i>continued</i>		
C/180/2013	Non-payment of remuneration to complainant, a resource person.	Pending
C/188/2013	No reply to complainant regarding anomaly in salary.	Pending
C/205/2013	Complainant company short-paid for works done.	Rectified
C/226/2013	Complainant, a University student, denied the benefit of the Student Scholarship Scheme.	Pending
C/228/2013	Non-payment of additional increments for Special Education Course followed by complainant.	Pending
C/230/2013	Complainant penalized by deduction in his monthly salary.	Pending
C/246/2013	Payment of additional increment for additional qualification discontinued.	Pending
ENERGY AND PUBLIC UTILITIES		
C/28/2013	Wastewater problem encountered by complainant. Latter avers that works have been wrongly done.	Explained
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT		
C/223/2012	No action taken to stop noise nuisance.	Explained
FINANCE AND ECONOMIC DEVELOPMENT		
C/212/2012	Complainant avers harassment at workplace – application for vacation leave wrongly rejected.	Rectified
C/21/2013	Application for refund of income tax not considered.	Rectified
C/44/2013	Complainant disputes claim from Mauritius Revenue Authority to refund remaining duty on car.	Explained
C/75/2013	Request to purchase duty-free car turned down.	Explained
C/79/2013	Cash in lieu of vacation leave not paid.	Rectified
C/81/2013	Non-payment of transport allocation to complainant, a Word Processing Operator.	Rectified
C/138/2013	No reply to claim for refund of tax.	Rectified

No.	Subject of Complaint	Result
FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE		
C/247/2012	Delay by Ministry in issuing an eligibility certificate for admission to a foreign university resulting in loss of one year for complainant's daughter.	Explained
C/110/2013	Detainee, a French national, still awaiting the finalization of her transfer procedure.	Pending
C/169/2013	Application for renewal of passport not entertained.	Explained
GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE		
C/54/2013	No reply to letter addressed to Ministry.	Explained
C/95/2013	Error in calculation of pensionable service.	Rectified
C/197/2013	Complainant avers he should have been given priority in respect of post of driver.	Pending
HEALTH AND QUALITY OF LIFE		
C/175/2011	Accumulated acting allowances not paid to complainant since 21 months.	Rectified
C/28/2012	Request for transfer on ground of insecurity at work following serious incident there not heeded.	Pending
C/55/2012	Non-payment of responsibility allowance.	Pending
C/134/2012	Request for transfer made by complainant on serious medical grounds not considered.	Explained
C/234/2012	Complainant, a Community Health Care Officer, avers that her transfer is a case of victimization.	Explained
C/246/2012	No action taken concerning odour & noise nuisances reported to Ministry.	Rectified
C/1/2013	Health hazard posed by complainant's neighbour's activities. No action taken.	Explained
C/25/2013	Odour nuisance and proliferation of mosquitoes caused by cowshed of complainant's neighbour.	Explained
C/38/2013	Noise and air pollution caused by motorcycle workshop. No action taken by authorities concerned.	Rectified

No.	Subject of Complaint	Result
HEALTH AND QUALITY OF LIFE – <i>continued</i>		
C/47/2013	Undue delay in prescription of scheme of service causes prejudice to complainants.	Pending
C/64/2013	Request by complainant for an increase of rent payable by Ministry made since nearly two years not attended to.	Explained
C/65/2013	Complainant avers he is victim of partiality and discrimination.	Explained
C/71/2013	Unpaid salaries/travelling allowances/uniform allowance since three months.	Explained
C/84/2013	Complainant not issued with the normal dose of medicine.	Rectified
C/118/2013	No reply to request for information by private doctor.	Rectified
C/119/2013	Allowances not paid to complainant.	Pending
C/123/2013	No action taken by authorities concerned regarding complaint of noise nuisance made.	Pending
C/125/2013	Unpaid acting/responsibility allowance.	Pending
C/137/2013	Noise nuisance from restaurant.	Discontinued
C/146/2013	Averment of medical negligence resulting in the death of complainant's father.	Explained
C/164/2013	Non-payment of acting/responsibility allowance.	Rectified
C/167/2013	Unavailability of appropriate medicine.	Not investigated
C/191/2013	Difficulties faced by complainant to obtain a death certificate.	Explained
HOUSING AND LANDS		
C/249/2011	Delay in considering complainant's application for lease of State Land - having problems with neighbour on account of such delay.	Explained
C/65/2012	No compensation yet paid to complainant some eight years after the acquisition of his land by Government.	Explained

No.	Subject of Complaint	Result
HOUSING AND LANDS – <i>continued</i>		
C/117/2012	Request for low-cost house by complainant who has three young children under her charge.	Discontinued
C/172/2012	No reply to application for lease agreement.	Explained
C/235/2012	Delay in delivering development permit.	Explained
C/243/2012	Application for housing unit unduly delayed.	Rectified
C/4/2013	Request by complainant for a low-cost house not entertained.	Explained
C/7/2013	Delay in granting complainant's surveyor permission to survey his land.	Rectified
C/30/2013	Application for renewal of lease delayed.	Rectified
C/61/2013	Delay in respect of application for lease of State Land – complainant waiting since about two years.	Rectified
C/62/2013	Complainant's house destroyed in a fire and made a request to the NHDC for a house. Same denied to her as she could not effect the deposit requested.	Explained
C/66/2013	Complainant's illegal occupation of land not regularized. No access to water and electricity.	Explained
C/114/2013	Application for a housing unit not considered.	Explained
C/117/2013	Application for plot of State Land for construction of a religious centre not yet determined after several years.	Pending
C/144/2013	Payment of compensation for compulsory acquisition of land belonging to complainants long overdue.	Rectified
C/151/2013	No action taken by Ministry in respect of application for transfer of lease.	Pending
C/185/2013	Compensation not yet paid to complainant for compulsory acquisition of his land since three years.	Pending
C/207/2013	Application for subdivision of land still not approved after more than four years.	Pending
C/233/2013	Failure to pay for works done by Company.	Pending

No.	Subject of Complaint	Result
HOUSING AND LANDS – <i>continued</i>		
C/234/2013	Application for small plot of State Land not entertained since more than three years.	Pending
C/250/2013	No reply to application for lease of State Land made about two months ago.	Pending
C/255/2013	Delay in dealing with application for building site leases on State Land.	Pending
C/259/2013	Application for authorization to sell CHA shop found on State Land not attended to since nine months.	Pending
INDUSTRY, COMMERCE AND CONSUMER PROTECTION		
C/232/2012	Non-payment of mileage allowance.	Rectified
C/244/2012	No action taken by Ministry regarding complaint made.	Discontinued
C/83/2013	Unjustified deduction in Basic Salary.	Rectified
INFORMATION AND COMMUNICATION TECHNOLOGY		
C/22/2013	Application for leave not approved - no reason given. Complainant avers victimisation.	Explained
LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT		
C/9/2011	No further action by Ministry following report by complainant of non-payment of wages by employer.	Rectified
C/198/2012	No further action taken by Labour Office following declaration made by complainant.	Rectified
LOCAL AUTHORITIES		
LA/C/47/2008	Obstruction on the road. No action taken by authority concerned.	Discontinued
LA/C/32/2010	Encroachment by complainant's neighbour reported to Council. Concrete action awaited.	Discontinued
LA/C/5/2011	Objection against application for Building and Land Use Permit not considered.	Explained

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/9/2011	Illegal building being put up by complainant's neighbour. No action taken by the Council in spite of complaints made thereto.	Pending
LA/C/24/2011	Illegal construction put up by complainant's neighbour. No action taken by Council.	Pending
LA/C/33/2011	No action taken in respect of report of illegal construction made by complainant against his neighbour.	Rectified
LA/C/34/2011	Illegal construction reported at District Council. No action taken.	Explained
LA/C/8/2012	Illegal construction put up by complainant's neighbour. No action taken by Council.	Rectified
LA/C/10/2012	Complainants deprived of their right of access to existing lane. No action taken by Council.	Explained
LA/C/18/2012	Report of illegal construction not attended to.	Explained
LA/C/21/2012	Illegal structure put up by complainant's neighbour. Letters of complaint addressed to Council ignored.	Rectified
LA/C/23/2012	Absence of absorption drain causes great inconvenience to complainant. No action taken by Council.	Rectified
LA/C/27/2012	Illegal building put up by complainant's neighbour. No action taken by authorities concerned.	Explained
LA/C/30/2012	Construction without permit reported by complainant. No action taken by authority concerned.	Explained
LA/C/31/2012	Several potholes at taxi-stand.	Pending
LA/C/33/2012	Blocked drains causing flooding. No action taken by authorities concerned.	Rectified
LA/C/36/2012	No action taken in respect of complaint of an illegal building reported by complainant.	Explained
LA/C/41/2012	Bad odour caused by stagnant debris in river.	Pending
LA/C/43/2012	Noise nuisance caused by operation of a garage by complainant's neighbour. No action taken by authorities concerned.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/44/2012	Hygienic and health problems posed by dormitory for foreign workers.	Rectified
LA/C/45/2012	Illegal construction put up by complainant's neighbour. Matter reported to Council six months ago. No action taken yet.	Discontinued
LA/C/48/2012	No consideration given to complaint in respect of illegal construction by neighbour.	Discontinued
LA/C/49/2012	No action taken by Council following illegal constructions put up by neighbours.	Pending
LA/C/51/2012	Private road repaired by Council without the authorization of the residents thereof.	Explained
LA/C/52/2012	Illegal activities carried out by complainant's neighbour but no action taken by authorities concerned.	Explained
LA/C/53/2012	No action taken by Council following a report by complainant of an illegal construction by his neighbour.	Explained
LA/C/54/2012	Illegal gate put up by complainant's neighbour causing inconvenience. No action taken by the Council.	Rectified
LA/C/1/2013	No reply to Notice served on the Chief Executive.	Rectified
LA/C/2/2013	Report of illegal construction made by complainant. No action taken by Council.	Explained
LA/C/3/2013	Access to road blocked by complainant's neighbour. No action taken by Council following report of same.	Explained
LA/C/4/2013	No action taken following report of illegal construction by complainant's neighbour.	Pending
LA/C/5/2013	No action taken in respect of report of illegal construction by complainant.	Explained
LA/C/6/2013	No reply to complaint lodged by complainant and others in respect of construction of illegal building.	Explained
LA/C/7/2013	No reply to objection against the construction of a mosque.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/8/2013	No action taken by Council following report of illegal construction by complainant.	Pending
LA/C/9/2013	No action taken by Council following objection to an illegal development on complainant’s land.	Discontinued
LA/C/10/2013	Illegal construction reported to Council. No action taken.	Discontinued
LA/C/11/2013	Rain water accumulation. Houses flooded. No action taken.	Explained
LA/C/12/2013	Flooding of road causes much inconvenience to users thereof.	Discontinued
LA/C/13/2013	Broken branches from burned tree obstructing the road and cause inconvenience to road users.	Rectified
LA/C/14/2013	Piles of refuse not cleared by authority concerned.	Rectified
LA/C/15/2013	Apprehended pollution due to stockpile of refuse.	Rectified
LA/C/16/2013	Complainant contests the Council’s proposal to tar his private lane and to declare it a public road	Explained
LA/C/17/2013	Noise pollution caused by complainants’ neighbour in a residential area, etc. No action taken by Council.	Pending
LA/C/18/2013	No access road due to abandonment of works site.	Rectified
LA/C/19/2013	Request for a ramp on a public road for easy access to complainant’s house not acceded to.	Explained
LA/C/20/2013	Noise nuisance caused by workshop in residential area. No action taken by authorities concerned.	Explained
LA/C/21/2013	No action taken in respect of report of illegal construction put up by complainant’s neighbour.	Pending
LA/C/22/2013	Obstruction of street by complainant’s neighbour since six months rendering access to complainant’s place impossible. Request for action to be taken.	Pending
LA/C/23/2013	Smell nuisance emanating from drain. Absence of action lately.	Explained
LA/C/24/2013	Illegal parking area causes flooding of complainant’s yard. No action taken by authorities concerned.	Rectified

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/25/2013	Application for street lighting and tarring of road made since more than two months ignored.	Rectified
LA/C/26/2013	No action taken in respect of illegal construction, etc.	Explained
LA/C/27/2013	No action taken following report to District Council concerning an illegal wall and an advertising panel.	Explained
LA/C/28/2013	Nuisances caused by illegal activities of complainant's neighbour. No action taken.	Pending
LA/C/29/2013	Unattended plot of vacant land is a source of nuisance to inhabitants.	Pending
LA/C/30/2013	Complainant made to work beyond her normal working hours on week days and on Saturdays.	Explained
LA/C/31/2013	No action taken regarding complaint about running of pastry shop in a residential building.	Pending
LA/C/32/2013	Abandoned house being used by drug addicts and prostitutes.	Pending
LA/C/33/2013	Illegal dumping is an eyesore for the village.	Rectified
LA/C/34/2013	Access to entrance blocked by complainant's neighbour's activities. Request for further intervention by Council.	Pending
LA/C/35/2013	Complaint regarding illegal construction since three years. No action taken by Council.	Pending
LA/C/36/2013	Complaint by inhabitants regarding conversion of wet land into residential one. No action taken yet.	Pending
LA/C/37/2013	Delay in dealing with report of obstruction to complainant's access.	Pending
LA/C/38/2013	Complaint against illegal hump and use of loud-speakers.	Pending
LA/C/39/2013	Petition to remove street lights which pose problems to complainants not attended to.	Rectified
LA/C/40/2013	Trenches on the road partly left uncovered. Represent danger to road users.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/41/2013	No action taken in respect of report of construction of illegal construction of a building.	Pending
LA/C/42/2013	Tons of “debris” deposited on bareland. Nuisance to inhabitants.	Explained
LA/C/43/2013	Unhealthy surroundings caused by animal corpses, bad odour, etc.	Rectified
LA/C/44/2013	No action taken in respect of complaint against construction of a commercial building without respecting statutory distance.	Pending
LA/C/45/2013	Blocked drains give rise to odour nuisance.	Rectified
LA/C/46/2013	Request to re-paint yellow lines on road not considered yet.	Pending
LA/C/47/2013	Letter of complaint to Council not attended to.	Explained
LA/C/48/2013	Workshop operating without licence in residential area. Disturbance caused to the neighbourhood.	Pending
LA/C/49/2013	Branches of old trees may fall at any time. Danger to road users.	Rectified
LA/C/50/2013	Spice factory operating illegally in residential area. No action taken by authorities concerned.	Pending
LA/C/51/2013	Complainant’s pension wrongly computed.	Explained
LA/C/52/2013	Illegal operation of aluminium workshop. No action taken by Council.	Pending
LA/C/53/2013	Pavement in deplorable state.	Pending
LA/C/54/2013	Drains in bad state cause flooding of road.	Pending
LA/C/55/2013	No reply to protest against holding of illegal trade fair.	Explained
LA/C/56/2013	Request to retire on marriage ground turned down.	Explained
LA/C/57/2013	Common road not easily accessible to complainants. No action taken since more than one year.	Pending
LA/C/58/2013	Report by complainant regarding offending wall put up by neighbour not attended to.	Pending
LA/C/59/2013	No action taken in respect of objection to the issue of a trade licence.	Pending

No.	Subject of Complaint	Result
LOCAL GOVERNMENT AND OUTER ISLANDS		
C/122/2013	No reply to application to erect a boundary wall.	Pending
POLICE		
C/235/2010	Complainant, whose car was reported lost and later found by the Police, claims to have his vehicle back.	Explained
C/16/2012	Request for air tickets for two children of Rodriguan Police Officer posted in Mauritius not approved.	Explained
C/81/2012	Violation of privacy caused by illegal installation of camera by complainant's neighbour.	Rectified
C/120/2012	Recording of detainee's statement in connection with a case of embezzlement in which detainee is the declarant not completed by Police.	Explained
C/161/2012	Money seized from detainee upon her arrest not returned to her after disposal of case.	Rectified
C/167/2012	Detainee not satisfied with Police action in respect of declaration made by him.	Pending
C/190/2012	No statement recorded from complainant, a detainee, following a declaration made by him.	Explained
C/196/2012	Noise nuisance reported to Police. No action taken.	Discontinued
C/207/2012	No statement recorded from detainee into his allegation of police brutality.	Rectified
C/231/2012	Detainee on remand for almost one and a half years without trial.	Explained
C/233/2012	No action taken by the authorities in respect of a report of nuisance caused by bees.	Explained
C/248/2012	Rearing of cattle by complainant's neighbour represents nuisance and danger to inhabitants.	Explained
C/252/2012	Averment by detainee that Police Officers abusively forced the door to have access to his private premises.	Explained
C/16/2013	No reply to detainee's application for a copy of his statement given to Police.	Rectified

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/24/2013	No action taken by Police following a declaration by complainant of damage to her property.	Explained
C/29/2013	Complainant awaiting trial as an unconvicted detainee since eight months.	Explained
C/39/2013	Complainant on remand for a year without trial.	Discontinued
C/48/2013	Complainant left in complete darkness about police case against him.	Explained
C/49/2013	No reply concerning outcome of two cases of larceny reported to the Police.	Rectified
C/55/2013	Complainant's father died in a road accident nearly two years ago. Not made aware of the outcome of the Police inquiry into the matter.	Rectified
C/56/2013	Complainant's van secured by the Police since more than four months but not yet returned to him although, according to him, the inquiry has been completed.	Explained
C/67/2013	Detainee avers he is being detained illegally.	Explained
C/77/2013	No reply to letter from Attorney-at-law requesting copies of documents in relation to a road accident in which his client was involved.	Rectified
C/85/2013	Complainant not informed of the outcome of several cases reported by him to the Police.	Rectified
C/86/2013	Surety of Rs. 25000/- seized through no fault of detainee.	Explained
C/91/2013	Nuisance caused by shop selling alcohol during unauthorized hours.	Explained
C/97/2013	Complainant avers she has not been made aware of the outcome of a criminal case reported by her three years ago.	Rectified
C/111/2013	Complainant's pleasure craft damaged due to the fault of the National Coast Guard. Claims damages.	Explained
C/113/2013	Convicted foreign national awaiting repatriation to his country.	Pending

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/126/2013	Complainant's taxi-car seized and kept in custody of the Police. Cannot earn a decent living.	Pending
C/127/2013	Money secured from foreign national arrested in connection with importation of drugs case not returned to him.	Explained
C/150/2013	Money seized from detainee at the time of his arrest by the Police not yet returned to him after trial before the Supreme Court.	Explained
C/156/2013	Complaint against Police since two years. No action taken yet.	Explained
C/162/2013	Detainee awaiting trial before the Assizes since more than a year.	Explained
C/165/2013	Application for copies of declaration and statement to the Police refused.	Rectified
C/190/2013	Complainant not made aware of the outcome following a declaration of assault made by him.	Pending
C/208/2013	Foreign detainee claims the return of her belongings. Trial over.	Explained
C/215/2013	Personal belongings of complainant not returned to her after determination of court case against her.	Rectified
C/216/2013	Detainee, a foreign national, claims that her personal belongings seized by the Police have not yet been returned to her and she is about to leave the country.	Rectified
C/219/2013	Unbearable noise caused by complainant's neighbour.	Discontinued
C/222/2013	Funds sent to foreign detainee not received by him.	Pending
C/227/2013	Complaint against neighbour for inhuman harassment not attended to.	Pending
C/229/2013	No reply to complainant's application for increment.	Pending
C/251/2013	Detainee considers that his imprisonment for failing to comply with conditions of bail unreasonable.	Pending

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/252/2013	Detainee on remand since more than three years without trial.	Pending
C/254/2013	Foreign detainee requests that his personal belongings be returned to him as he will go back to his country after his discharge soon.	Pending
C/257/2013	Convicted detainee, a foreign national, claims that her personal belongings have not been returned to her after her trial.	Pending
PRIME MINISTER’S OFFICE (CIVIL STATUS DIVISION)		
C/57/2013	Past religious marriage of complainant not registered at the Office of the Registrar of Civil Status.	Pending
PRISONS		
C/132/2011	Detainee, an Indian National, not yet transferred to his country although many others like him have been so transferred.	Pending
C/144/2011	Detainee’s personal belongings missing.	Pending
C/129/2012	Social aid granted to complainant for her 13-year old daughter discontinued since 6 months.	Explained
C/181/2012	Detainee contests the fact that there is no money on his personal account as averred by the Administration.	Explained
C/194/2012	Detainee not served his food, etc.	Explained
C/202/2012	Detainee avers he is not getting appropriate medical attention.	Explained
C/209/2012	Detainee denied diet food as prescribed by the doctor.	Rectified
C/238/2012	Detainee not receiving appropriate medical treatment for his eye problem.	Rectified
C/251/2012	Detainee not satisfied with medical care he is receiving, etc.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/253/2012	Application by detainee to do extra-remission work in order to enable him to attend his daughter’s wedding turned down.	Explained
C/254/2012	Failure by Prison Administration to provide detainee with (i) medication prescribed by doctor and (ii) copy of his statement.	Explained
C/2/2013	Detainee’s letters not posted, etc.	Not Justified
C/12/2013	Detainee avers he is being “morally tortured”.	Not Justified
C/13/2013	Detainee with heart problem avers that he is not getting appropriate medical attention and food.	Explained
C/27/2013	Detainee avers he is not receiving adequate medical care and treatment.	Not Justified
C/33/2013	Detainee’s belongings not transferred from police cell to prison during his transfer.	Rectified
C/35/2013	Detainee complains about refusal to do extra-remission work, visits denied to his wife who is also a detainee and absence of medical treatment.	Rectified
C/36/2013	Detainee not receiving diet food as recommended by Dietician.	Explained
C/40/2013	Detainee’s cell searched several times in his absence. Avers damage caused to his belongings.	Explained
C/50/2013	Detainee not issued with a new set of clothing since nearly six months.	Rectified
C/58/2013	Money sent to foreign detainee not received by him. Countless requests by him have remained unanswered.	Rectified
C/60/2013	Detainee avers that visits allowed to his son who is 9 years old and who is deaf and dumb is not sufficient.	Explained
C/70/2013	Detainee not provided with diet food following his transfer from one prison to another.	Rectified
C/74/2013	No proper medical treatment and no diet food given to detainee.	Rectified

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/78/2013	Detainee avers she was sexually assaulted in prison by an Assistant Commissioner of Prisons, etc.	Explained
C/80/2013	Detainee not provided with prescribed diet food.	Explained
C/82/2013	Detainee who has had two heart surgeries not getting diet food as prescribed by the doctor.	Explained
C/92/2013	Detainee not satisfied with amount deducted from his monthly earnings, etc.	Explained
C/93/2013	Letters written by detainee to various institutions not posted.	Not Justified
C/94/2013	Detainee not allowed to use money from his Enhance Earnings Scheme.	Rectified
C/96/2013	Detainee avers he is not receiving appropriate treatment for his ailment.	Explained
C/101/2013	Detainee avers that his personal safety is not assured.	Rectified
C/102/2013	Delay in receiving medication.	Not Investigated
C/103/2013	Detainee's right to visit by daughter cancelled.	Explained
C/104/2013	Extra-remission work performed by detainee not taken into consideration.	Explained
C/105/2013	Failed visit by detainee's lawyer.	Explained
C/108/2013	Detainee avers he has not received appropriate medical treatment, etc.	Explained
C/116/2013	Detainee not satisfied with treatment for his ailment. Requests that he be seen by a specialist.	Rectified
C/120/2013	Detainee's medical appointment postponed but no reason given to him.	Rectified
C/121/2013	Detainee not receiving proper medical treatment.	Explained
C/129/2013	Request for polo shirt by detainee suffering from cold during winter season refused.	Rectified
C/135/2013	Detainee not satisfied with the treatment he is receiving for his medical problem.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/142/2013	Detainee, a Ugandan national, awaiting to be transferred to his country to serve the rest of his sentence for drug trafficking.	Pending
C/148/2013	Detainee not authorized to spend money from his earnings for his personal use.	Explained
C/149/2013	Detainee not allowed to visit her mother who is also being detained.	Explained
C/159/2013	Allegation by detainee of beating and humiliation by Prison Officer.	Not Entertained
C/163/2013	Visit denied to detainee, etc.	Explained
C/166/2013	Detainee’s request to work for extra-remission not entertained.	Explained
C/168/2013	Detainee avers “moral torture” and requests for a transfer.	Explained
C/176/2013	Detainee’s sister-in-law not allowed to visit him.	Discontinued
C/177/2013	Detainee’s mother complains about his continued detention in confinement cell.	Explained
C/181/2013	Request by detainee for contact visits not entertained.	Explained
C/182/2013	Magazine sent to detainee by Post Office not remitted to him.	Explained
C/183/2013	Problems galore.	Explained
C/184/2013	Detainee fears for his security where he is actually detained. His request for transfer not acceded to.	Rectified
C/187/2013	Detainee avers that he suffers from stress because of the Block where he is being detained and requests for a transfer in the association yard.	Rectified
C/189/2013	No action taken by Prison Administration following order made by the Court.	Explained
C/194/2013	Detainee complains that his confinement is “until further order” which he does not understand.	Rectified
C/195/2013	1. Detainee denied extra-remuneration work. 2. No milk provided to him for breakfast.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/196/2013	Detainee transferred from remand block to security block without reason.	Explained
C/198/2013	Complaint regarding prices of articles purchased by Prison Officer on behalf of detainee.	Explained
C/200/2013	Request for doing extra-remission work not entertained.	Explained
C/201/2013	Detainee, an HIV patient, not getting amount of food as prescribed by the doctor.	Rectified
C/202/2013	Detainee no longer allowed to do extra-remission work.	Rectified
C/203/2013	Search in cell done in a disorderly manner.	Discontinued
C/204/2013	Detainee’s wife not allowed to bring a pullover and slippers for him.	Explained
C/211/2013	Detainee avers he is not receiving appropriate treatment for his medical problem.	Explained
C/212/2013	Detainee not allowed to go and pray in new mosque at the prison.	Pending
C/213/2013	Detainee’s mother denied visit.	Explained
C/217/2013	Detainee transferred from one prison to another without any reason.	Not justified
C/220/2013	Anomaly in detainee’s private cash.	Explained
C/221/2013	Detainee’s blood analysis gone “missing”. Doctor unable to prescribe medicine for him.	Pending
C/223/2013	Detainee avers that the Prison Administration owes him money following an agreement entered into between the two parties.	Not Justified
C/225/2013	Detainee has a problem regarding extra-remission work. His request for a meeting with the DCP ignored.	Rectified
C/231/2013	Shortfall in detainee’s private cash.	Discontinued
C/235/2013	Female detainee contests the presence of camera inside her dormitory.	Discontinued

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/237/2013	Request to buy certain items of food at reasonable prices from the canteen not entertained.	Pending
C/238/2013	Detainee’s money secured by Police not returned to him notwithstanding court order.	Pending
C/240/2013	Irregularities in detainee’s private cash.	Pending
C/241/2013	Detainee contests his detention in security block on account of his ill-health.	Rectified
C/242/2013	Money intended for detainee not remitted to him.	Pending
C/243/2013	1. Diet food not given to detainee as recommended. 2. Detainee denied orthopaedic mattress.	Pending
C/244/2013	Postal order not remitted to detainee.	Pending
C/245/2013	Detainee avers that his diaries have been taken out of his cell and never returned to him.	Rectified
C/247/2013	Detainee’s money orders frozen.	Pending
C/249/2013	Claim for compensation by detainee for injuries sustained whilst working in prison.	Pending
C/253/2013	Detainee’s wife made to wait too long and in difficult conditions each time she visits her husband in prison.	Pending
C/256/2013	Non-payment for the supply of tyres since 5 months.	Pending
C/258/2013	Detainee not getting diet food.	Pending
C/261/2013	Detainee requests a transfer to another prison where his old and handicapped mother can visit him.	Pending
PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING		
C/228/2011	Structural instability of footbridge. Source of danger to users.	Rectified
C/160/2012	Request for transfer for health reasons not heeded.	Discontinued

No.	Subject of Complaint	Result
PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING – <i>continued</i>		
C/250/2012	Petitions addressed to concerned authorities regarding poor state of roads not attended to.	Explained
C/46/2013	Complainant contests the rejection of his application to operate his taxi at the airport.	Explained
C/157/2013	Decision concerning complainant's appeal against the rejection of his application for a taxi licence not communicated to him.	Explained
C/171/2013	Request for remedial action in respect of poor resurfacing works along road next to hotel turned down.	Not investigated
C/214/2013	Electric pole left standing in the middle of the road.	Pending
C/239/2013	Stagnant water in drains a source of nuisance.	Pending
REGISTRAR GENERAL		
C/23/2013	Complainant contests claim for additional land transfer tax.	Not Investigated
C/69/2013	Application for registration and transcription of an affidavit of prescription rejected.	Explained
C/124/2013	Wrong and inappropriate deed delivered to complainant.	Not Justified
C/136/2013	Complainant avers lassitude and incompetence at the Registrar General's Department. Resents the way in which he is treated.	Explained
C/161/2013	Complainant avers he has been claimed excess registration duty on the importation of his car from overseas.	Not Justified
C/170/2013	Complaint against the absence of Notes of Meeting by Objection Unit at Registrar General's Department.	Pending
RODRIGUES		
ROD/C/33/2010	Complainant who was on pre-retirement leave has had to postpone his retirement date as he is awaiting a promotion which is still not forthcoming.	Rectified

No.	Subject of Complaint	Result
RODRIGUES – <i>continued</i>		
ROD/C/4/2011	Application for assistance to put up a house not heeded.	Rectified
ROD/C/18/2011	Access road blocked by complainant's neighbour. No action taken by authority concerned.	Pending
ROD/C/11/2012	Complainant avers that he has been denied an ad hoc allowance.	Rectified
ROD/C/20/2012	Anomaly in salary	Rectified
ROD/C/25/2012	Length of service not properly computed.	Explained
ROD/C/26/2012	Illegal occupation of private land by Rodrigues Regional Assembly without payment of any compensation.	Pending
ROD/C/27/2012	Non-payment of incremental credits	Not Justified
ROD/C/1/2013	Delay in attending to application for incremental credit.	Rectified
ROD/C/2/2013	Non-payment of allowance for working on public holidays	Explained
ROD/C/3/2013	Allowance paid to disabled child discontinued.	Explained
ROD/C/4/2013	No allowance paid to complainant for performing higher duties.	Rectified
ROD/C/5/2013	Complainant inquires about his length of service in the public service.	Explained
ROD/C/6/2013	Request for transfer to the Mauritian Establishment rejected.	Rectified
ROD/C/7/2013	No reply from any of the authorities written to by complainant in relation to a promotion exercise.	Explained
ROD/C/8/2013	Application for residential lease made seven years ago. No reply.	Explained
ROD/C/9/2013	Application to transfer lease of land from complainant's deceased father's name onto his name not considered.	Pending
ROD/10/2013	Request for extension of a track-record for the transportation of complainant's four-year old twin sons both 100% disabled not considered.	Rectified

No.	Subject of Complaint	Result
<i>RODRIGUES – continued</i>		
ROD/C/11/2013	Complainant not satisfied with the increment he obtained after publication of PRB Report 2013.	Rectified
ROD/C/12/2013	Complainant considers that the lump sum paid to him on retirement is not adequate.	Explained
ROD/C/13/2013	Anomaly in payment of responsibility/ad hoc allowance.	Explained
ROD/C/14/2013	Unjustified deductions from cumulated sick leaves.	Explained
ROD/C/15/2013	(i) Mileage allowance cancelled without any explanation. (ii) Absences wrongly considered as unauthorized leave.	Explained
ROD/C/16/2013	Length of service not properly computed.	Explained
ROD/C/17/2013	Length of service not properly computed.	Explained
ROD/C/18/2013	Detainee, a Principal Midwife, encountering inconvenience in her relationship with the staff of the Midwifery Cadre. No action taken to remedy the situation.	Pending
ROD/C/19/2013	Meal allowance ceased all of a sudden.	Pending
ROD/C/20/2013	End of year bonus not paid to complainant.	Pending
ROD/C/21/2013	Lunch and resting times not respected	Explained
ROD/C/22/2013	Complainant avers having been underpaid for doing night duty.	Explained
ROD/C/23/2013	Request for conversion of residential lease to residential cum commercial lease not considered.	Pending
ROD/C/24/2013	Anomaly in salary.	Pending
ROD/C/25/2013	Anomaly in salary.	Pending
ROD/C/26/2013	No compensation paid for acquisition of complainant's land by the Rodrigues Regional Assembly.	Pending
ROD/C/27/2013	No compensation paid to complainant for acquisition of his land by the Rodrigues Regional Assembly.	Pending
ROD/C/28/2013	Pension discontinued and application for child allowance not entertained.	Pending

No.	Subject of Complaint	Result
SOCIAL INTEGRATION AND ECONOMIC EMPOWERMENT		
C/6/2013	Some ten families living in extreme poverty at Olivia. Awaiting for assistance from the authorities concerned.	Explained
C/8/2013	Application for building materials not attended to since two years.	Explained
C/18/2013	Application for building materials not heeded.	Explained
C/42/2013	Destitute complainant with three minor children and separated from her husband lives in very difficult circumstances at her father's place. Request for a housing unit.	Explained
C/43/2013	Request for a housing unit by homeless complainant with husband and son.	Explained
C/115/2013	Ex-detainee denied social aid.	Rectified
C/173/2013	Application for housing unit not entertained.	Explained
C/193/2013	Request for social housing unit not entertained.	Explained
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS		
C/100/2012	Complainant not benefitting from social aid for two of her three children.	Discontinued
C/168/2012	Non-refund of NPF contributions erroneously deducted.	Rectified
C/185/2012	Handicapped person (loss of one hand) claims he is being told that he owes a large sum of money to Government due to overpayment of pension to him.	Explained
C/189/2012	Complainant not refunded for the supply of dentures for which he has paid.	Explained
C/206/2012	Complainant avers that his handicapped child is not receiving appropriate pension.	Explained
C/214/2012	Social aid refused to complainant & child.	Rectified
C/217/2012	Payment of social aid stopped since five months.	Rectified
C/218/2012	Social aid discontinued since eight months	Explained

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS – <i>continued</i>		
C/220/2012	Social aid refused to abandoned woman with two children.	Rectified
C/225/2012	Refund of carer’s allowance wrongly claimed.	Explained
C/249/2012	Application for lump sum from the National Savings Fund disallowed.	Not Justified
C/257/2012	Request for social aid and basic invalidity pension rejected.	Rectified
C/9/2013	Carer’s allowance discontinued.	Discontinued
C/10/2013	Social aid refused to complainant.	Explained
C/11/2013	Application to obtain some financial assistance on medical grounds.	Discontinued
C/26/2013	Child allowance denied to complainant.	Discontinued
C/37/2013	Social aid denied to complainant.	Discontinued
C/53/2013	No reply to application for financial assistance to pay university fees.	Rectified
C/63/2013	Social aid reduced.	Explained
C/68/2013	Amount of social aid wrongly reduced.	Discontinued
C/72/2013	Claim for social aid rejected.	Rectified
C/76/2013	Application for Carer’s Allowance not registered.	Explained
C/88/2013	Financial assistance refused to complainant.	Rectified
C/89/2013	No reply to request for recomputation of pension.	Explained
C/90/2013	Refusal to register application for social aid.	Discontinued
C/99/2013	Old age pension not paid to complainant for nearly five years.	Rectified
C/100/2013	Social aid not paid since nearly four months.	Explained
C/112/2013	Complainant who is undergoing sentence for murder avers that his wife and four minor children can hardly survive on the wife’s salary. Beggars for financial assistance.	Rectified
C/130/2013	Carer’s allowance discontinued.	Explained

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS – <i>continued</i>		
C/131/2013	Request for Basic Invalidity Pension rejected.	Explained
C/132/2013	Social aid denied to complainant.	Discontinued
C/139/2013	Complainant claiming social aid for her minor children.	Discontinued
C/140/2013	Allowance for performing higher duties not paid.	Rectified
C/154/2013	Request for carer's allowance on behalf of child.	Explained
C/160/2013	Complainant's monthly pension reduced for no known reason.	Explained
C/175/2013	Application for Contributory Retirement Pension rejected.	Pending
C/186/2013	Inappropriate and disgraceful behaviour by public officer.	Pending
C/206/2013	Invalidity pension not paid for five months.	Rectified
C/209/2013	No reply to application for social aid on behalf of complainant's child.	Rectified
C/210/2013	Destitute mother of three very young children denied financial assistance.	Pending
C/218/2013	Application for refund of university fees approved but no payment effected since nearly a year.	Pending
C/232/2013	Application for school allowance for child rejected for wrong reason.	Pending
C/248/2013	Severely handicapped child's pension discontinued.	Pending
TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY		
C/236/2013	Delay in renewing MQA Trainer Licence.	Pending
TOURISM AND LEISURE		
C/15/2013	Application for vacation leave on ground of pregnancy refused.	Rectified
C/155/2013	No action taken regarding complaint about illegal boat operators.	Explained