



Republic of Mauritius

# **32<sup>nd</sup> Annual Report** **of the** **OMBUDSMAN**

January - December 2005

No. 12 of 2006

**32<sup>nd</sup>**  
**Annual Report**  
of the  
**Ombudsman**

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*January — December 2005*

## OFFICE OF THE OMBUDSMAN

OMB. 13/04 Vol. XXX II

9 June 2006

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

Your Excellency.

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

In accordance with such provisions therefore, I have the honour, pleasure and privilege to present to you the 32<sup>nd</sup> Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2005.

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 2005

## Year under review

This is the 32<sup>nd</sup> Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2005.

Notwithstanding a ten per cent drop in the number of new complaints received compared to last year (from 364 to 329), the number of rectified cases has remained more or less the same ( from 130 to 123).

It is also noteworthy that the number of cases pending at the end of the year 2005 has been significantly reduced to 200 as compared to previous years (ranging from 243 to 333 during the last five years). It means that we have been able to bring more inquiries to completion during the year.

We also received 175 copies of complaints addressed to other bodies/institutions and 241 letters addressed directly to our office but concerning matters outside our jurisdiction. As usual, although such cases do not, strictly speaking, require our intervention, yet we have sorted out deserving cases and followed them through until their final determination and, in certain cases, inform the writers of their outcome.

## Statistics for 2005

Cases pending as at 31 December 2004	...	...	...	...	243
Case intake in 2005	...	...	...	...	329
Cases dealt with in 2005	...	...	...	...	572
Cases rectified	...	...	...	...	125
Cases partly rectified	...	...	...	...	1
Cases not justified	...	...	...	...	42
Cases explained	...	...	...	...	151
Cases discontinued	...	...	...	...	49
Cases not entertained	...	...	...	...	2
Cases not investigated	...	...	...	...	2
Cases pending as at 31 December 2005	...	...	...	...	200

## Own-motion cases

During the year under review we opened 19 files of our own motion in order to inquire into matters of which we took cognizance through the written press. Out of these we were successful in having more or less prompt action taken in 9 of them.

Hereunder are a few of the cases in which remedial action was taken following our intervention -

<i>Case No.</i>	<i>Ministry/Department concerned</i>	<i>Nature of problem</i>	<i>Action taken/result</i>
C/81/2005	Public Utilities	Numerous families, victims of a promoter of a "morcellement", left without any supply of water	Inhabitants requested to make their application and pay installation fee. Supply of water established.
C/84/2005	Public Infrastructure and Land Transport	Poor state of road causing a lot of inconvenience to road users especially those travelling by bus.	Road resurfaced and marked by Municipal Council.
C/86/2005	Local Government and Solid Waste Management	Road in very poor state as it has not been resurfaced for the last 20 years. Immense problems to road users.	Repairs carried out by District Council within four months.
C/124/2005	Local Government and Solid Waste Management	Stagnant water on waste land – source of nuisance to nearby inhabitants	Drains cleaned and cross drains opened by District Council.
C/205/2005	Local Government	Huge hole on the road. Potential danger for road users.	Necessary repairs carried out by District Council.

## Rodrigues

Two visits to the island of Rodrigues in 2005 attracted altogether 83 persons who called with their complaints, written as well as verbal. Sixteen files were opened there and then. In the case of verbal complaints which, after listening to the grievances, we were satisfied to be within our scope of intervention, we had to request the complainants to submit their complaints in writing.

At the end of 2005 we had registered 54 written complaints.

Hereunder are some Rodrigues cases that were concluded successfully during the year under review -

1<sup>o</sup>

### Cases of wrong computation of length of service

Below are three examples out of dozens of cases in which the complainants averred that their length of service in the public service had been wrongly computed with the result that there was a shortfall in their retiring benefits. I must add that such cases have needed extensive searches and sometimes additional searches and thus took a long time to resolve.

*C/56/2001* - F.C. claimed having joined the service in 1955. According to the Rodrigues Administration he joined on 01 July 1971 and retired on 29.08.2000. Searches however revealed that he had in fact joined on 16 May 1959. He was finally paid an amount of Rs 42,634.82 as revised gratuity and his pension was adjusted accordingly.

*C/80/2002* - G.M. averred he had joined the then Agricultural Department as labourer in 1960. He was still in the service when he wrote to me but retired one year later. Searches revealed that he had joined the service on 22 March 1958 i.e. even earlier than G.M. claimed. He was therefore paid the sum of Rs 9009.91 as revised gratuity and pension, over and above what had already been paid to him at the time of his retirement.

*C/123/2003* - In his letter dated 17 April 2003 W.L. informed me that he had joined the service in 1962 as labourer in the then Agricultural Department. He retired as watchman in the year 2002 at the age of 53 as a special case. He claimed that his length of service had been reckoned as from the year 1978. According to the Administration's first version, W.L. had joined on 31 July 1978 but searches revealed that he joined the service on 11 February 1963. Finally a sum of Rs 31,811.94, being revised gratuity and pension, was paid to him in June 2005.

**2<sup>o</sup> Cases concerning applications for plots of State land for residential purposes made several years ago**

*C/323/2001*

D.P. had applied for a "residential lease" since April 1995. After his marriage in 2001 he started living in a rented house with his wife but on account of the high rent he was paying he was barely able to make ends meet. He therefore sought my intervention.

The version of the then Island Secretary was that D.P.'s application had been recommended in May 2001 by the Task Force for State Land Use but approval and clearance had to be sought from the Minister of Housing and Lands.

My attention was also drawn to the fact that there were more than 13000 outstanding applications and same were being dealt with in chronological order.

In the meantime the Principal Surveyor was requested to submit a report concerning the grant of a residential site in favour of D.P. and its recommendation was referred to the newly constituted State Land Committee for consideration. That Committee recommended the grant of a lease on a site of 398 square metres. This time, according to new policy, it was the approval of the Chief Commissioner, Rodrigues Regional Assembly that had to be sought.

Finally on 20 June 2005 the lease agreement was signed and issued to the great satisfaction of D.P.

*C/130/2004*

By letter dated 30 April 2004 Y.C. informed me that he had applied for a plot of State land since October 1997. In 2002 a plot was identified and earmarked for him. However, ever since, no progress was made in the matter. He alleged that he was a married man but had to continue living with his parents.

The matter was immediately taken up with the Chief Commissioner's Office and soon after the State Land Committee recommended Y.C.'s application. A site was identified and the recommendation of the Principal Surveyor submitted back to the State Land Committee.

On 15 July 2004 the State Land Committee approved the grant of a residential lease to Y.C. A letter of intent was issued to him in February 2005 and the lease agreement finalised in May 2005 much to the relief of Y.C.



*C/139/2004*

More than five years had elapsed between D.R.'s application for a "residential lease" and the date of his complaint to me i.e. 06.05.2004.

D.R. and his wife, both Nursing Officers, had completed their training in Mauritius and were now working at the Queen Elizabeth Hospital. However they were living at D.R.'s aunt's place and were being pressed to look for separate accommodation.

According to the Departmental Head of the Chief Commissioner's Office, a list of 109 applicants, including D.R., had been referred to the Principal Surveyor in April 2004. The cases were now being processed in chronological order prior to consideration by the State Land Committee.

In May 2005 a letter of intent was issued to D.R. and his lease finalised on 27 July 2005.

**3<sup>o</sup>**

### **Other cases**

*C/214/2004*

Six Youth Centre Attendants posted in the various Youth Services had not been receiving their protective equipment such as raincoats, boots, etc. on a two-yearly frequency basis as they claimed to be entitled to. According to them they had been appointed in 1986 (some later) but have received only one raincoat in 1993 and a pair of boots in 2003.

According to the version of the Departmental Head of the Chief Commissioner's Office those six persons did receive each one pair of gumboots in June 2002.

Clearly that did not meet the demand of the six complainants. Therefore, some two months after lodging their complaint they were issued with two pairs of boots, one raincoat and one pair of gloves each.

It is hoped that in future such persons will be issued with protective equipment on a regular basis.

*C/19/2005*

D.R. is a Cemetery Attendant. He lodged a complaint before me in January 2005 to the effect that ever since 1999 an amount of Rs 2080 is being deducted from his monthly salary.

Notwithstanding his very frequent visits at the Finance Section of the Rodrigues Administration and at the Commission for Public Infrastructure in order to recuperate his money which according to him has been over-deducted from his salaries, no action was taken. He was now claiming the total amount of Rs 130000 and came to me as a "last hope" as he was too poor to retain the services of a lawyer.

My inquiry revealed that a total amount of Rs 153,836.23 has been over-deducted from D.R.'s salary during the period June 1999 to January 2005.

Within less than a month this amount, less deductions on account of unauthorised leave taken by D.R., was refunded to him and appropriate measures taken to prevent any similar happening in future.

This is the case of a widow whose deceased husband was an ambulance driver who passed away in October 2004. She claimed in a letter dated 25 March 2005 having submitted all relevant documents for the computation of all the benefits accruing to the deceased's heirs but was sent from one place to another in an unfortunate manner.

When queried by me the Island Chief Executive informed me that all necessary documents had been sent to the Accountant General on 18 March 2005 (whereas the widow had been told that this had been done a long time ago) to obtain authority for payment of death gratuity and other allowances due to the heirs of the deceased.

As nothing was heard for two months I had to inquire from the Accountant General about the status of the matter. Eleven days later the Accountant General forwarded the authority for payment to the Island Chief Executive.

Finally, on 29 June 2005, a sum of Rs 178,061.25 was paid to the heirs.

### **Right to good administration – an administration with a human face**

It is universally accepted that one of the components of democracy is good governance. And a corollary of good governance is good administration. Indeed how can good governance function if the administration fails to deliver. For the running of its affairs, every country is entirely dependent on the administrators in place, who are there to serve the government of the day to the best of their ability. Governments should therefore encourage and ensure a high standard of service to the public.

Inversely, citizens have the right to a good administration and to expect quality administrative services in their dealings with state institutions/bodies and that means to have their affairs handled in a fair, impartial and timely manner

Consequently they are entitled to complain whenever they feel that justice has not been done to them. For democracy means not only freedom, elections, etc. but also justice.

What does good administration imply? At the very outset it must be emphasized that in a democratic society it is always necessary to balance the ever-increasing powers of the administration against its accountability to the people.

A Code of Ethics intended for public officers and published a few years ago has set out the correct standards of conduct expected of public officers. It emphasises the importance of a responsible, responsive and caring public service, in order to promote effective administration and responsible behaviour.

The Code itself is based on a certain number of values and principles like integrity, objectivity and conscientiousness.

However, as pointed out in the Code itself, conduct and behaviour cannot be regulated in a code. All it can do is to lay down a set of principles and guidelines and provide proper guidance in a variety of circumstances.

Public officers are therefore expected to treat people with courtesy and be responsive to their needs regardless of the status of the person. I suggest that the best way to do so would be to put oneself in the shoes of the person one is dealing with. There should not be such a thing as a big man or a small man. Every person should be treated equitably and with dignity and in such manner as to create trust between that person and the administration. The public officer must also show flexibility and not rigidity. He must deal with the citizen in a way which the latter understands and appreciates.

Recently government has made known its vision of “putting people first” and expressed its commitment to putting an end to “bureaucratic inertia”. I hope that public officers will live up to that idea and translate it into reality.

My message to the public service as a whole is that it should not consider its role as a mere provider of services but more as a mission to bring about an administration with a human face.

It is true that the Ombudsman cannot substitute himself for the government or the legislator but he will not fail to draw attention to what appears to him as being unjust, inequitable or simply contrary to common sense.

Whenever a law is voted its declared objective is the national interest. However I tend to think that it also sometimes exists to correct certain inequalities and in particular to protect the vulnerable or weak section of the population, for through the complaints addressed to me a certain image of society appears: a society that is fraught with doubt and other uncertainties. It is therefore imperative to give to that society confidence in the law, in a way to restore the authority of the law. The Ombudsman’s role however is not to condemn or order but to recommend solutions to problems.

As an institution established to inquire into the whys and wherefores of decisions taken by public officers, I can assure public officers of my cooperation in working towards the common goal of enhancing good administration and good governance practice. In so doing, however, I shall continue to ensure that I remain independent of the authorities and totally free from any outside interference. Above all I must see to it that I operate in accordance with and respectful of the Constitution and maintain the highest standard of professionalism and integrity.

### **Acknowledgements**

I would first of all like to thank all those persons who have chosen to lodge their complaints before me for their trust in the Ombudsman institution. In a large number of cases we have been able to cause remedial action to be taken in their favour whilst in others we found no maladministration and the contested decisions had to be explained to the complainants. Whatever may be the case we treat every complainant with respect and in an impartial manner no matter the nature of his or her complaint.

My thanks also go to those ministries/departments whose decisions I had to investigate for their cooperation in dealing with queries from my Office.

I also wish to thank my staff for their support and commitment throughout the year and for their assistance in the preparation of this report.

### **Appendices**

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

It is to be noted however that the provisions of the Constitution (Amendment) Act (No. 19 of 2003) have not been reproduced in Appendix A inasmuch as the said Act had not yet been proclaimed as at the end of 2005. However this has now been done – vide Proclamation No. 5 of 2006 by virtue of which sections 1 and 2 of the Constitution (Amendment) Act 2003 have come into operation on 24 April 2006. The amended version of Appendix A will therefore appear in the next Annual Report.

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

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

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

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

Attention is drawn to the fact that sometimes a particular ministry falls under different appellations e.g. Ministry of Education and Scientific Research now called Ministry of Education and Human Resources. This is due to the fact that, in its wisdom, the government of the day decides to make changes in the attribution of responsibilities falling under certain ministries. For the purposes of this report however, the appellation at the time of opening of files has been maintained.

9 June 2006

(S.M. HATTEEA)  
*Ombudsman*

## CHAPTER IX - THE OMBUDSMAN

### 96. Office of Ombudsman

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

### 97. Investigations by Ombudsman

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

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

- (i) the President or his personal staff;
- (ii) the Chief Justice;
- (iii) any Commission established by this Constitution or its staff;

- (iv) the Director of Public Prosecutions or any person acting in accordance with his instructions;
- (v) any person exercising powers delegated to him by the Public Service Commission or the Disciplined Forces Service Commission, being powers the exercise of which is subject to review or confirmation by the Commission by which they were delegated.

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

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

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

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

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

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

Provided that —

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

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

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

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

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

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

#### **98. Procedure in respect of investigations.**

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

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

#### **99. Disclosure of information.**

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

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

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

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

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

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

#### **100. Proceedings after investigation.**

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

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

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

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

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



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

#### **101. Discharge of functions of Ombudsman**

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

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

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

#### **102. Supplementary and ancillary provision.**

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

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

## THE OMBUDSMAN ACT

### 1. Short title

This Act may be cited as the Ombudsman Act.

### 2. Oaths of office.

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

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

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

### 3. Procedure.

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

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

### 4. Action by department not affected by investigation.

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

### 5. Privilege of communication.

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

## **6. Offences.**

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

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

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

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

## **7. Expenses and allowances.**

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

## **8. Administrative expenses.**

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

## **9. Regulations.**

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

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

## SELECTED COMPLAINTS

### CIVIL SERVICE AFFAIRS AND ADMINISTRATIVE REFORMS

*C/306/2004*

#### Two incremental credits awarded to complainant for additional qualifications

The gist of the complainant's case was to the effect that the recommendation of the Pay Research Bureau (PRB) in its 2003 Report that relevant additional qualifications be recognized and remunerated accordingly was not being applied in his case.

He claimed that he had submitted all necessary information to his Ministry (Education and Scientific Research) in January 2004 and that in April 2004 he was informed that his application had already been forwarded to the Ministry of Civil Service Affairs and Administrative Reforms (MCSAAR) for final approval.

I queried the MCSAAR and I found that his Ministry had forwarded the application only in October 2004. It was therefore not correct to say that in April 2004 his application had already been forwarded to the MCSAAR.

The application was to be examined in November 2004 by a Standing Committee specifically set up for the award of incremental credits as recommended in paragraph 15.8.7 of the PRB Report 2003. Unfortunately on that day the Committee could not reach a decision and the matter was reconsidered on 21 January 2005. The Committee approved the grant of two incremental credits for complainant's additional qualifications and conveyed its approval to the Ministry of Education and Scientific Research.

Although the complainant was "very happy to learn through your letter dated 11 February 2005 that my additional qualifications have been finally recognised", he claimed that, apart from his qualifications, the number of years of full-time study (5 years at Delhi University) should also have been taken into account and that he deserved more than two incremental credits.

The matter was cleared with the MCSAAR and it was found that the additional qualifications held by the complainant were only partly relevant to the duties of Teacher/Senior Teacher. That was the reason why he was awarded only two incremental credits. Had the qualifications been fully relevant, the complainant would have been granted a maximum of three incremental credits. The question of length of time was not relevant.

When he was informed of the situation, the complainant replied "In fact, you did your level best to bring me satisfaction. For this, I'm very grateful to you."

### EDUCATION AND SCIENTIFIC RESEARCH

*C/290/2004*

#### Administrative delay in dealing with application for equivalence of qualifications ended through Ombudsman's intervention

K.H. complained about the delay at the level of the National Accreditation and Equivalence Council (NAEC) in connection with his request for incremental credit for his additional qualification.

His story is that he took up employment as Project Manager at the Central Informatics Bureau of the Ministry of Information Technology and Telecommunications (M.I.T.T.) on 15 August 1994 and was confirmed in his post on 15 August 1995. He was already the holder of a French "Maîtrise d'Informatique" in Computer Science and by virtue of an "accord cadre" between the Government of Mauritius and the French Government this qualification was equivalent to a Master Degree.

It was not until the year 2003 that he became aware of the fact that he was eligible to incremental credit on the basis of qualification above entry requirement. So he submitted an application to the M.I.T.T. on 3 July 2003 for an award of incremental credit. He was given to understand that his application had been forwarded to the NAEC for the purpose of establishing the equivalence of his French "Maîtrise d'Informatique". On various occasions he called at the NAEC office to enquire about the status of his application but each time he was told that the committee had not yet met to handle applications for incremental awards.

His complaint to me was made in October 2004.

I took up the matter with the Ministry of Education and Scientific Research, under whose aegis the NAEC falls, and they informed me that they had sought additional information in the matter from the M.I.T.T.

In May 2005 K.H. informed me that, at his Ministry's request, he had already submitted supplementary information required by NAEC with respect to all his university qualifications and result transcripts.

Again I had to go back to the Ministry of Education and Scientific Research and finally at the end of June 2005 the case was finalised. It had been decided by the NAEC that the "Diplôme de Maîtrise d'Informatique, Université de Marseille" was equivalent to a "Master" and accordingly higher than a first degree.

I informed K.H. accordingly and requested him to pursue the matter with his Ministry for the incremental credit. Later he informed me that the matter had been settled.

*C/157/2005*

#### **Retired officer's length of service finally processed**

I.D. had retired from the Mahatma Gandhi Institute (M.G.I.) on 12 February 2004 after having served for almost 32 years. Prior to his joining the M.G.I. he was employed as Teacher at the Ministry of Education and Cultural Affairs (as it was known then).

The problem he was encountering was that, as at 25 May 2005, i.e. more than fifteen months later, the Ministry of Education and Scientific Research had not been able to work out his pension benefits to be paid to him for the period he had served in the government service. Apart from two letters he had written to that Ministry in August and November 2004, he caused a mise-en-demeure to be served on the Ministry but to no avail. So he complained on 25 May 2005.

Being outraged by such a situation I called for the Ministry's immediate explanation. As there was no reply from the Ministry two reminders were sent but still not even an acknowledgement. On 20 September 2005 I had to threaten the Ministry with further action if no reply was received within three days. Finally on 23 September 2005 the Ministry caused a reply to be made.

The version of the Ministry was that I.D. had left the public service since 1972 and that in the meantime the Ministry had moved to different buildings and consequently many closed files, including that of I.D., were still untraceable. Several attempts were made to trace out I.D.'s previous service through payment vouchers at the voucher room but in view of the insalubrious and unhealthy state of the premises and the poor condition of the vouchers themselves, proper searches could not be carried out. The Ministry took time to tidy up the premises, repair damaged volumes and reclassify all documents. The Ministry begged for another two weeks to trace out I.D.'s file.

Eventually the file must have been found because on 26 October 2005 the Ministry forwarded the computation of pension in favour of I.D. to the Accountant General. I then had to take up the matter with the latter and a few days later I.D. was paid his benefits for the period he served at the Ministry on 10 November 2005 whereas his pension schedule in respect of service between 31 August 1964 and 7 November 1972 was forwarded to the State Insurance Company of Mauritius Ltd. (SICOM) on 7 November 2005 for necessary action regarding the aggregation of his service at the M.G.I. and with Government for the final computation of his retirement benefits.

I.D. was very thankful for our intervention and stated as follows: "I can frankly say that had you not intervened, my case would have been delayed further."

*C/222/2005*

#### **Delay in processing application for additional increment**

M.S. had applied to the Ministry of Local Government and Solid Waste Management, where he was employed, on 13 October 2004 for an additional increment following the obtention by him of an MSc in Public Sector Management, University of Technology, Mauritius.

The Ministry submitted his request to the National Equivalence and Accreditation Council (NAEC) for confirmation as to whether his qualification entitled him to an increment. Eight months elapsed and no definite reply was received from the NAEC and, according to him, he was given all sorts of explanation by officers of the NAEC to explain the delay in processing the application.

He lost patience and addressed himself to the Senior Chief Executive, Ministry of Education and Scientific Research on 21 June 2005, as the NAEC fell under the aegis of that Ministry.

As he received no reply either from the NAEC or the Ministry of Education and Human Resources after another six weeks he solicited my intervention in the matter on 5 August 2005.

M.S.'s case was taken up with the Ministry of Education and Human Resources and 12 days later the Tertiary Education Commission, which by then had the responsibility for recognition and equivalence of post-secondary professional qualifications in lieu and stead of the defunct NAEC, advised M.S.'s Ministry that the latter's degree was recognized.

M.S. took the pain to write to us again to express his satisfaction on the matter.

*C/250/2005*

#### **Passage benefits refunded**

As he intended to proceed on holiday abroad, J.R., a General Purpose Teacher/Senior Teacher, had put in an application for using his passage benefits to meet the cost of air tickets and submitted all relevant documents.

According to him one officer of the Ministry asked him to pay for his tickets himself and then make his claim as his papers were not ready.

After his return from holiday, in mid-August 2005, he noted that no refund had been made. So he wrote to me on 23 September 2005 and requested my intervention.

My inquiry revealed that computation of passage benefits has to be submitted to the Accountant General three weeks before the proposed date of departure of the officer, whereas officers have been made aware by way of circular of the need to forward requests for use of passage benefits at least two months before in order to enable the timely processing of such requests. In this case J.R. had submitted his application on 18 July 2005 and his departure was scheduled on 6 August 2005. It was thus not possible to process his application on time.

All the same, after I had seized the Ministry of J.R.'s case the Accountant General proceeded on 4 October 2005 to credit J.R.'s bank account with the sum of Rs 30765 representing passage benefits in his favour.

J.R. confirmed having received the amount and expressed his satisfaction.

## **FINANCE AND ECONOMIC DEVELOPMENT**

*C/355/2004*

### **Customs duty refunded to complainant**

Upon his retirement as Town Clerk in June 2004 the complainant purchased the self-driven car that was put at his disposal in his official capacity by the Municipal Council he was serving. In order to avoid any delay in the registration of the car he paid the duty still outstanding on the car amounting to Rs 9865.

He thereafter claimed from the Comptroller of Customs a refund of that amount as no duty was payable in the circumstances as per the PRB Report 2003. The Comptroller referred him to the Financial Secretary, Ministry of Finance and Economic Development. So he turned to the Financial Secretary on 19 August 2004 but as at 20 December 2004 he had not received any reply. Therefore he sought my help in the matter.

I took up the issue with the Financial Secretary and I was told that the Customs Department claimed proportionate duty on the car as it had not been informed of the circumstances in which the complainant had purchased the car.

All the same, on 24 January 2005 the Customs Department refunded to the complainant the duty paid by him after it had satisfied itself that the sale was in accordance with the recommendation in the PRB Report 2003.

## **HEALTH AND QUALITY OF LIFE**

*C/15/2005*

### **Ad hoc allowance paid to four Technicians working in the Nuclear Medicine Department**

The four complainants in this case were posted in the Nuclear Medicine Department of the Ministry of Health and Quality of Life. They had been trained, both locally and abroad by International Atomic Energy Agency (I.A.E.A.) (a United Nations agency) experts in the field of Nuclear Medicine. Such a department did not exist in Mauritius and they were the first and only qualified technicians in that field.

They had made a request to the Pay Research Bureau (PRB) to create a new grade of Technician (Nuclear Medicine Technologist) and that request was approved by the PRB in its 2003 Report.

Following the publication of the said Report they requested their Ministry to appoint them as Nuclear Medicine Technologist but as the filling of the posts would take some time they claimed an allowance in the meantime. That request was made in August 2003 and as no reply was forthcoming they reiterated their request one year later and again two months after that. Nothing was heard. So they lodged a complaint before me on 19 January 2005.

The official version of the Ministry, dated 22 February 2005, was that the posts had been created in the current Estimates but the Scheme of Service for the post was still being processed. However, pending the prescription of the Scheme of Service, they proposed to make a case to the Ministry of Civil Service Affairs and Administrative Reforms for the payment of an ad hoc allowance to the four Radiographers with effect from 1 July 2004, date on which the post of Nuclear Medicine Technologist was established in the Civil Establishment Order 2004.

Indeed, at the beginning of June 2005 the four complainants wrote to say that an ad hoc allowance was being paid to them, with effect from July 2004, pending the filling of the posts. They further added "we would like to thank you for your prompt intervention and could you please extend our gratitude to all officers involved in the case".

Some time later the Ministry of Health and Quality of Life confirmed that payment of an ad hoc allowance of Rs 1200 monthly was being effected.

*C/75/2005*

#### **Boy operated abroad following Ombudsman's intervention**

According to J.T., his son K.T.'s eyesight was weakening daily. The boy had been examined by two ophthalmologists who diagnosed that there was nothing wrong with his eyes.

K.T. had been attending medical treatment for a long time and J.T. was told that his son had a neurological problem caused by calcium deposits in his brain. Unfortunately the boy had never been examined by a neurosurgeon and J.T.'s letter to me was a complaint to this very effect. He requested my help for such an examination to be done and proper treatment prescribed.

Within two weeks of my intervention a Medical Board was set up, comprising, among others, two Neurosurgeons. After examining the child they reached the conclusion that the problem could not be tackled in Mauritius and recommended that the boy be sent abroad for further management.

Arrangements were therefore made to send the patient to New Delhi, India, at government costs. Some two weeks later the patient flew to India and was operated upon there. He then returned to Mauritius.

After two months J.T. informed me that his son was recuperating gradually and he seemed happy.

H.T. seized the opportunity to inform me that his son had another problem since a year which he did not mention before and which was never treated in our hospital. It was a lump in his left hand which had become very painful and the treating doctor strongly advised immediate operation. J.T. sought my intervention in this matter as well. Less than a month later the operation was performed and the son was doing well according to J.T.



C/132/2005

### **Ombudsman comes to the rescue of handicapped child**

An anonymous letter brought to my attention the case of one A.M., aged 8 or 9 years old, handicapped since his childhood and whose mother has unsuccessfully sought the help of the Ministry for adapted boots for the boy. Fortunately the letter included the telephone number on which the mother could be reached.

Soon after I started my inquiry, A.M. was made to attend the Orthopaedic Workshop of the Ministry and he was fitted with a pair of orthopaedic boots and night splint. The child was further placed on a waiting list for an adapted chair.

I kept on following the case with the Ministry until an adapted chair was made available to A.M. some two months later.

I wonder what would have happened to the child had not this good Samaritan written to me!

### **HOUSING AND LANDS AND SMALL & MEDIUM ENTERPRISES, HANDICRAFT AND THE INFORMAL SECTOR**

C/186/2004

#### **Claim for compensation for land acquired by government approved**

On 16 December 2003 the complainant, representing Succession T.P.M., had written to the Ministry of Housing and Lands, and Small & Medium Enterprises, Handicraft and the Informal Sector claiming compensation for two plots of land acquired by Government in the early 80s and 90s.

According to the Ministry it had already paid the sum of Rs 25570 to which the Succession was agreeable by way of letter dated 8 January 2003 addressed to the Ministry.

Further inquiry disclosed that the payment of Rs 25570 was in respect of land acquired by Government in 1998 for a housing project whereas the present claim was in respect of land acquired in 1981/1982 and 1991 for another housing project and for road construction respectively.

Finally, after further investigation into the matter the Ministry approved a further payment of compensation to the tune of Rs 19940 and arrangements were made with the Accountant General for payment of that sum to the Succession.

### **HOUSING AND LANDS AND FISHERIES**

C/76/2005

#### **Transfer of lease of State land approved**

Some five months after having made an application for a transfer of "Crown" land, the complainant had still not received any reply. His telephone calls at the Ministry proved fruitless. He was desperate inasmuch as he had certain loans to refund. So he sought my intervention in the matter in a letter dated 11 March 2005.

My inquiry revealed that indeed the complainant had, on 21 October 2004, informed the Ministry that he intended to sell his house found on what was "Crown" land (now State land) leased to him in 1988 and requested the Ministry to transfer the lease on the name of the would-be purchaser.

As the complainant was indebted to the Mauritius Housing Corporation (MHC) as regard payment of rental it was not until February 2005 that the MHC informed the Ministry that all arrears of State Land rent due by the complainant had been settled and therefore the MHC had no objection to the transfer of the land.

After gathering necessary information on the prospective transferee, such as his income and whether he was the owner of private property, the Ministry took time to consider the application for transfer.

Finally, in July 2005, the Ministry informed the complainant that his application for transfer had been approved subject to certain conditions which we need not go into. And in September 2005 the complainant signified his agreement to the said conditions.

## **HOUSING AND LANDS**

*C/215/2005*

### **Acting allowance paid to retired public officer**

Prior to his retirement from the public service in December 2004, the complainant, one Mr. P.K.L. had officially petitioned his Ministry (Housing and Lands) on the issue of actingship allowance which he claimed was due to him as a result of his being entrusted increased responsibilities in the wake of the creation of the Housing Division at the beginning of 2004.

As he received no reply to this letter he enlisted the help of his trade union to intervene on his behalf. Six months later there was still no reply.

So he wrote to me on 29 July 2005 and requested me to take up the matter with the Ministry, which I did immediately.

Less than one month later clearance was obtained from the Ministry of Civil Service and Administrative Reforms and action taken to pay P.K.L. his due.

The latter informed us that the issue had been resolved satisfactorily and conveyed his appreciation and thanks to our Office for sorting out the matter.

## **INDUSTRY, MEDIUM ENTERPRISES, FINANCIAL SERVICES AND CORPORATE AFFAIRS**

*C/154/2005*

### **Retired officer's pension revised**

G.B. had retired from the Financial Services Commission on 21 April 2003. He had previously been a Chief Inspector of Insurance and later transferred to the Financial Services Commission when the latter took over the Insurance Division of the then Ministry of Economic Development under the Financial Services Development Act 2001.

According to G.B. there had been a general salary revision at the Financial Services Commission with effect from 1 July 2004 but his pension had not been revised, as is normally the case in respect of all organisations created by Government.

G.B. averred that he had to retire on account of poor health and depended on his pension to survive. He therefore solicited my help to obtain a revision of his pension with effect from 1 July 2004.

The matter was taken up with the Ministry of Industry, Medium Enterprises, Financial Services and Corporate Affairs and thereafter with the Ministry of Finance and Economic Development who requested the Financial Services Commission to deal with my office directly.

Finally it was the complainant himself who informed me that "he had obtained satisfaction" in the matter, presumably meaning that his pension had been revised as he had requested.

In the circumstances the matter was not pursued further with the Financial Services Commission.

## **JUDICIAL**

*C/30/2005*

### **Deposit refunded to complainant after more than seven years**

Mr. U's complaint was to the effect that he has been waiting for "nearly ten years" (inquiry reveals seven years) the refund of the sum of Rs 5000 which he had deposited in court upon his conditional discharge to be of good behaviour for a period of one year following his conviction in a larceny case.

My inquiry revealed that on 13 August 1997 Mr. U was convicted and sentenced as above and he furnished the required security on 25 August 1997. On 28 August 2000 the Assistant District Clerk of the court wrote to the Police for a clearance concerning the case in order to proceed with the refund. Unfortunately no reply was received by him nor did Mr. U enquire from the Clerk of the court as to the procedure to be followed to obtain his refund. Matters were therefore left at that.

Following my intervention the Clerk of the court agreed to receive the complainant to have the needful done.

Mr. U was informed accordingly and told he could contact me again in case there was any further problem.

There was no further problem.

*C/35/2005*

### **Money produced as exhibit in court returned to detainee after two years**

In the course of his trial before the Intermediate Court for a drug-related offence a sum of Rs 1300 secured from J.M.H. was produced as exhibit, as well as the dose of heroin found on him.

J.M.H. was found guilty by the court which, inter alia, ordered that the money be returned to him.

The money which remained in the custody of the Court was never returned to J.M.H. notwithstanding letters he avers he had written to the Presiding Magistrate.

Now, after two years, J.M.H. sought my intervention for the return of his money.

Within a fortnight following my query the needful was done by the Head Clerk of the Intermediate Court through the Finance Officer and a few months later a cheque for the amount of Rs 1300 from the Accountant General was collected by J.M.H.'s mother on his behalf and at his request.

## LOCAL GOVERNMENT AND SOLID WASTE MANAGEMENT

C/319/2004

### Fireman reintegrated in his post

S.R., a fireman, received a letter from the Chief Fire Officer, informing him that the Medical Board which had examined him on 14 September 2004 had found him to be permanently unfit to discharge the duties of his post.

He was thus required to immediately cease discharging his duties until such time as the Disciplined Forces Service Commission would give its approval for his retirement on medical grounds. In the meantime he was considered to be on sick leave.

S.R. wrote to me a fortnight after being so advised, contesting the findings of the Medical Board and filed medical reports from the Senior Cardiologist, Dr. Jeetoo Hospital and the Cardiologist from the Trust Fund for Specialised Medical Care, both to the effect that he could continue performing his duties as fireman.

S.R. had joined the Fire Services Department since 1976 and had already served for 28 years. He indeed had a health problem from December 1998 to March 1999 but with no serious consequences. After that he continued to perform his duties normally and from January 2002 up to the time he wrote to me in November 2004, he had attended 412 fire calls without any problem.

He therefore sought my intervention to have the decision of the Medical Board reviewed. He even expressed his readiness to undergo any medical test.

I sought the version of the parent Ministry and was informed as follows -

- (i) A medical screening was carried out for all officers of the Fire Services Department by the Occupational and Health Unit of the Ministry of Health & Quality of Life. The Department was informed in a letter dated 20 July 2004, that S.R., Fireman, was suffering from a medical condition which did not allow him to perform strenuous physical activities.
- (ii) S.R. was referred for a medical examination by a Medical Board of the Ministry of Health & Quality of Life to determine his fitness to perform the duties of his post.
- (iii) In a letter dated 1 October 2004, the Ministry of Health & Quality of Life informed the Department that S. R. had been found permanently unfit to discharge the duties of his post.
- (iv) On 18 October 2004, S. R. was informed of the findings of the Medical Board and was placed on sick leave pending the approval of the Disciplined Forces Service Commission for his retirement on medical grounds.
- (v) However, S. R. had made an appeal against the decision of the Medical Board which examined him in September 2004. He produced two medical reports from the Senior Cardiologist, Dr. Jeetoo Hospital dated 3 November 2004 and the Cardiologist from the Trust Fund for Specialised Medical Care (Cardiologist Department) dated 28 October 2004. He has also stated that he can perform duties of Fireman as duty man in stations, in the Fire Prevention Section and Control Room. The representations were transmitted to the Disciplined Forces Service Commission.
- (vi) As it was the Medical Board which examined S. R. and found him permanently unfit to perform the duties of his post of Fireman it is only the Medical Board which can re-assess him.

After my intervention the Fire Services Department had no objection to S.R. being examined anew by a Medical Board. This was done on 22 December 2004 and, unlike the previous Medical Board, S.R. was found fit to discharge the duties of his post, provided he be accommodated in a section where he would not be required to perform strenuous physical activities. S.R. was therefore allowed to resume duty on 12 January 2005.

Fifteen days later he wrote to us as follows —

*“I wish to inform you that I have been reintegrated in the Fire Services Department and that I resumed duty on 12 January 2005.*

*Please accept my warmest thanks to you for all your collaboration, support and help you have given me specially when I was in a desperate situation.*

*I seize this opportunity to thank you once again. Bravo Sir. I am proud of you. Keep it up.  
.....”*

## **POLICE**

*C/233/2004*

### **Disturbance allowance paid to complainant**

Police Sergeant D.T. averred that he was posted in the island of Rodrigues since 1984 and therefore he elected domicile and got married there.

From 17 May to 10 December 2001 he was posted at the Special Supporting Unit (S.S.U.) in Mauritius and was therefore paid a disturbance allowance.

Once again, on 30 June 2003, he was posted at the Special Mobile Force (S.M.F.) in Mauritius without any request for transfer on his part. But this time he was not paid any allowance. Three times he applied for the allowance but received no reply.

So he lodged a complaint before me on 16 August 2004 averring that he was facing financial problems and had to send money to his family in Rodrigues.

Inquiry revealed that according to official records D.T. was posted in Rodrigues as follows —

From	23.08.78	to	17.09.79
	06.03.84	to	16.03.00
	21.08.00	to	02.05.01
	30.11.01	to	29.06.03

D.T.’s point was that since he elected domicile in Rodrigues for more than 16 years i.e. from 6 March 1984 to 16 March 2000, he should be paid a disturbance allowance whenever he is posted in Mauritius.

The matter was taken up with the Commissioner of Police who in turn had to seek the views of the Ministry of Civil Service Affairs and Administrative Reforms.

Finally it was the Pay Research Bureau which ruled that it had no objection that the disturbance allowance presently payable to Rodrigues Police Officers posted to Mauritius be extended to Mauritian Police Officers who have elected domicile in Rodrigues for more than 15 years, whilst posted to Mauritius.

Necessary action was therefore taken for the payment of disturbance allowance to D.T. for the period 30 June 2003 to 9 January 2005, during which he was posted to Mauritius.

## **PRIME MINISTER'S OFFICE**

*C/68/2005*

### **Extension of leave granted through Ombudsman's intervention**

Mrs. G-N. who holds the substantive post of Assistant Secretary in the Administrative Cadre of the Civil Service since November 1995 had, in October 2002, applied for leave without pay for a period of three years to enter into a three-year contract with the State Trading Corporation (STC) where she was serving as Human Resource Manager at the time she wrote to me on 3 March 2005. Her contract with the STC was to expire at the end of November 2005.

According to her, "the Ministry of Civil Service Affairs and Administrative Reforms had advised me verbally to withdraw my application and to apply anew but for a period of two years with the certainty of renewal for a period of one year as is the usual practice in the Civil Service". She therefore applied for two years leave without pay instead of three years "under the terms and conditions of service which allowed leave without pay for five years". She further averred that at that time she was not informed either verbally or in writing that the grant of the third year would be conditional on the exigencies of the service or a change in policy in respect of grant of leave without pay.

She therefore went ahead and signed a three-year contract with the S.T.C. undertaking to complete all the responsibilities devolving on a Human Resource Manager for a period of three years beginning December 2002 up to end of November 2005.

She further availed herself of loan opportunities at the S.T.C. and purchased a 100% duty-free car to which she was eligible as Human Resource Manager of the S.T.C.

In November 2004 she applied for an extension of leave without pay up to end of November 2005 but the Head of the Civil Service approved an extension of three months only, ending 28 February 2005, on the ground of acute shortage of administrative staff in several ministries.

According to her, the decision of the Head of the Civil Service would cause great financial prejudice to her in view of the loan which she had to repay and she also feared action being taken against her by the S.T.C. for not completing her assignments. In spite of several appeals made to the Head of the Civil Service the latter had refused to reconsider his position.

Before the matter was taken up with the authorities concerned the complainant was convened to our office for purposes of discussion and I learn that she had been given a further extension of one month leave with effect from 1 March 2005 and was requested to resume duty after the expiry of her leave.

I took up the matter with the Head of the Civil Service and invited him to reconsider the matter, albeit on humanitarian grounds.

On 15 April 2005 Mrs. G-N. wrote to me again to thank us for our intervention as she had been formally informed that her request for extension of leave up to the end of November 2005 had been favourably considered. She further added that through our intervention other colleagues of hers who were facing the same problem have also had their leave without pay extended.

Multiplier effect of the Ombudsman's intervention which happens now and then!

*C/106/2005*

#### **Extension of visa granted to foreign national**

Miss T.K.H., a Pakistani national, born on 13 October 1982 in Pakistan, arrived in Mauritius on 9 February 2005 in order to get married to one A.R.H., a Mauritian citizen. She was allowed to stay for a period of one month. During her stay she made an application for an extension of her stay for another two months on the ground that "the civil status office needs fifteen clear days to allow a civil marriage". As she received no reply from the Passport and Immigration Office she repaired there several times but to no avail. She therefore decided to lodge a complaint before me and same was received on 5 April 2005.

The version of the Commissioner of Police was that the application had been referred to the Secretary for Home Affairs, Prime Minister's Office, on 11 March 2005 and a reply was still being awaited.

I then turned to the Secretary for Home Affairs straightaway and two days later the lady was given an extension of visa for one month and the decision was conveyed to the Passport and Immigration Office on the same day.

I informed the lady of that decision and requested her to contact the Passport and Immigration Office.

As I did not hear from her again it is assumed that she obtained satisfaction.

### **PRISONS**

*C/8/2005*

#### **Detainee gets laser treatment done following Ombudsman's intervention**

The complainant in this case is the son of a detainee, Mrs. R.M., who has been waiting for some six months to have laser treatment done to her eyes as recommended by the doctor who examined her at the Moka Eye Hospital in June 2004.

According to the complainant his mother has on many occasions missed her appointments for the laser treatment due to the negligence of the Prison Authorities in that she was always arriving late at the hospital. He gave as the latest such occurrence the last week of December 2004 when his mother had been convened at 1200hrs but she arrived at the hospital in the Prison transport at 1430hrs.

The complainant further averred that his mother's eyesight was getting weaker and weaker and he feared that she would lose her eyesight completely if nothing was done.

The official version of the Commissioner of Prisons was indeed that on 30 December 2004 and on 27 January 2005 the detainee arrived at the hospital late because of "transport problem and traffic jam".

I followed up the matter with the Prison Authorities and this time (10 March 2005) when the detainee arrived on time for treatment ..... the laser apparatus was out of order!

Finally we were successful in having the laser treatment done on 14 April 2005.

My appeal to the Commissioner of Prisons is that he should see to it that detainees who have important appointments in hospitals are not penalised because of administrative excuses.

## **PRISONS**

*C/96/2005*

### **Surgical intervention carried out on detainee one month after Ombudsman is seized of his problem**

In his letter dated 14 March and received on 22 March 2005 addressed to me, detainee D.P. averred that he was due to undergo an operation in his right ear on 7 February 2005 but he was not taken to hospital alleging that he had been told by a doctor at the Prison that the hospital was waiting to have more patients in order to have the operation performed.

The next day the matter was taken up with the Commissioner of Prisons and the detainee was due to be admitted at the E.N.T. Hospital on 27 March 2005 for a surgical intervention. Unfortunately on that day, due to "unforeseen circumstances", the intervention was postponed but fortunately it was carried out on 25 April 2005 i.e. barely a month after receipt of the detainee's letter.

It is to be wondered when the operation would have been carried out had the detainee, who had been suffering for more than a year, not written to me.

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

*C/98/2005*

### **Complainant issued with hearing apparatus following prompt intervention of the Ombudsman**

T.R., an old-age pensioner, was having hearing problems and in October 2004 he applied to the Curepipe Social Security Office for a hearing aid.

Some six months down the line his application had not yet been processed. He averred that when he went to the Curepipe office he was informed that his papers had been sent to the Port Louis office and when he went to the latter office he was told that no papers had been received.

As he did not have the means of purchasing such an apparatus he requested me to inquire as to the status of his application.

I requested an explanation from the Ministry and I was told that the delay was due to the fact that at the time of application the Curepipe Social Security office was being transferred to another location and it was during that period that T.R.'s file was mislaid. Upon my intervention searches were carried out and in April 2005 i.e. one month after the complaint was lodged the file was traced out.



Immediate action was taken and T.R. was issued with a hearing apparatus.

The Responsible Officer of the Ministry assured me that the officers concerned had been severely warned and that there would be no such occurrence again on their part.

*C/135/2005*

**Permanently disabled lady paid arrears of basic invalidity pension**

Mrs. H.T. averred in her letter that she had applied for basic invalidity pension (BIP) on 23 September 2004. As she was suffering from a terminal disease a medical officer called on her on 17 November 2004 to assess her degree of disablement. As at May 2005 she heard nothing about the application in spite of various attempts by her to know what happened to her application.

The Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions was immediately queried and my investigation revealed that Mrs. H.T. had been found to be permanently disabled and her file sent by the Medical Unit of the Ministry to the awarding section of the Benefits Branch at Rose Hill since 16 December 2004. Unfortunately her file was not attended to until 15 April 2005 and the reason given was that there was an acute shortage of staff.

Eighteen days later the claim was awarded and a cheque amounting to Rs 33,226 (thirty three thousand two hundred and twenty-six rupees) representing arrears from September 2004 to May 2005 was posted to the disabled lady.

Following my intervention the attention of staff was drawn to the need for timely action, particularly in respect of vulnerable persons. Overtime was even granted to deal with a backlog.

*C/156/2005*

**Arrears of basic retirement pension amounting to Rs 116921 paid to complainant**

Mrs. L.K.'s claim was that, having reached the age of 60 in February 2002, she should have been awarded basic retirement pension (BRP) as from that date and not from April 2005 as is the case at the time she wrote to me i.e. May 2005.

My inquiry revealed that Mrs. L.K. put in an application for BRP on 12 November 2001 but submitted a document pertaining to another person, one A.L. The real identity of Mrs. L.K. was established by reference to her maiden name and it was found that she was born in June 1942 and as such qualified for BRP as from June 2002 and not February 2002 as she pretends.

The Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions assured me that at the end of June 2005 Mrs. L.K. would be paid arrears of Rs 116921 (one hundred and sixteen thousand nine hundred and twenty-one rupees). I requested her to inform me once payment was effected but she did not do so.

Her case however stands as rectified.

## YOUTH AND SPORTS

C/228/2005

### **Fresh elections held by Sports Federation**

This complaint concerned a Sports Federation and it was to the effect that it has been operating illegally for far too long (“dans l’illégalité depuis trop longtemps”) without the Ministry of Youth and Sports or the Registrar of Associations doing anything about it.

The illegal situation referred to above was described with a wealth of details, of which I shall retain but a few for the purposes of this report —

- (i) seven members out of eleven of the executive committee have resigned and replaced without any election;
- (ii) no annual general assembly held nearly six months after it was due;
- (iii) allegation of fraud never enquired into;
- (iv) disappearance of three cartons of balls donated to the Federation;
- (v) no return submitted to the Registrar of Associations during the last four years.

My intervention was therefore sought in order to put an end to this state of affairs and to make things move in the right direction.

The Ministry’s view was that most of the issues raised related to internal matters which could be dealt with under the rules governing the Federation which is an autonomous body.

All the same, following my intervention, I was given the assurance by the Ministry that, at its request, fresh elections would be held shortly.

Finally I was informed that some two months later fresh elections were indeed held and a new Managing Committee set up. It so happens that the new President was the very person who brought the matter to my attention.

## STATISTICAL SUMMARY OF COMPLAINTS

<i>Ministries/Departments</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Accountant General	1	-	3	1	-	-	-	-	5
Agriculture, Food Technology and Natural Resources	2	-	-	2	1	-	-	1	6
Agro Industry and Fisheries	1	-	-	-	-	-	-	-	1
Arts and Culture	-	-	-	-	1	-	-	-	1
Civil Aviation	-	-	-	-	-	-	-	1	1
Civil Service Affairs and Administrative Reforms	2	-	-	1	-	-	-	-	3
Civil Service and Administrative Reforms	-	-	-	-	-	-	-	1	1
Education and Scientific Research	17	-	2	22	3	-	-	11	55
Education and Human Resources	1	-	-	-	1	-	-	3	5
Environment	1	-	-	-	-	-	-	-	1
Environment and National Development Unit	3	-	-	1	2	-	-	6	12
Finance and Economic Development	1	-	1	1	-	-	-	1	4
Foreign Affairs, International Trade and Cooperation	-	-	-	-	-	-	-	1	1
Carried forward	29	-	6	28	8	-	-	25	96

# STATISTICAL SUMMARY OF COMPLAINTS — Continued

<i>Ministries/Departments</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Brought forward	29	—	6	28	8	—	—	25	96
Health and Quality of Life	10	—	1	10	3	—	—	13	37
Housing and Lands	3	—	—	3	1	—	1	4	12
Housing and Lands and Small Medium Enterprises, Handicraft and the Informal Sector	1	—	1	1	—	—	—	—	3
Housing, Lands and Fisheries	3	—	—	2	—	2	—	1	8
Income Tax	1	—	1	—	1	—	—	—	3
Industry, Financial Services and Corporate Affairs	1	—	—	—	—	—	—	—	1
Industry, Medium Enterprises, Financial Services and Corporate Affairs	1	—	—	—	—	—	—	—	1
Information Technology and Telecommunications	—	—	—	—	—	—	—	1	1
Judicial	4	—	2	2	2	—	—	1	11
Labour and Industrial Relations	—	—	—	—	—	—	—	1	1
Labour, Industrial Relations and Employment	—	—	2	2	—	—	—	—	4
Local Government and Rodrigues (National Development Unit)	—	—	—	1	—	—	—	—	1
Local Government and Rodrigues	—	—	—	—	—	—	—	4	4
Carried forward	53	—	13	49	15	2	1	50	183

STATISTICAL SUMMARY OF COMPLAINTS — Continued

<i>Ministries/Departments</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Brought Forward	53	—	13	49	15	2	1	50	183
Local Government and Solid Waste Management	6	—	1	5	2	—	—	1	15
Local Government	—	—	—	—	—	—	—	1	1
Police	11	—	3	16	6	—	1	28	65
Prime Minister's Office	2	—	—	—	—	—	—	1	3
Prisons	13	—	6	28	14	—	—	14	75
Public Infrastructure, Land Transport and Shipping	1	—	—	2	2	—	—	7	12
Public Infrastructure, Land Transport and Shipping (Land Transport Division)	—	—	—	1	—	—	—	1	2
Public Utilities	2	—	2	2	—	—	—	2	8
Registrar General	—	—	1	—	—	—	—	1	2
Rodrigues	27	—	10	42	8	—	—	88	175
Shipping, Rodrigues and Outer Islands	—	—	1	—	—	—	—	—	1
Carried forward	115	—	37	145	47	2	2	194	542

STATISTICAL SUMMARY OF COMPLAINTS — *Continued*

<i>Ministries/Departments</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Brought Forward	115	—	37	145	47	2	2	194	542
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions	9	1	4	5	2	—	—	4	25
Tourism and Leisure	—	—	—	1	—	—	—	—	1
Training, Skills Development, Productivity and External Communications	—	—	1	—	—	—	—	—	1
Women's Rights, Child Development, Family Welfare & Consumer Protection	—	—	—	—	—	—	—	2	2
Youth and Sports	1	—	—	—	—	—	—	—	1
<b>TOTAL</b>	<b>125</b>	<b>1</b>	<b>42</b>	<b>151</b>	<b>49</b>	<b>2</b>	<b>2</b>	<b>200</b>	<b>572</b>

## APPENDIX E

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Accountant General</b>		
C/92/2004	Complainant not satisfied with computation of his length of service.	Rectified
C/347/2004	Retired public officer's pension wrongly computed.	Not justified
C/43/2005	No pension paid to complainant after his retirement from the service.	Not justified
C/119/2005	Length of service wrongly computed.	Not justified
C/321/2005	Long delay in processing applications to convert leave without pay into pensionable years of service.	Explained
<b>Agriculture, Food Technology and Natural Resources</b>		
C/249/2002	Unreasonably long delay in dealing with complainant's application for a land conversion permit.	Pending
C/302/2002	No reply to application for land conversion permit made more than two years ago.	Discontinued
C/128/2004	No reply to application for land conversion permit since three months.	Rectified
C/18/2005	Bank guarantee in lieu of land conversion tax pending final decision not accepted by Ministry.	Explained
C/138/2005	Complainant avers he has been made to retire prematurely on medical grounds too hastily.	Rectified
C/192/2005	Application for increase in allowance wrongly rejected.	Explained
<b>Agro -Industry and Fisheries</b>		
C/214/2005	Payment of uniform allowance denied to complainant.	Rectified
<b>Arts and Culture</b>		
C/320/2004	No reply to application for refund of mileage.	Discontinued
<b>Civil Aviation</b>		
C/327/2005	Complainant refused recommendation letter usually issued to trainees in order to register with the Council of Registered Professional Engineers.	Pending
<b>Civil Service Affairs and Administrative Reforms</b>		
C/306/2004	Delay in processing application for incremental award.	Rectified
C/179/2005	Dissatisfaction with mode of calculation of payment of overtime.	Explained
C/266/2005	No action taken regarding complainant's eligibility for incremental credit.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Civil Service and Administrative Reforms — <i>continued</i></b>		
C/288/2005	Application for extension of study leave without pay rejected.	Pending
<b>Education and Scientific Research</b>		
C/69/2000	Benefits due to retired officer not yet paid.	Pending
C/269/2000	Application for incremental credit rejected.	Explained
C/136/2002	Motivation allowance paid to Head Teacher and staff of school suddenly stopped.	Explained
C/158/2002	Application for recognition and equivalence of complainant's certificate not considered.	Explained
C/272/2002	Application to employ third party as Principal of College turned down by Private Schools Secondary Authority in an arbitrary manner.	Rectified
C/255/2003	Salary not commensurate with qualifications held by complainant, etc.	Rectified
C/407/2003	Incremental credits denied to complainants.	Explained
C/450/2003	Request for responsibility allowance for performing additional work turned down.	Explained
C/244/2004	Education Officer avers he is being humiliated and harassed by the Deputy Rector.	Discontinued
C/275/2004	Complainant who is a Deputy Head Teacher not satisfied with the travel allowance he is drawing.	Explained
C/290/2004	Long delay in processing application for establishing equivalence of complainant's certificate.	Rectified
C/292/2004	Long delay in processing application for establishing equivalence of complainant's certificate.	Rectified
C/298/2004	Delay in processing application for award of incremental credit.	Rectified
C/343/2004	Still awaiting clearance from Ministry for a loan.	Rectified
C/7/2005	Allocation of college to complainant's son challenged as being unfair.	Rectified
C/9/2005	Complainant not satisfied with college allocated to her child.	Explained
C/16/2005	Complainant informs Ministry of her intention to proceed on pre-retirement leave and requests that necessary arrangements be made. No reply after nearly four months.	Rectified
C/20/2005	Complainant has not been allocated the class she expected	Explained



<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Education and Scientific Research — <i>continued</i></b>		
C/23/2005	Complainant, lady teacher, not satisfied with class allocation.	Rectified
C/26/2005	Gender discrimination in the allocation of classes alleged by lady teacher.	Rectified
C/27/2005	Complainant, school teacher, aggrieved by class allocation.	Discontinued
C/29/2005	Complainant, a lady teacher, not satisfied with allocation of class to her.	Explained
C/32/2005	Not satisfied with allocation of classes.	Explained
C/40/2005	Teacher not satisfied with allocation of class to him.	Rectified
C/42/2005	Complainant's request for the transfer of her son from one school to another nearer their residence not considered.	Explained
C/56/2005	Complainant not satisfied with college allocated to his son.	Explained
C/59/2005	Application for refund of course and examination fees rejected without any reason being given.	Explained
C/79/2005	Application for incremental award based on additional qualification not acceded to.	Explained
C/89/2005	Non-respect of criteria for replacement purposes.	Explained
C/100/2005	Transfer of complainant from one school to another considered as unjustified.	Rectified
C/109/2005	Application for the award of incremental credit turned down.	Explained
C/110/2005	Complainant avers that he has suffered injustice regarding the assignment of duties to an officer who is his junior.	Explained
C/114/2005	Request for transfer of daughter to school nearest residence on medical ground not entertained.	Rectified
C/118/2005	No reply to application for recognition of certificate since two years.	Explained
C/120/2005	Twenty-three Supply Teachers employed on temporary basis for last 8/9 years not yet appointed.	Pending
C/125/2005	Allegation by complainant that his result slip and certificate have been mishandled by Ministry and Mauritius Examination Syndicate.	Not justified
C/133/2005	Teacher who is also a member of his union harassed by Head Teacher etc.	Discontinued
C/149/2005	Primary school lady urdu teacher transferred to another school before having completed her cycle.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Education and Scientific Research — <i>continued</i></b>		
C/157/2005	Pension benefits of retired officer not yet processed after more than fifteen months.	Rectified
C/158/2005	Anomaly in salary.	Pending
C/159/2005	Request for transfer from one school to another not acceded to	Explained
C/171/2005	Anomaly in salary.	Pending
C/172/2005	Anomaly in salary.	Pending
C/194/2005	Anomaly in salary.	Pending
C/197/2005	Complainant frustrated by promotion of other junior colleagues whereas he has been left out.	Explained
C/204/2005	Anomaly in salary.	Pending
C/212/2005	Anomaly in salary.	Rectified
C/217/2005	Refusal by Ministry to pay balance of university fees etc. to complainant who was awarded a four-year scholarship by Government.	Pending
C/222/2005	Long delay in processing complainant's application for application for incremental credit.	Rectified
C/235/2005	Complainant, a Deputy Head Teacher, avers that he is requested to replace teachers frequently whereas others are not called upon to do so. Feels victimized.	Explained
C/238/2005	Application for incremental credit not dealt with since three years.	Pending
C/241/2005	Salary unpaid.	Pending
C/250/2005	Refund of passage benefits still awaited.	Rectified
C/267/2005	Complainant avers that she "resigned" from the service three years ago instead of "retired" by mistake. Request that her case be reconsidered on humanitarian ground.	Not justified
C/272/2005	Request for transfer by Acting Rector to school nearer his place of residence rejected. Covers more than 70kms everyday.	Pending
<b>Education and Human Resources</b>		
C/284/2005	Delay in award of scholarship.	Discontinued
C/292/2005	Delay in payment of retiring benefits.	Rectified
C/324/2005	Disparity regarding seniority of complainant who is an Education Education Officer.	Pending
C/326/2005	Complainant not paid any remuneration for work done in connection with school admission exercise.	Pending
C/329/2005	Parent not satisfied with school allocated to her child.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Environment</b>		
C/153/2002	Complaint against the running of a garage which causes noise and air pollution and other inconveniences. No action taken by competent authorities.	Rectified
<b>Environment and National Development Unit</b>		
C/75/2004	Request by complainant for the wall surrounding footpath pitch constructed by National Development Unit to be raised because it is too low and is a source of nuisance not acceded to.	Rectified
C/106/2004	Delay in issuing Environment Impact Assessment Certificate.	Pending
C/203/2004	Wrong report by Ministry in connection with complainant's application for trade licence.	Pending
C/317/2004	Health hazard and other nuisances caused by discharge of wastewater.	Rectified
C/47/2005	Accumulation of water source of nuisance. No action by authorities concerned.	Pending
C/53/2005	Abandoned land used as dumping ground and infested with stray dogs etc.	Rectified
C/77/2005	Non-payment for works done.	Pending
C/83/2005	Children's playground in abandoned state.	Discontinued
C/104/2005	Great inconvenience (odour, flies, etc.) caused to complainants by neighbour's poultry.	Pending
C/185/2005	Bad state of road.	Discontinued
C/203/2005	Lack of drains causes flooding of inhabitants premises. No action taken by authorities concerned.	Pending
C/257/2005	Temporary employment terminated unjustly	Explained
<b>Finance and Economic Development</b>		
C/336/2004	Allowance not paid to complainant.	Not justified
C/346/2004	Complainant avers he is the victim of injustice etc. as he has not been given the opportunity to be appointed to the post of Investigating Officer at Income Tax Department.	Explained
C/355/2004	Letter to Ministry claiming refund of duty and tax which according to complainant were not due has remained without reply.	Rectified
C/224/2005	No reply to application made by complainant to the Mauritius Institute of Professional Accountants to be registered as a Professional Accountant.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Foreign Affairs, International Trade and Cooperation</b>		
C/254/2005	Clause in tender conditions considered illegal by complainant and prevents him from tendering.	Pending
<b>Health and Quality of Life</b>		
C/84/99	Smell nuisance caused by pigsty.	Rectified
C/251/2000	Application for leave remains without reply.	Discontinued
C/309/2002	Noise nuisance caused by complainant's neighbour's workshop.	Explained
C/203/2003	Claim for extra duty allowance not acceded to. No reason given.	Rectified
C/323/2003	Noise and odour nuisances etc. caused by workshop next to complainant's house. No action by authorities concerned.	Pending
C/358/2003	Complainant avers that he should be refunded money spent in private for operation upon his mother which operation should have been done in a public hospital.	Explained
C/361/2003	Odour and other nuisances caused by cowshed. No action taken by authorities concerned.	Explained
C/399/2003	Complainants recruited as Community Health Development Motivators but have not received their confirmation letter.	Pending
C/124/2004	Complainant not satisfied with medical treatment of his son.	Explained
C/268/2004	Detainee's operation delayed. Suffering too much.	Pending
C/328/2004	Health problems caused by leakage of waste water etc.	Explained
C/333/2004	Noise and air pollution caused by cabinet-maker who is allegedly operating without licence.	Rectified
C/354/2004	Noise, smell and other nuisances caused by cold storage. No action by authorities concerned.	Discontinued
C/12/2005	Application for financial assistance to be operated overseas wrongly rejected.	Pending
C/15/2005	No allowance paid to complainants for performing "specialised" work.	Rectified
C/46/2005	Request for medical report by patient not acceded to.	Rectified
C/48/2005	No reply to request for statement of attendance.	Discontinued
C/49/2005	Complainant contests forfeiture of performance bond for supply of vegetables and bananas to government hospitals.	Pending
C/52/2005	Noise and smell nuisances caused by workshop etc.	Explained
C/70/2005	Noise caused by illegal workshop. No action taken by authorities concerned.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Health and Quality of Life — <i>continued</i></b>		
C/75/2005	Complainant's son whose eyesight is weakening daily not getting appropriate medical attention.	Rectified
C/107/2005	Foul odour caused by pig-breeding. No action taken by authorities concerned.	Pending
C/108/2005	Poultry is a source of nuisance due to bad smell etc.	Rectified
C/128/2005	Odour and noise nuisances caused by complainant's neighbours. No action by authorities concerned.	Explained
C/132/2005	Handicapped boy denied help by Ministry.	Rectified
C/140/2005	Noise and odour nuisances caused by complainant's neighbours. No action by authorities concerned.	Explained
C/153/2005	Denied duty-free facilities for purchase of car.	Pending
C/207/2005	Water leaking from neighbour's house onto complainant's land, thus causing a nuisance. No action taken by authorities.	Pending
C/226/2005	Harassment at workplace.	Rectified
C/240/2005	Dust and noise pollution caused by cabinet-maker, complainant's neighbour.	Pending
C/256/2005	No action taken by authorities in respect of nuisance caused by workshop, neighbour of complainant.	Not justified
C/270/2005	Temporary Medical Records Assistants not yet confirmed after 17 months continuous service.	Pending
C/274/2005	Negligence by nursing officers leading to the death of complainant's father.	Pending
C/276/2005	Complainant's father ill-treated by doctor at hospital.	Explained
C/283/2005	Smoke nuisance caused by pastry shop.	Explained
C/295/2005	No action taken by authorities concerned to abate nuisances caused by cabinet-maker located in residential area.	Pending
C/306/2005	Pollution caused by wastewater from restaurant and poses health hazard to inhabitants. No action by authorities so far.	Pending
<b>Housing and Lands</b>		
C/67/2000	No reply to application for authorisation to subdivide land made more than a year ago.	Explained
C/284/2001	Non-renewal of leases by Ministry.	Pending
C/321/2001	Offending structures put on State land causing inconvenience to complainant.	Explained
C/112/2002	Application to convert hawker's licence into a beach hawker's licence not attended to.	Explained
C/101/2004	Application for State land for residential purpose unduly delayed.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Housing and Lands — continued</b>		
C/28/2005	State land encroached upon thus rendering access to the beach difficult.	Pending
C/215/2005	Non-payment of acting allowance for shouldering increased responsibilities.	Rectified
C/231/2005	Complainant avers that claim by Ministry to refund uncompleted bonded period on pro-rata basis is not fair.	Pending
C/234/2005	Protest against setting up of boat-house on public beach.	Discontinued
C/239/2005	Legal Consultant's letters regarding compulsory acquisition of land belonging to his client by Government not even acknowledged.	Rectified
C/260/2005	Not satisfied with postings and responsibilities according to organisational chart.	Not investigated
C/282/2005	Delay by Ministry in processing application for lease of State land. Complainant's loan in danger of being cancelled.	Pending
<b>Housing and Lands and Small and Medium Enterprises, Handicraft and the Informal Sector</b>		
C/186/2004	Compensation not paid for land acquired by the State.	Rectified
C/338/2004	Complainant's land encroached upon by government.	Not justified
C/341/2004	Memorandum of Survey contested by complainant who wrote to Ministry but received no reply.	Explained
<b>Housing, Lands and Fisheries</b>		
C/1/2005	Complainants claim to have been wrongly penalised regarding bond subscribed by nephew and guaranteed by them.	Not entertained
C/37/2005	Unjustified increase in rent claimed from the complainants who are lessees of State land.	Explained
C/39/2005	Lessee contests decision not to renew his lease agreement in respect of State land.	Rectified
C/54/2005	Complainant not paid compensation six months after acquisition of his lands by Government.	Rectified
C/61/2005	Access to State land leased to complainant hindered by neighbours. No action by Ministry.	Not entertained
C/69/2005	Request by complainant to have his plot of land re-zoned for residential purposes not considered.	Explained
C/76/2005	No reply to application for transfer of lease of State Land made since five months.	Rectified
C/126/2005	No follow up by Ministry regarding complainant's request for a plot of State land.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Income Tax</b>		
C/390/2003	Complainant avers that her deceased father has been wrongly assessed.	Discontinued
C/22/2005	Claim of nearly two million rupees from complainant deemed to be unjust by him.	Not justified
C/74/2005	Tax overdeducted from complainant's emoluments.	Rectified
<b>Industry, Financial Services and Corporate Affairs</b>		
C/276/2004	No reply since three months to application by complainant to be registered as auditor.	Rectified
<b>Industry, Medium Enterprises, Financial Services and Corporate Affairs</b>		
C/154/2005	Anomaly regarding complainant's pension.	Rectified
<b>Information Technology and Telecommunications</b>		
C/293/2004	Complainant not yet confirmed in his post after more than three years.	Pending
<b>Judicial</b>		
C/160/2002	Suitor's money wrongly refunded to complainant's brother.	Explained
C/283/2004	No refund of money deposited as surety to prosecute appeal..	Explained
C/364/2004	Deposit for prosecution of appeal not yet refunded.	Not justified
C/17/2005	Difficulty being experienced by complainant in obtaining refund of money deposited at Supreme Court in connection with an "outbidding".	Discontinued
C/30/2005	Complainant awaiting refund of deposit in criminal case since ten years.	Rectified
C/35/2005	Sum of money seized from complainant during police raid not returned to him after trial.	Rectified
C/111/2005	Money deposited for purposes of bail not returned after hearing and determination of case.	Discontinued
C/122/2005	Sum of money deposited as recognisance not returned to depositor.	Not justified
C/183/2005	Surety deposited by complainant not returned to him after determination of case.	Rectified
C/220/2005	Money seized from complainant not returned to him after court order.	Rectified
C/279/2005	Application for refund of deposit not attended to.	Pending
<b>Labour and Industrial Relations</b>		
C/309/2003	No action taken by Ministry regarding complainant's claim against his employer for gratuity on account of premature retirement.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Labour, Industrial Relations and Employment</b>		
C/44/2005	Complainant avers she has been registering for a job since nineteen years but has never been offered a job.	Not justified
C/64/2005	No job offered to complainant in spite of his having registered for a job for the last twenty years.	Explained
C/146/2005	No offer of employment made to complainant in spite of her having registered her name for a job since ten years.	Not justified
C/193/2005	Complainant not able to secure a job after 10 years continuous registration.	Explained
<b>Local Government and Rodrigues</b>		
C/94/2002	Poor living conditions of sixteen families in village.	Pending
C/320/2003	Absence of drains causes flooding of premises of some twelve households.	Pending
C/322/2003	Flooding of roads, absence of street lighting, etc.	Pending
C/405/2003	Money due to complainant for works done.	Pending
<b>Local Government and Rodrigues (National Development Unit)</b>		
C/201/2002	Works done not paid for. No response to claim for payment by complainant.	Explained
<b>Local Government and Solid Waste Management</b>		
C/132/2004	Retiring benefits wrongly computed.	Not justified
C/166/2004	Some three hundred persons (squatters) living in inhuman conditions.	Explained
C/208/2004	Road in a very bad state since 24 years.	Pending
C/209/2004	Road in an abandoned state. Poses problems to users thereof.	Discontinued
C/246/2004	Application for car loan wrongly turned down.	Explained
C/297/2004	No action by authorities concerned following report by complainant against neighbour who has constructed a building without leaving statutory distance.	Rectified
C/301/2004	Deplorable state of road. Nothing done for years.	Rectified
C/302/2004	Poor state of road causing pedestrians to walk in mud and inaccessible to vehicles.	Explained
C/319/2004	Complainant contests finding of Medical Board that he is permanently unfit to discharge his duties as Fireman.	Rectified
C/357/2004	Dangerous curb representing danger to road-users.	Explained
C/363/2004	Uncovered drain dangerous for road-users.	Explained
C/85/2005	Roads in a very poor state.	Rectified



<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Local Government and Solid Waste Management — continued</b>		
C/86/2005	Bad maintenance of road causing flooding problems.	Rectified
C/88/2005	Bad state of road.	Discontinued
C/124/2005	Stagnant water on waste ground is a source of problem for inhabitants nearby.	Rectified
<b>Local Government</b>		
C/205/2005	Road in dangerous state for road users.	Pending
<b>Police</b>		
C/49/2004	No action taken by Police in respect of noise nuisance caused by discotheque.	Explained
C/148/2004	Complainant threatened by co-detainees. No action taken by Prison Administration. Request to give a statement to the Police.	Pending
C/187/2004	Complainant suspects foul play in case of his son's disappearance at sea. Hasn't heard from the Police yet.	Pending
C/233/2004	Claim for disturbance allowance not allowed.	Rectified
C/234/2004	No action taken following complainant's report to relevant authorities of nuisances caused by his brother/neighbour.	Explained
C/254/2004	Convicted detainee claims the return of his money which was produced as exhibit during his trial but which has not been forfeited by the court.	Rectified
C/263/2004	Complainant who is being detained in connection with several larceny cases has appeared in court for trial on two occasions but case against him not heard yet.	Rectified
C/267/2004	No action following declaration made by complainant regarding the use of his building by "tenant" for trading without licence.	Discontinued
C/340/2004	Complainant "pressurized" to resign from traineeship in the Police Force.	Discontinued
C/342/2004	Complainant subject of frequent transfers in the Police Force etc.	Explained
C/349/2004	No action following complaint against restaurant owner whose premises are a source of nuisance to complainant, his family and other neighbours.	Not justified
C/351/2004	Non-assistance by Police to enforce court order.	Not justified
C/353/2004	No action taken following declaration made by complainant concerning illegal operation of garage.	Discontinued
C/359/2004	Complainant not made aware of action taken by Police following declaration made.	Explained
C/10/2005	No action by Police following complaint against complainant's neighbour.	Discontinued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Police — continued</b>		
C/24/2005	No consideration given to complainant's declarations to Police.	Pending
C/33/2005	No follow up action by Police regarding declaration by complainant.	Explained
C/51/2005	No action taken against cyclist following road accident in which complainant's car was damaged.	Explained
C/80/2005	No reply to application for a licence to provide security services since three years.	Explained
C/93/2005	Complainant detained for almost three years without trial.	Explained
C/97/2005	Complainant on remand since two months. Requests early trial.	Explained
C/101/2005	Complainant's neighbour operating illegal workshop causing air and noise pollution. No action taken by authorities concerned.	Rectified
C/105/2005	Complainant not informed of the outcome of the police case' in which he was the declarant.	Pending
C/116/2005	Detainee has a problem with his vertebral column and needs special transport to be conveyed to court. Request for same denied.	Rectified
C/121/2005	Length of service not correctly calculated.	Pending
C/123/2005	Complainant not satisfied with police enquiry into the case of her son who has been murdered.	Pending
C/130/2005	Complainant detained since 11 months without trial.	Explained
C/131/2005	Non-implementation of recommendations made by the Pay Research Bureau.	Pending
C/137/2005	No action taken by Police following complaints in respect of a pool house which is a source of nuisance to inhabitants.	Explained
C/141/2005	Workshop being operated without trading licence. No action taken to prosecute offender.	Rectified
C/174/2005	Detainee's mother fears for his security in Prison as he has already been the victim of an assault. Transfer of detainee refused.	Discontinued
C/176/2005	Noise caused by religious gathering in residential area.	Pending
C/181/2005	Police Officer on sick leave not paid salary for more than one year.	Rectified
C/182/2005	Complaint not paid any gratuity or pension upon retirement as Special Police Constable.	Pending
C/184/2005	Savage parking by taxi-cars poses problems to other road-users.	Rectified
C/190/2005	Request by detainee for the return of the money secured from him by the Police not acceded to.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Police — continued</b>		
C/208/2005	Workshop operating without proper permit. No action taken by authorities.	Pending
C/218/2005	Deafening noise caused by activities of religious sect.	Explained
C/221/2005	Complainant, a foreigner, detained for more than two years without trial.	Pending
C/223/2005	Delay in dealing with complainant's declaration.	Pending
C/233/2005	No reply from Commissioner of Police to letter from complainant regarding larceny case of which he was a victim.	Rectified
C/246/2005	Illegal operation as motor surveyor by complainant's neighbour.	Pending
C/247/2005	No reply from the Police in relation to declarations made.	Pending
C/248/2005	Complainant who is a police officer not released to assume duty in another government department where he wants to start a career.	Pending
C/249/2005	Complainant holds police officers responsible for the death of his sister by failing to take necessary action to protect her.	Pending
C/253/2005	Complainant detained since more than 16 months without trial in drug case.	Explained
C/255/2005	Disturbance caused by restaurant/bar. No action taken by authorities.	Discontinued
C/261/2005	Detainee claims the return of his identity card seized by the Police upon his arrest.	Explained
C/262/2005	Noise and smell nuisances caused by presence of dogs on premises of complainant's neighbour.	Explained
C/265/2005	Complainant avers he was humiliated by Police Officer in a bus full of passengers.	Pending
C/269/2005	Complainant, victim of three burglaries in a period of seven months, not satisfied with police action so far.	Pending
C/273/2005	No action taken by Police following declaration made by complainant concerning neighbour's dog.	Pending
C/275/2005	Schools are a source of nuisance to complainants	Not justified
C/278/2005	Complainant claims the return of his belongings (identity card, driving licence, etc.) seized upon his arrest.	Rectified
C/286/2005	Retiring benefits wrongly computed.	Pending
C/297/2005	Complainant not satisfied with action taken by Police in a case of physical threat reported to Police of his locality.	Pending
C/298/2005	Complainant claims the return of taxi car which belongs to another person and which he was driving when arrested.	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Police — continued</b>		
C/299/2005	Detainee's belongings (money, cell phone, etc.) not returned to him by Police after determination of his case.	Pending
C/302/2005	Complainant on remand since more than three years.	Pending
C/303/2005	Police guilty of negligence in failing to heed complainant's letters informing them that his son had emigrated, by trying to execute warrant of arrest issued against the son.	Pending
C/304/2005	Abuse of authority by Police who wrongly clamped complainant's vehicle and prosecuted him.	Not investigated
C/305/2005	Complainant not satisfied with Police action in robbery case reported by her.	Pending
C/308/2005	Complainant who has been arrested some eight months ago avers that the police is constantly delaying its inquiry.	Pending
C/314/2005	Police Officer posted in Mauritius awaiting to be posted in Rodrigues where his family lives. Case dragging.	Pending
C/325/2005	Complainant's driving licence not returned to him after period of disqualification has lapsed.	Pending
<b>Prime Minister's Office</b>		
C/219/2004	Citizenship refused to applicant from Reunion who is married to Mauritian national.	Pending
C/68/2005	Request for extension of leave refused.	Rectified
C/106/2005	Application for extension of visa to marry Mauritian national delayed.	Rectified
<b>Prisons</b>		
C/382/2003	Detainee's right to religious visits cancelled, etc.	Discontinued
C/389/2003	Detainee not issued with denture etc.	Pending
C/87/2004	Detainee avers that his application for dental prosthesis has been refused.	Discontinued
C/215/2004	Application for spectacles turned down.	Pending
C/220/2004	Application for spectacles turned down.	Pending
C/237/2004	Detainee not provided with denture. Has difficulty to eat.	Pending
C/278/2004	Request from "Christian" detainees for facilities to improve services.	Explained
C/305/2004	Complainant disagrees with date of his appointment as Prison Officer.	Not justified
C/310/2004	Complainant avers he is not getting appropriate medical treatment.	Explained
C/323/2004	Detainee avers he is not getting adequate medical attention and care.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Prisons — continued</b>		
C/330/2004	Treatment which handicapped detainee was getting and which provided him relief stopped and given other treatment which is not offering relief.	Explained
C/331/2004	Detainee fears for his security and requests transfer to another prison.	Explained
C/334/2004	Detainee not satisfied with the official version concerning his balance of earnings.	Discontinued
C/344/2004	Detainee not getting appropriate medical attention.	Explained
C/348/2004	"Beastly treatment in prison" reported by ex-prisoner to the Press.	Explained
C/352/2004	Request for special food by detainee turned down.	Explained
C/358/2004	Detainee not getting appropriate medical care and food.	Discontinued
C/3/2005	Detainee contests the length of imprisonment for non-payment of fines.	Explained
C/8/2005	Laser treatment not done on account of late arrival of detainee (complainant's mother) at hospital etc.	Rectified
C/11/2005	Not satisfied with medical care given.	Explained
C/21/2005	Detainee not getting adequate medical treatment for his ailments.	Not justified
C/25/2005	Right of visit denied to detainee who wants to visit another detainee who is allegedly his sister but does not bear the same family name.	Explained
C/41/2005	Foreign detainee requests transfer to her country on humanitarian grounds.	Explained
C/55/2005	Detainee not authorised to give blood for his daughter's operation, etc.	Explained
C/57/2005	Replies to complainant's letters not reaching him.	Explained
C/58/2005	Detainee not getting proper diet and appropriate medical care.	Discontinued
C/60/2005	Request to complete sentence at Phoenix Prison ignored.	Rectified
C/62/2005	Physiotherapy cancelled without cause etc.	Explained
C/63/2005	Detainee avers he is being deprived of medical care and that his request for a daily decent meal and a cup of milk has been turned down.	Explained
C/65/2005	Discrepancy regarding detainee's cash account.	Explained
C/66/2005	Detainee avers that letters written by him are not being dispatched by Prison Administration.	Not justified
C/71/2005	Detainee avers he is subjected to mental torture.	Discontinued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Prisons — continued</b>		
C/72/2005	Detainee not getting appropriate food according to his ailment etc.	Discontinued
C/78/2005	Detainee avers he is not receiving appropriate medical treatment.	Discontinued
C/94/2005	Detainee avers he is not getting adequate medical care.	Explained
C/95/2005	Detainee not getting appropriate medical attention.	Explained
C/96/2005	Detainee awaiting to be operated.	Rectified
C/112/2005	Detainee denied soap and toothpaste.	Rectified
C/113/2005	Detainee not getting appropriate medical treatment.	Pending
C/115/2005	Detainee not returned to the prison where he was held after following medical treatment in another prison.	Rectified
C/117/2005	Shortage of food served and extra-remission work denied to detainee.	Explained
C/129/2005	Detainee avers he is diabetic but is not getting appropriate food etc.	Explained
C/144/2005	False declaration made by Prison Officer against complainant (detainee). Latter wishes to give a declaration to the Police.	Explained
C/148/2005	Detainee missed medical appointment due to administration's fault.	Discontinued
C/150/2005	Detainee's medical appointment card lost. No consideration given to his problem.	Pending
C/151/2005	Detainee still not well after undergoing operation. Believes he needs another operation which the Administration is refusing.	Not justified
C/152/2005	Application for issue of spectacles free of charge rejected.	Pending
C/188/2005	Detainee not getting any medical attention for his ailment.	Rectified
C/189/2005	Detainee avers he does not get his food at the appropriate time and sometimes does not have any food at all etc.	Rectified
C/195/2005	Detainee denied visit by girl-friend detainee.	Rectified
C/196/2005	Anomaly regarding earnings balance of detainee etc.	Explained
C/198/2005	Detainee avers he is undergoing ill-treatment in respect of food, allocation of cell, etc.	Explained
C/199/2005	Detainee avers he has been threatened with grievous bodily harm by another prisoner. Wishes to give statement to police.	Explained
C/200/2005	Detainee victim of police brutality during his questioning by Police.	Explained
C/201/2005	Detainee not provided with mattress, bedsheet, etc.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Prisons — continued</b>		
C/202/2005	Handicapped detainee forced to work in prison.	Discontinued
C/206/2005	Detainee not issued with towel	Rectified
C/225/2005	Detainee fears for his security due to the presence of another detainee in the same Block. Requests to be separated from latter.	Explained
C/229/2005	Detainee's clothings lost.	Discontinued
C/242/2005	Detainee complains he receives no medical treatment.	Not justified
C/243/2005	Denied diet meal.	Rectified
C/251/2005	Privileges denied to detainee etc. No consideration given to his complaints.	Explained
C/263/2005	No action following report by detainee against other detainees who had robbed and assaulted him.	Rectified
C/264/2005	No action taken by Prison Administration against gang of detainees operating in the prison with violence. Detainee/complainant seeks transfer to another prison.	Rectified
C/277/2005	Money withdrawn from detainee's account without his authorisation.	Discontinued
C/280/2005	Detainee persecuted by Prison Officers.	Discontinued
C/285/2005	Detainee requests that he be transferred to another prison.	Explained
C/290/2005	Detainee's medicine taken away by Prison Officer etc.	Not justified
C/309/2005	Detainee placed under report at punishment block, without any reason, etc.	Pending
C/310/2005	Request for information from the office of the Master and Registrar of the Supreme Court, etc. not acceded to.	Discontinued
C/311/2005	Detainee with heart problem conveyed to far-away hospital. Requests that in future he be taken first to a nearer hospital for immediate care.	Pending
C/312/2005	Letter addressed to detainee not remitted to him by Prison Administration.	Pending
C/322/2005	Application to do "extra remission" work denied	Pending
C/323/2005	Application to do "extra remission" work denied.	Pending
C/328/2005	Visit by detainee's relatives denied.	Pending
<b>Public Infrastructure, Land Transport and Shipping</b>		
C/75/2003	Illegal construction put up by complainant's neighbour.	Pending
C/72/2004	Construction company down-graded by Ministry.	Pending
C/90/2004	Dangerous road intersection	Explained

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Public Infrastructure, Land Transport and Shipping — <i>continued</i></b>		
C/143/2004	Bus stop constitutes traffic hazard.	Pending
C/188/2004	Dangerous road curve.	Pending
C/218/2004	No action taken in connection with report by complainant against neighbour for putting up building without respecting statutory distance.	Pending
C/266/2004	No action by authority concerned in respect of illegal construction by complainant's neighbour.	Pending
C/318/2004	Complainant subjected to frequent transfers without good cause.	Discontinued
C/2/2005	Complainant not assigned duties of Transport Planner as has been done before.	Explained
C/50/2005	Road block caused by flooding is a source of great inconvenience for users.	Pending
C/82/2005	Absence of drains leading to flooding of road.	Discontinued
C/84/2005	Road in poor state.	Rectified
<b>Public Infrastructure, Land Transport and Shipping (Land Transport Division)</b>		
C/213/2005	Request for one-way street to be opened to vehicular traffic outside school hours not considered.	Explained
C/259/2005	Complainant not informed about his retirement pension.	Pending
<b>Public Utilities</b>		
C/53/2004	Frequent cuts in water supply.	Pending
C/362/2004	Serious water supply problems for some twenty families in in Grand Baie.	Pending
C/38/2005	Muddy tap water.	Rectified
C/81/2005	Water supply denied to several families.	Rectified
C/91/2005	Non-payment of acting allowance.	Not justified
C/92/2005	Inadequate supply of water at Goodlands.	Explained
C/175/2005	Anomaly regarding date of transfer from one Ministry to another.	Not justified
C/232/2005	Pumping station is a source of nuisance.	Explained
<b>Registrar General</b>		
C/14/2005	Complainant's request for waiving of bond entered into by her turned down.	Pending
C/219/2005	Complainant claimed registration duty twice.	Not justified



<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues</b>		
C/113/95	Application for transfer of State land not considered by the administration.	Pending
C/379/96	Length of service not properly computed.	Explained
C/97/97	Length of service not properly computed.	Pending
C/294/97	Complainant received no lump sum or pension upon his retirement from the public service.	Explained
C/423/97	Length of service not properly computed.	Explained
C/71/98	Length of service not properly computed.	Explained
C/74/98	Length of service not properly computed.	Pending
C/177/98	Length of service not properly computed.	Pending
C/253/98	Length of service not properly computed.	Pending
C/339/98	Length of service not properly computed.	Explained
C/357/98	Length of service not properly computed.	Pending
C/358/98	Length of service not properly computed.	Explained
C/444/98	No lump sum or other retiring benefits paid to retired public officer.	Explained
C/74/99	Length of service not properly computed.	Explained
C/132/99	Length of service not properly computed.	Pending
C/155/99	Length of service not properly computed.	Pending
C/172/99	Length of service not properly computed.	Pending
C/187/99	Application for lease of State land not yet finalised. Nearly six years have gone by.	Pending
C/249/99	Length of service not properly computed.	Rectified
C/355/99	Application for plot of State land for agricultural purposes not granted.	Pending
C/380/99	No lump sum or pension paid to ex-public officer who retired some 22 years ago.	Explained
C/390/99	Length of service not properly computed.	Explained
C/439/99	Length of service not properly computed.	Pending
C/42/2000	Length of service not properly computed.	Rectified
C/149/2000	No pension paid to retired public officer.	Explained
C/157/2000	Length of service not properly computed.	Pending
C/194/2000	Length of service not properly computed.	Rectified
C/216/2000	Length of service not properly computed.	Rectified
C/258/2000	Length of service not properly computed.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues — continued</b>		
C/267/2000	No reply to application for residential lease renewed yearly.	Pending
C/2/2001	Complainants not made aware of result of Trade Test undergone by them. Others have received their results and have even been promoted.	Explained
C/4/2001	Length of service not properly computed.	Pending
C/8/2001	Land dispute at Petit Brule. Intervention of Rodrigues Administration solicited.	Pending
C/56/2001	Length of service not properly computed.	Rectified
C/64/2001	Length of service not properly computed.	Pending
C/74/2001	Length of service not properly computed.	Pending
C/79/2001	Length of service not properly computed.	Pending
C/100/2001	Length of service not properly computed.	Pending
C/110/2001	Length of service not properly computed.	Pending
C/115/2001	Length of service not properly computed.	Pending
C/124/2001	Length of service not properly computed.	Pending
C/142/2001	Length of service not properly computed.	Pending
C/143/2001	Length of service not properly computed.	Pending
C/148/2001	Length of service not properly computed.	Pending
C/154/2001	Length of service not properly computed.	Not justified
C/158/2001	Length of service not properly computed.	Pending
C/228/2001	Application for transfer of lease of State land not considered.	Pending
C/245/2001	Length of service not properly computed.	Explained
C/256/2001	Complainant's salary not adjusted following report of ad hoc Committee into "alleged anomalies".	Pending
C/258/2001	Application for lease of agricultural land made since about six years. Case not yet finalised.	Pending
C/269/2001	Length of service not properly computed.	Pending
C/271/2001	No reply to application for lease of State land for residential purposes made more than five years ago.	Pending
C/282/2001	Length of service not properly computed.	Pending
C/287/2001	Length of service not properly computed.	Not justified
C/299/2001	Length of service not properly computed.	Pending
C/312/2001	Widow of late public officer avers she receives no pension after death of husband.	Pending
C/317/2001	Length of service not properly computed.	Discontinued

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues — continued</b>		
C/323/2001	Application for State land for residential purposes since more than six years not yet considered.	Rectified
C/324/2001	Length of service not properly computed.	Pending
C/329/2001	Length of service not properly computed.	Pending
C/71/2002	Length of service not properly computed.	Pending
C/80/2002	Length of service not properly computed.	Rectified
C/114/2002	Application for commercial lease made seven years ago. Not yet considered.	Pending
C/163/2002	Request for transfer of ownership of building onto complainants' names not considered after more than four months.	Pending
C/171/2002	Obstruction of road by complainant's neighbour.	Pending
C/178/2002	Plot of State land already leased to complainant now being subject of a lease to a third party.	Discontinued
C/281/2002	Length of service not properly computed.	Pending
C/287/2002	Length of service not properly computed.	Rectified
C/35/2003	Length of service not properly computed.	Pending
C/116/2003	Length of service not properly computed.	Pending
C/117/2003	Land leased to complainant trespassed upon by her son with the complicity of the Cadastral Office.	Pending
C/120/2003	Length of service not properly computed.	Pending
C/122/2003	Length of service not properly computed.	Pending
C/123/2003	Length of service not properly computed.	Rectified
C/131/2003	Allowance not paid since nine years.	Rectified
C/133/2003	Allowance not paid.	Rectified
C/139/2003	Anomaly in lump sum received by complainant on retirement.	Pending
C/141/2003	Length of service not properly computed.	Pending
C/149/2003	Subsidy on diesel not paid.	Rectified
C/157/2003	Application for rehabilitation of house destroyed during cyclone not yet attended to.	Rectified
C/199/2003	Length of service not properly computed.	Pending
C/216/2003	Lump sum not yet paid to heirs of deceased public officer.	Pending
C/268/2003	Application for the adjustment of public holidays still not attended to.	Pending
C/286/2003	Length of service not properly computed.	Pending
C/293/2003	Delay in processing application for building permit.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues</b> — <i>continued</i>		
C/298/2003	Length of service not properly computed.	Pending
C/339/2003	Lease agreements not yet issued to complainant.	Discontinued
C/340/2003	Complainant avers that her civil status documents have not been returned to her by the Administration.	Rectified
C/343/2003	Length of service not properly computed.	Not justified
C/345/2003	Complainant still awaiting reply to application for extension of lease of State land after one year.	Pending
C/356/2003	No reply to request for transfer of land.	Pending
C/383/2003	Acting allowance not paid.	Rectified
C/427/2003	Length of service not properly computed.	Pending
C/435/2003	Benefits not paid to complainant.	Pending
C/458/2003	Length of service not properly computed.	Pending
C/18/2004	Request for information regarding complainant's length of service not attended to.	Explained
C/61/2004	Encroachment on complainant's land by Government.	Discontinued
C/66/2004	Length of service not properly computed.	Explained
C/86/2004	Allowance shortpaid.	Explained
C/88/2004	No benefits paid to retired public officer.	Explained
C/89/2004	Application for pledging of leasehold rights on State land not entertained.	Rectified
C/96/2004	Application for residential lease since three years not yet considered.	Pending
C/119/2004	Complainant not satisfied with the amount of refund from the National Savings Fund.	Not justified
C/130/2004	Application for plot of land for residential purpose made more than six years ago not finalised.	Rectified
C/131/2004	Non-payment of mileage credit to retired Head Teacher.	Rectified
C/138/2004	Salary unpaid since January 2004 i.e. for the last four months.	Discontinued
C/139/2004	No reply to application for lease of State land made in 1998.	Rectified
C/140/2004	Length of service not properly computed.	Explained
C/152/2004	Complainant, a watchman, worked on public holidays but not remunerated.	Not justified
C/163/2004	Complainant not satisfied with retiring benefits paid to him.	Explained
C/172/2004	Length of service not properly computed.	Pending
C/197/2004	Complainant avers that his transfer is arbitrary.	Not justified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues — continued</b>		
C/214/2004	Protectives (raincoats and boots) not provided to complainants who are Youth Centre attendants.	Rectified
C/221/2004	Anomaly in salary.	Explained
C/242/2004	Length of service not properly computed.	Explained
C/255/2004	No reply to application for State land since five years.	Pending
C/256/2004	Claim for pension by surviving spouse of ex-public officer turned down.	Explained
C/281/2004	Allowance stopped for reason unknown.	Rectified
C/350/2004	Overtime not offered to complainant.	Explained
C/356/2004	Allowance denied to complainant.	Not justified
C/361/2004	No allowance paid for performance of higher duties.	Pending
C/5/2005	State land leased to complainant encroached upon by the Administration. Claim for compensation made since more than two years not considered.	Pending
C/13/2005	Benefits due to widow of deceased public officer not paid yet.	Rectified
C/19/2005	Deductions wrongly effected from complainant's salary since more than five years.	Rectified
C/34/2005	Length of service not properly computed.	Pending
C/36/2005	Not recruited for a job despite having registered at the Employment Office since ten years.	Explained
C/45/2005	Requests to have certain posts filled by the Administration. No positive response.	Explained
C/67/2005	Length of service not properly computed.	Explained
C/87/2005	Public holiday allowance not paid to complainants since seven years.	Pending
C/90/2005	No reply to application for import permit since eight months.	Rectified
C/99/2005	Widow of deceased officer has not received any benefits due to her late husband.	Not justified
C/102/2005	No benefits paid to heirs of deceased public officer.	Rectified
C/103/2005	Length of service not properly computed.	Explained
C/127/2005	Length of service not properly computed.	Pending
C/134/2005	Claim for inducement allowance rejected.	Discontinued
C/136/2005	Denied an actingship as Executive Assistant.	Explained
C/142/2005	Application for transfer of lease rejected.	Pending
C/155/2005	Benefits of deceased husband not paid to his widow.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues — continued</b>		
C/160/2005	Complainant feels victimized by his transfer which has led to cessation of payment of allowance previously paid to him, etc.	Explained
C/161/2005	Ad hoc allowance cancelled.	Explained
C/162/2005	No reply to application for renewal of lease of State land (agricultural) since more than a year.	Pending
C/163/2005	Group of drivers not receiving incremental credit since two years.	Not justified
C/164/2005	Labourer called upon to perform duties as nurseryman on several occasions but never appointed to that post.	Explained
C/165/2005	Length of service not properly computed.	Pending
C/166/2005	Complainants have been working as acting electricians on shift since seven years. No promotion yet.	Explained
C/167/2005	Application for State land not yet considered after seven years.	Explained
C/168/2005	No benefits paid to heirs of deceased public officer.	Discontinued
C/169/2005	Anomaly regarding allowance.	Rectified
C/170/2005	Complainants made to perform duties outside their Scheme of Service.	Explained
C/173/2005	Necessary formalities for complainant's retirement from the service completed more than six months ago. No progress made regarding his file.	Pending
C/177/2005	Arrears of allowance not paid to complainant.	Pending
C/178/2005	Passage benefits short paid.	Explained
C/180/2005	No reply to application for mileage allowance made since a year.	Pending
C/186/2005	Complainant made to perform certain duties not in his Schedule.	Rectified
C/187/2005	Complainant avers that his reversion to his substantive post is wrong.	Explained
C/191/2005	Acting allowance not paid to complainant since ten years.	Pending
C/209/2005	Lump sum short paid to widow of deceased public officer.	Not justified
C/210/2005	Application for loan to purchase motorcycle turned down.	Explained
C/216/2005	Sum of money allegedly due to complainant not credited to his account.	Pending
C/227/2005	Length of service not properly computed.	Discontinued
C/237/2005	Pension not paid to complainant for the last two months.	Pending

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Rodrigues — continued</b>		
C/244/2005	Fireman demotivated on account of conditions under which he works.	Explained
C/258/2005	Unemployment hardship pension denied to complainant.	Pending
C/268/2005	Length of service not properly computed.	Explained
C/287/2005	Application for mileage allowance not considered.	Explained
C/293/2005	Anomaly in salary.	Pending
C/294/2005	No reply to application for plot of State land for residential purposes.	Pending
C/301/2005	Length of service not properly computed.	Explained
C/313/2005	Length of service not properly computed.	Explained
C/315/2005	Ad hoc allowance not paid to complainant for last 16 years.	Pending
C/316/2005	Ambulance drivers treated differently from their counterparts in Mauritius.	Pending
C/317/2005	Retiring benefits of complainant wrongly calculated.	Pending
C/318/2005	Application for trade licence wrongly rejected.	Pending
C/319/2005	Anomaly in ranking on seniority list.	Pending
C/320/2005	Complainants not paid night duty allowance.	Pending
<b>Shipping, Rodrigues and Outer Islands</b>		
C/360/2004	Wrong refusal by Ministry to issue seaworthiness certificate.	Not justified
<b>Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions</b>		
C/265/2004	Widow's pension stopped.	Explained
C/280/2004	Complainant claims having suffered financial prejudice through the fault and negligence of officers of the Ministry.	Not justified
C/294/2004	Examination fees not refunded and school pass not delivered.	Discontinued
C/299/2004	Request by prisoner for social aid for his wife and family refused.	Explained
C/313/2004	Complainant does not agree with the duties he is again called upon to perform whereas other officers have not performed such duties.	Explained
C/339/2004	Complainant not getting social aid to provide for her two children whose father has abandoned them.	Rectified
C/4/2005	Non-payment of industrial injury compensation etc.	Explained
C/6/2005	Request for social assistance to send her child to school not considered.	Not justified
C/31/2005	Pension not paid to complainant.	Rectified
C/98/2005	No reply to application for hearing aid made since some six months.	Rectified

<i>No.</i>	<i>Subject of Complaint</i>	<i>Result</i>
<b>Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions — <i>continued</i></b>		
C/135/2005	Complainant who has a terminal disease not informed of the outcome of her application for basic invalidity pension.	Rectified
C/139/2005	Basic invalidity pension not paid for last six months and application for carer's allowance not considered.	Rectified
C/145/2005	Complainant who is now detained in prison not paid salary by his ex-employer, allegedly the government.	Not justified
C/147/2005	Retiring benefits of deceased public officer not properly computed.	Explained
C/156/2005	Non-payment of basic retirement pension for more than three years.	Rectified
C/211/2005	Benefits wrongly disallowed.	Rectified
C/230/2005	Basic Invalidity Pension discontinued after five years.	Discontinued
C/236/2005	Invalidity pension awarded to complainant for the last four years now discontinued.	Pending
C/245/2005	Application for invalidity pension rejected.	Partly rectified
C/252/2005	Complainant avers he has been victimized by his transfer from one branch to another.	Rectified
C/271/2005	Non-payment of travelling allowance.	Not justified
C/281/2005	Invalidity pension denied to complainant under 15 years of age.	Pending
C/289/2005	Application for free bus pass still not considered after one month.	Rectified
C/300/2005	No pension paid to complainant's mother for two months. Latter passed away subsequently.	Pending
C/307/2005	Request for social aid turned down.	Pending
<b>Tourism and Leisure</b>		
C/73/2005	Non-renewal of beach hawker's licence	Explained
<b>Training, Skills Development, Productivity and External Communications</b>		
C/143/2005	Application for grant refund wrongly rejected.	Not justified
<b>Women's Rights, Child Development, Family Welfare &amp; Consumer Protection</b>		
C/291/2005	Application for ad hoc allowance rejected.	Pending
C/296/2005	No reply to complaint made at Consumer Protection Unit.	Pending
<b>Youth and Sports</b>		
C/228/2005	No action by authorities concerned to regulate properly the activities of a sport federation.	Rectified



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