



Republic of Mauritius

# **33<sup>rd</sup> Annual Report**

**of the**

# **OMBUDSMAN**

January - December 2006

No. 5 of 2007

**33<sup>rd</sup>**  
**Annual Report**  
of the  
**Ombudsman**

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*January — December 2006*

## OFFICE OF THE OMBUDSMAN

OMB. 13/04 VOL. XXX III

7 June 2007

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 33rd Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2006.

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 2006

## Year under review

This is the 33<sup>rd</sup> Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2006.

## Statistics for 2006

Exceptionally, in view of the extension of the Ombudsman's powers during the middle of the year 2006 as explained below and for practical purposes, the figures below represent the total number of complaints received i.e. against central government, local authorities and the Rodrigues Regional Assembly. However, in future, we shall endeavour to furnish separate statistics.

Cases pending as at 31 December 2005	...	...	...	...	...	...	...	...	200
Case intake in 2006	...	...	...	...	...	...	...	...	311
Cases dealt with in 2006	...	...	...	...	...	...	...	...	511
Cases rectified	...	...	...	...	...	...	...	...	126
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Cases pending as at 31 December 2006	...	...	...	...	...	...	...	...	193

During the year under review therefore we received 311 complaints and have been able to obtain remedial measures in favour of 126 complainants i.e. 40% of cases, a sensibly high percentage.

We have also been able to slightly reduce the number of pending cases from 200 in the preceding year to 193.

The number of copies of complaints addressed to other bodies/institutions amounted to 162 whereas the number of "miscellaneous" cases, i.e. letters addressed to our Office but concerning matters outside our jurisdiction, amounted to 206. From these cases we have selected those deserving our attention and have followed them through until their final determination and whenever the need arose we informed the writers of their outcome.

We also opened 41 files on our own initiative mainly prompted by press articles. The table shows a selection of cases where positive results were obtained following our intervention:

<i>Case No.</i>	<i>Authority seized</i>	<i>Nature of problem</i>	<i>Result/Action taken</i>
C/205/2005	Ministry of Local Government	Huge hole on the road inside which an oil drum has been placed to warn drivers in Grand Bay. Drum itself represents a danger for road users at night.	Repairs effected by Pamplemousses/ Rivi�re du Rempart District Council.
C/2/2006	Ministry of Public Utilities	Three families without tap water for two months due to water – cut programme in Port Louis.	Action taken by Central Water Authority to provide them with adequate supply of water.
C/85/2006	Ministry of Local Government	Road in poor state at Fond du Sac.	Repairs effected by Pamplemousses/ Rivi�re du Rempart District Council.
C/177/2006	Ministry of Environment and National Development Unit	Bareland abutting main road at Tamarin used as dumping ground. Owner abroad.	Following action taken by Black River District Council bareland cleared by owner's relative.
C/180/2006	Ministry of Environment and National Development Unit	Overflow of effluent at Residence Kennedy, Quatre Bornes, gives rise to foul smell.	Faulty valve repaired by Wastewater Management Authority.
C/184/2006	Ministry of Health and Quality of Life	Defective sewer line in housing complex causing overflow of effluents at Vieux Grand Port since six months. Nothing done by authorities concerned. Fear of Chikungunya among inhabitants.	Sanitary notice served on owner by Mahebourg Health Office following which repairs were carried out and nuisance abated. Larviciding operation carried out in locality to fight spread of chikungunya.



<i>Case No.</i>	<i>Authority seized</i>	<i>Nature of problem</i>	<i>Result/Action taken</i>
C/199/2006	Ministry of Health and Quality of Life	Odour nuisance caused by poultry pen at Pointe aux Sables	Improvement and Sanitary notices served on licensee by Bambous Health Office. Notices complied with. Premises cleared and no more foul smell.
C/213/2006	Ministry of Public Infrastructure, Land Transport and Shipping	Landslide represents a serious danger to road users at Rivière des Anguilles	Matter reported to Road Development Authority. Guardrails installed in a very short time so as to prevent falling materials coming near road edge.
LA/C/20/2006	Pamplemousses/Rivière du Rempart District Council	Waste land at Trou aux Biches used as dumping site for abandoned car skeletons since two years.	Within six weeks offender identified and contravened by Pamplemousses/Rivière du Rempart District Council. Site cleared.

Twenty-one such cases are still pending.

### **Enlargement of the Ombudsman's powers**

In my Report for the year 1999 I invited the authorities concerned to consider extending the jurisdiction of the Ombudsman so as to enable him to investigate into complaints against local authorities (see 26<sup>th</sup> Annual Report of the Ombudsman – no. 10 of 2000 at page 2).

In my Report for the year 2003 I reported that the Constitution had indeed been amended by the National Assembly to that effect and that the same opportunity was taken to also cover the Rodrigues Regional Assembly (see 30<sup>th</sup> Annual Report of the Ombudsman – no. 15 of 2004 at page 3).

In my Report for the year 2005 I explained that the extended powers of the Ombudsman had become effective on 24 April 2006 by virtue of Proclamation No. 5 of 2006. (See 32<sup>nd</sup> Annual Report of the Ombudsman – no. 12 of 2006 at page 6).

The year 2006 has therefore been a landmark one as both the central and local administrations as well as the semi-autonomous Island of Rodrigues are now under the scope of operation of the Ombudsman with effect from 24 April 2006.

It would therefore be apt at this juncture to remind all officers, be they public, local government or at the level of the Rodrigues Regional Assembly that a complaint made by a citizen is not a privilege which is granted to him but the exercise of his legitimate right. Our democratic system is constantly evolving and good administration is considered as a human right. A decision perceived as unfair or unreasonable by an individual citizen may prove to be a sound one but the inquiry process is not totally useless as it helps to better understand both the complaint and the decision taken.



Similarly the Ombudsman must not consider that such a complaint is an additional burden. On the contrary it is his very "raison d'être". The Ombudsman must be ever attentive to complaints and, where such complaints are founded, try and help bring about their resolution.

The Ombudsman's mission is to oversee administrative action with a view to upholding democratic principles of transparency and accountability.

And his commitment is to ensure fairness and justice.

I therefore hope that my annual reports stimulate some deep reflection on the part of those whose actions are scrutinized by me and, where necessary, bring about changes and improvements in administrative practices.

### **Training of staff**

During the year under review the following officers have followed various courses/training programmes as mentioned hereunder in order to enhance their knowledge and skills with a view to providing an efficient, quality and timely service to our citizens.

	<i>Name</i>	<i>Course/Programme</i>	<i>Period</i>
1.	ZEADALLY, Mr. Mohammad Ali Secretary – Ombudsman's Office	Study Programme on "When Citizens Complain: The Role of the Ombudsman in Improving Public Services", organised by Public Administration International, London, U.K.	08 to 19 May 2006, London, U.K.
2.	RAMHOTA, Mr. Chetanand Office Supervisor	(a) Training on Leadership and Supervision (b) 2 ½ days Training Programme for Officers of Registry	30 to 31 August 2006 18 to 20 October 2006
3.	GUNNOO, Mr. Isnoo Executive Officer	(a) Training on Leadership and Supervision (b) Executive Officer Award Course	16 to 17 August 2006 11 September to 22 December 2006
4.	HOOLASH, Mrs. Beejma Devi Clerical Officer/Higher Clerical Officer	2½ days Training Programme for Officers of Registry	13 to 15 September 2006
5.	JUGROOP, Mrs. Nirmala Clerical Officer/Higher Clerical Officer	2½ days Training Programme for Officers of Registry	27 to 29 September 2006
6.	BHEEKUN, Ms. Zarina Bibi Clerical Officer/Higher Clerical Officer	2½ days Training Programme for Officers of Registry	03 to 05 October 2006
7.	AUNACHEE, Mr. Hurryduth Office Attendant	Universal ICT Education Programme – (UIEP)	8 Weeks in 2006

## **Rodrigues**

We were able to repair to Rodrigues only once in the year 2006 (11 to 14 July).

Sixty-eight persons appeared before us, either for the first time or after being summoned by us in connection with complaints they lodged before us or still others who merely came to inquire about progress in their complaints already taken on board by our Office.

We also enlisted the presence and assistance of Departmental Heads of various Commissions whose actions/decisions were subject of our scrutiny in the course of investigations carried out by us.

Seven new files were opened on that occasion but at the end of the year we had registered altogether 25 written complaints.

## **Acknowledgements**

First and foremost I would like to express my thanks to those persons who have placed their trust and confidence in our institution by resorting to our services when faced with a faceless bureaucracy whose decisions they do not always understand. As indicated above, the rate of "success" for 2006 was as high as 40%, which is an indication of the number of times various administrations can "go wrong", most of the time unwittingly though.

In the same breath I wish to thank those administrations who had no hesitation to extend their cooperation during my investigations although I had to exert some pressure on some of them to obtain prompt and appropriate replies.

My thanks also go to my colleagues throughout the world for their Annual Reports which are mines of information about their respective jurisdiction, the manner in which they function and the results achieved.

Next are (i) the International Ombudsman Institute, the world body of Ombudsman, for its regular newsletters and other materials such as its annual Directory, the latest of which discloses that there are close to 130 Ombudsman Offices worldwide. (ii) the "Association des Ombudsmans et Médiateurs de la Francophonie" and (iii) the African Ombudsman Association. Mauritius is a member of all three bodies and an executive member of the last-mentioned one.

Last but not least, my staff for helping me through and through in maintaining a high standard of professionalism whilst at the same time remaining faithful to their oath of office.

## **Appendices**

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

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

Appendix C contains summaries of a number of selected complaints against an array of government departments/ministries, local authorities and the Rodrigues Regional Assembly.

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

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

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.

7 June 2007

(S.M. HATTEEA)

*Ombudsman*

## CHAPTER IX - THE OMBUDSMAN

### 96. Office of Ombudsman

(1) There shall be an Ombudsman, whose office shall be a public office.

(2) The Ombudsman shall be appointed by the President, acting after consultation with the Prime Minister, the Leader of the Opposition and such other persons, if any, as appear to the President, acting in his own deliberate judgment, to be leaders of parties in the Assembly.

(3) No person shall be qualified for appointment as Ombudsman if he is a member of, or a candidate for election to, the Assembly or any local authority or is a local government officer, and no person holding the office of Ombudsman shall perform the functions of any other public office.

(4) The offices of the staff of the Ombudsman shall be public offices and shall consist of that of a Senior Investigations Officer and such other offices as may be prescribed by the President, acting after consultation with the Prime Minister.

### 97. Investigations by Ombudsman

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

- (a) a complaint under this section is made;
- (b) he is invited to do so by any Minister or other member of the Assembly; or
- (c) he considers it desirable to do so of his own motion.

(2) This section applies to the following officers and authorities -

- (a) any department of the Government;
- (b) the Police Force or any member thereof;
- (c) the Mauritius Prison Service or any other service maintained and controlled by the government or any officer or authority of any such service;
- (d) any authority empowered to determine the person with whom any contract or class of contracts is to be entered into by or on behalf of the Government or any such officer or authority;
- (e) the Rodrigues Regional Assembly or any officer of the said Assembly;
- (f) any local authority or any officer of such local authority;
- (g) such other officers or authorities as may be prescribed by Parliament.

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

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

(3) A complaint under this section may be made by an individual, or by 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 a n y 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

## EDUCATION AND SCIENTIFIC RESEARCH

C/171/2005

## Salaries of 534 Deputy Head Teachers adjusted

Mrs. G.I., a primary school teacher, was promoted as Deputy Head Teacher in March 2002. As at May 2005 her basic monthly salary was Rs 16500 but certain colleagues who had joined the service after her and who were promoted as Deputy Head Teacher after her were drawing a basic salary of Rs 17600. She was not happy with this situation and considered it to be humiliating vis-à-vis her junior colleagues who were performing exactly the same duties. In short she was demotivated. She therefore requested my intervention to find a solution to her problem.

The first step taken by the Ministry following my intervention was to write to her requesting her to give the names of those Deputy Head Teachers who, according to her, were earning a higher salary.

I may here pause to say that not less than eight other Deputy Head Teachers who were exactly in the same situation as Mrs. G.I. wrote to me about the same problem and solicited my help.

A survey was therefore carried out by the Ministry throughout the four Education Zones to assess the magnitude of this real problem. An anomalous situation came to light, whereby following the implementation of PRB Report 2003 as from 1 July 2003, Deputy Head Teachers who were promoted prior to that date were drawing lower salaries than their colleagues who were promoted after that date.

A High Powered Committee was thus set up by the Ministry of Civil Service & Administrative Reforms to look into the whole issue. This exercise proved to be a tedious and time-consuming one as the salaries of officers were being paid by their respective Education Zones.

Finally, in March 2006, I was informed that the High Powered Committee had approved an adjustment of the salaries of all officers who were in the same situation as Mrs. G.I.

Unfortunately, by the end of June 2006, no adjustment had been made and I received another complaint from Mrs. G.I.

Further inquiry revealed that the adjustment concerned payment of salary arrears of 534 Deputy Head Teachers and that the total expenditure amounted to approximately Rs. 16.5 million. The matter had thus to be referred to the Ministry of Finance for financial clearance.

Later, in September 2006, financial clearance was obtained and the adjustment of the salaries of all Deputy Head Teachers concerned was being effected along with their salaries of October 2006.

Mrs. G.I. confirmed that the adjustment had been effected to her salary and added "I must therefore thank you very much for your help and support and I will not hesitate to seek your help whenever the need arises". So did some of the other complainants.

It is interesting to note that our inquiry led to the adjustment of the salaries of hundreds of other Deputy Head Teachers.

## EDUCATION AND HUMAN RESOURCES

C/217/2005

### **Tuition fees to the tune of Rs 78,614.70 refunded to beneficiary of scholarship**

This lady complainant, Miss T. was the beneficiary of a four-year scholarship from the Government of Mauritius in 1999. She started her courses in July 1999 and was due to complete her studies in June 2003.

Her problem started when the Ministry of Education and Human Resources refused to pay her fees for the last semester, arguing that it had already paid for same. Having no choice at that time Miss T. had the fees paid by her parents.

After completing her studies she tried to obtain a refund from the Ministry but in vain. She claimed that the Ministry gave three different versions on three different occasions. First, that the fees had already been paid, then that all the fees arising from her scholarship had already been used up and lastly that she was not studying during that last semester.

According to Miss T. the Ministry sent her an account of the expenditure incurred by the Ministry which showed that the fees for eight semesters had been disbursed, whilst according to her university in Australia, fees for only seven semesters had been paid.

Miss T. further informed me that she completed her degree course (Bachelor of Science/Bachelor of Arts) in three and a half years instead of four and did an Honours thesis for her Arts course in a period of one year immediately following her degree course. Half of that year (2003) was during the period covered by the scholarship and the fees for the other half were going to be paid by her parents. She argued that she did not take an additional or postgraduate degree which, according to her, meant that she was still eligible for her scholarship during the first half of that year (2003).

The gist of the Ministry's version was that -

- (i) Miss T. benefitted from a scholarship under the Additional Laureate Scheme 1999 and she obtained a seat at a university in Australia for a four-year course leading to a Bachelor of Science (Bachelor of Arts). She started her course on 19 July 1999 and the Ministry has paid for her studies from July 1999 to June 2003;
- (ii) Miss T. enrolled herself for a second programme i.e. Bachelor of Arts (Honours) as from July 2003 to December 2003. However she did not seek the Ministry's authorisation for such enrolment, as stipulated in the undertaking signed by her;
- (iii) a detailed statement of payment, semester-wise, submitted by the university at the request of the Ministry, showed payment of tuition fees from 1999 to 2002, the award having been conferred on Miss T. on 20 December 2002;
- (iv) Miss T. attended another programme (Bachelor of Arts (Honours)) which started on 1 July 2003 for which the award was conferred on 17 December 2003. The university confirmed that the two programmes were different;
- (v) the Ministry had thus paid all the tuition fees pertaining to the first programme of studies i.e. Bachelor of Science/Bachelor of Arts which ended in December 2002 and that payment for the additional programme in 2003 was not warranted and therefore the tuition fees for Semester I in 2003 were to be paid by Miss T. herself.

In the light of the above the Ministry refused to pay any fees for the additional programme leading to a second degree.

A close perusal of the Ministry's explanations revealed a major contradiction: whilst averring that it had paid for the studies of Miss T. from July 1999 to June 2003, the Ministry, in the same breath, avers that, as Miss T. had completed her initial course in 2002, it was not up to the Ministry to pay her fees in 2003. I therefore invited the Ministry to clarify its stand.

The Ministry thus came up with the following reply:-

*"I wish to inform you that tuition fees for Semester I (February – June 2003) for the BA (Hons) Course followed by Ms T. have not been paid by this Ministry. Ms T. was requested to produce a copy of her degrees and has submitted same.*

*As a beneficiary of a scholarship under the Additional Laureate Scheme, 1999, Ms T. was entitled to an amount limited by a yearly ceiling of Rs 500,000 which covers living expenses and tuition fees. That amount was revised to Rs. 590,000 in 2003. Under that scheme scholarships are awarded for a maximum period of four years depending on the duration of the course. Ms T. who started her studies in July 1999 completed her Bachelor of Science/ Bachelor of Arts Program in December 2002. She continued her studies in A/Y 2003 to obtain a Bachelor of Arts (Hons).*

*Owing to the complexity of the issue, the views of the Tertiary Education Commission (TEC) were sought, as to whether the two courses viz Bachelor of Science/ Bachelor of Arts Program and Bachelor of Arts (Honours) Program, are components of one degree only.*

*TEC has informed us that in the Australian education system, a honours programme normally lasts for four years. Moreover, the BA (Hons) and the Bsc/BA Programme are components of only one programme of study, with possibilities for different awards based on the exit points. It is thus possible for two degrees to be conferred for the same programme".*

Finally, in the light of the views of the Tertiary Education Commission the Ministry informed me that it was making necessary arrangements for a refund of Rs 78,614.70 to Miss T, representing the difference between the yearly entitlement of Rs 590000 and the sum already disbursed for the fourth year of studies i.e. Rs 511,385.30. The Ministry further added that Miss T. had been paid a living allowance for the period July 2002-June 2003 from her yearly entitlement.

Miss T. confirmed having received the sum of Rs 78,614.70 and expressed her "heartfelt gratitude for your assistance in this matter". In the same letter she requested me to intervene in order to obtain further details about tuition fees allegedly paid by the Ministry between January and June 2001. I invited her to address her query to the Ministry directly and informed her she could revert to me in case she did not obtain satisfaction. She never came back to me again.

**One additional increment granted to complainant in December 2005 with effect from July 2003**

According to Mrs. P., a Primary School Teacher, she had applied since three years for incremental credit on the strength of her Bachelor of Arts degree awarded by the University of South Africa but one year later, when she queried the Ministry of Education and Human Resources about her application, she was informed that there was no such application.

She applied again in June 2005 but three months later, when she again queried the Ministry, she was told that she would have to wait at least two years before any decision is taken.

Therefore, in September 2005, she enlisted my help to inquire into her case as she started feeling depressed.

In October 2005 the Ministry, following my request for information, informed me that the application was still under consideration inasmuch as additional information was required to process the application.

Then in November 2005 the Ministry informed me that a recommendation had been made to the Ministry of Civil Service and Administrative Reforms for the grant to Mrs. P. of one additional increment with effect from 1 July 2003. The Ministry undertook to inform her as soon as a reply was received from the Ministry of Civil Service and Administrative Reforms.

Indeed by letter dated 26 December 2005 the Ministry of Education and Human Resources informed Mrs. P. that her application had been approved and that her salary would be adjusted accordingly.

By the end of January 2006 Mrs. P. confirmed the adjustment and added " I thank you very much for your prompt intervention without which the matter will not have been dealt with so rapidly".

**Complainant's salary finally paid**

A.R. resigned as Education Officer on 17 August 2004 to take up employment abroad. He had however worked for a very short period in a State Secondary School – 19 July to 16 August 2004. All the same he was not paid his salary and hence his letter to me dated 10 September 2005, after he had himself waited for nearly a year before writing to the Ministry.

A.R.'s mother also wrote to me on 26 September 2005 about her son's unpaid salary. She claimed having herself written to the Ministry on 30 March 2005 and repaired there on several occasions but no action was taken.

I took up the matter with the Ministry on 19 September 2005 and four days later action was initiated by the Ministry to effect payment of A.R.'s salary and travelling, to the tune of Rs 13,945.68. The Ministry explained that his file had been misplaced.

A.R. confirmed having checked his bank account which had been credited with the said amount.



C/326/2005

### **Complainant remunerated for extra work**

J.M., Head Teacher/Senior Head Teacher, was called upon to do extra work in connection with the admission exercise for C.P.E. students to secondary schools for the year 2005. He did so on four Saturdays during the period September to December 2004. He was however not remunerated accordingly and decided to submit a written claim. Although he did so in November 2005 he received no reply, let alone his remuneration. He therefore sought my intervention at the end of December 2005.

The Ministry's version was that payment could not be effected because the original claim was untraceable. It however agreed to act on the basis of the duly-certified duplicate and to effect the necessary payment in February 2006.

Indeed on the last day of February 2006 J.M. informed me that payment had been effected and added "I heartily thank you for your kind intervention without which I wonder how justice could have been done to me after such a long time".

C/16/2006

### **Girls finally admitted to school**

M.'s daughters, aged 14 and 15, were frequenting X Secondary School until the end of December 2005. As at 17 January 2006 and for reason unknown, the girls were deprived of their examination results and transfer certificates which they needed in order to pursue their studies in another school of their choice.

M. had alerted the relevant authorities about their situation inasmuch as classes had already resumed in every school but the girls were "still sitting at home and awaiting for the help of the authorities concerned to have their results and transfer certificate". This situation started to affect the girls morally and M. feared that, unless immediate action was taken, his daughters might not find seats in another secondary school and would waste their time at home.

According to M. no action had been taken by the said authorities as at the time he wrote to me to seek help.

The matter was immediately raised with the Senior Chief Executive of the Ministry of Education and Human Resources and three days later I was informed that the matter had been settled and the girls admitted to another secondary school, nearer their place of residence.

Asked whether he was satisfied M. made no reply.

C/33/2006

### **Consideration given to complainant's request for transfer on medical grounds after three years**

V.D., a Senior Laboratory Attendant, informed me that, as he had been suffering from high blood pressure and gout and recently had a mild stroke, he had made a request for his transfer from the school where he was working, which was some 40 kilometres from his place of residence, to a nearer school but his voice had not been heard. His first letter to the Ministry was sent three years before.

I therefore decided to listen to him by inquiring into the reason why his request had not been attended to.

The Ministry's version was that so far it had not been possible to entertain V.D.'s request on account of a difficult staffing situation in the grade of Senior Laboratory Attendant but promised to consider the request at the earliest convenient opportunity.

Fortunately, three months later, following the departure on pre-retirement leave of one Senior Laboratory Attendant in the appropriate Education Zone it became possible to accede to V.D.'s request for transfer and this was accordingly done.

V.D. expressed his deepest satisfaction for our help in making him obtain such a transfer.

*C/37/2006*

### **Service with Ministry certified soon after Ombudsman's intervention**

In February 2006 N.B. wrote to me as he averred that he was having a problem with the Ministry of Education and Human Resources.

He had served as Education Officer from September 1972 to October 1977 and, without any break in his service, joined the Private Secondary Schools Authority (P.S.S.A.) as Inspector at the beginning of November 1977. He eventually retired as Principal Inspector at the P.S.S.A. on 6 January 2006 upon reaching the age of 60.

His problem with the Ministry was that, whereas the P.S.S.A. had duly submitted his record of service to the State Insurance Corporation of Mauritius (S.I.C.O.M.) and he had already received from the latter his lump sum and pension due from the P.S.S.A., the S.I.C.O.M. had withheld his similar benefits for service with the Ministry as the latter had failed to submit his record of service with that Ministry.

N.B. therefore requested my intervention as he averred he could not "go on being penalised".

Within a week of my taking up the issue with the Ministry, the latter had informed the Accountant General about N.B.'s length of service at the Ministry in his capacity as Education Officer.

Some time later N.B. informed us that the matter had been settled to his satisfaction.

*C/143/2006*

### **Complainant, an Education Officer, deemed eligible to cross the Qualification Bar**

In 1985, after five years' studies in Moscow at the State Central Order of Lenin Institute of Physical Culture, J.C.S. was awarded a MSc. (Hons) degree.

At the time he wrote to me (30.06.2006) he was working in a Private Secondary School as Education Officer "not qualified to cross the Qualification Bar". When he learned from the above Institute that he had in fact passed two academic degrees i.e. Bachelor in Science and Master in Science, he wrote to the Private Secondary Schools Authority (P.S.S.A.) so that his status be upgraded to Education Officer "qualified to cross the Qualification Bar". The P.S.S.A. referred the matter to the Tertiary Education Commission (T.E.C.) which held that the degree held by J.C.S. was not equivalent to two distinct academic, BSc and MSc simultaneously but however the BSc formed an integral part of the MSc. As this was ambiguous J.C.S. wrote to the T.E.C. directly but the latter, whilst maintaining its initial decision, requested him to produce

new elements in order to be able to look again into the matter. According to J.C.S. he produced a letter from the Russian Embassy in Mauritius certifying that he had “reçu le titre de bachelier, ainsi que le grade de maitre des sciences”. The T.E.C. did not budge and therefore J.C.S. had recourse to me so that he may receive the salary of an Education Officer “qualified to cross the Qualification Bar”.

I raised the matter with the Ministry of Education and Human Resources because although the T.E.C. was a body responsible for recognition and equivalence of post-secondary educational qualifications, it was not within its mandate to pronounce itself on whether J.C.S. was eligible to cross the Qualification Bar. It was for the Ministry to do so.

After further consideration the Ministry agreed that the Master's degree held by J.C.S. was higher than the prescribed qualification for the post of Education Officer and as such he was eligible to cross the Qualification Bar. The Ministry undertook to apprise the P.S.S.A. of its decision and requested it to act accordingly.

J.C.S. thanked us as follows “I would like to thank you sincerely for your prompt intervention at the Ministry of Education and Human Resources concerning my Master's degree. Your adjudication has been of precious help to me. I hope that the P.S.S.A. will respond accordingly”, meaning that he would now be paid a higher salary.

## **FOREIGN AFFAIRS, INTERNATIONAL TRADE AND COOPERATION**

*C/254/2005*

### **Clause in tender invitation amended**

The gist of the complaint made in September 2005 by a removal company (hereinafter referred to as the company) was to the effect that the Ministry had launched a tender for the transportation of personal and household effects which included a paragraph which was deemed “illegal” by the said company and which according to its Managing Director was done only to prevent the company from tendering in view of “certain political aspect”.

Indeed the Ministry had invited quotations for the transportation of personal effects of officers who would be posted to our missions abroad (20 countries). One of the conditions was that “only those duly registered or licensed as clearing and forwarding agent with authorities will be entitled to quote .....”.

In a letter addressed to the Secretary for Foreign Affairs the company argued that this was a “demolishing clause” which excluded it from quoting. According to the company the role of a clearing and forwarding agent as defined in the Customs Act appeared to lack the particular know-how and professionalism of a removal agent, inasmuch as the latter is also involved in the packing of personal and household effects, which was not the type of activities of a clearing and forwarding agent.

The company informed me that in spite of several requests made to the Ministry for an amendment to the “offending” clause, no reply was received. It therefore sought my intervention in the matter.

I queried the Ministry about this aspect of the tender and, after receiving legal advice in the matter, the Ministry informed me that it was having a fresh look at its policy and that the new tender would incorporate changes, if any.

Three months later the Ministry informed me that it intended to invite firms which might potentially provide services of transportation of personal and household effects.

In January 2006 the Ministry invited open bids through a press release and tenders were invited from registered clearing and forwarding agents as well as registered firms which could provide the services of transportation of personal effects.

The complainant-company was among those who submitted bids in response to the January 2006 invitation but, for reasons which we need not go into, its bid was not accepted.

The company was therefore successful in its attempt to have the "offending" clause amended through our intervention and was thus able to at least compete with other tenderers.

## **GRAND PORT – SAVANNE DISTRICT COUNCIL**

*LA/C/14/2006*

### **Let there be light!**

B., an inhabitant of Chemin Grenier, was quite concerned about the fact that he had addressed two letters to the Grand Port-Savanne District Council complaining about the absence of lighting in his locality but had received no reply nor was any action taken.

Indeed, B. favoured me with a copy of one of his letters which was dated 11 February 2006 whereas his letter addressed to me was dated 13 September 2006. Therefore, according to B., nothing had been done by the said Council during that period of time to attend to his complaint.

The official version of the Chief Executive of the Council was to the effect that the lamp was out of order and that a survey of all such lamps to be replaced throughout the District was underway and new lamps had been ordered. He further submitted a long list of localities within the District where lamps had to be replaced. The Chief Executive denied that B.'s request had been ignored and assured me that all complaints received by the Council are looked into by the relevant department and appropriate action taken, subject to its financial capacity. I wish to say that I found no reason to question the truth of that version.

All the same one month later the Chief Executive informed me that the lamp in B.'s locality had been replaced. However, yet another month later, B. informed me that the lamp had not been connected but admitted that this time he could not blame the Council. I was thus driven to writing to the Central Electricity Board for the connection.

A few days later B. phoned our Office to inform that at long last there was light in his locality and that he was very happy with action taken by our Office

## **HEALTH AND QUALITY OF LIFE**

*C/306/2005*

### **Health nuisance abated**

A letter dated 1 December 2005 addressed by Mr. S.B. to the Senior Chief Executive, Ministry of Health and Quality of Life, was copied, inter alia, to me.

It concerned a case of pollution by waste water evacuated by S.B.'s neighbour, a restaurant, which seeped through the boundary wall onto S.B.'s property and posed a serious health hazard for S.B. and other neighbours.

In that letter S.B. averred that he had already reported the matter to the Health Services of his locality but notwithstanding site visits effected by their officers no action was taken. He insisted that urgent remedial action be taken as the situation was getting particularly unbearable.

I called for the Ministry's version and I was told that site visits effected in April and May 2005 revealed that the complaint of S.B. was justified. Following a Sanitary Notice served on the author of the nuisance the said nuisance in respect of S.B. was abated. However, waste water was observed on the premises of another neighbour and that was confirmed on 24 November 2005.

On 15 December 2005 another Sanitary Notice was served on the same author of the nuisance requesting him to cause the foundation walls of his pit to be repaired and rendered leak-proof within a delay of 10 days. On 26 December 2005 the author of the nuisance requested another delay of one month to complete the required works, which was granted to him. A check effected on 7 February 2006 revealed that waste water was still seeping from the pit of the restaurant. A contravention was therefore established against the owner. This had a salutary effect as a subsequent visit effected on 24 February 2006 revealed that action was taken by the owner of the restaurant. Follow up visits in March 2006 confirmed that the nuisance had been completely abated.

C/19/2006

#### **Payment for goods sold and delivered effected upon Ombudsman's intervention**

The complainant-company had been awarded a contract on 3 June 2005 by the Ministry of Health and Quality of Life for the supply of 4000 T-shirts of different sizes for the amount of Rs 264,000.00. In order to honour its contract the company worked the whole day and night and delivery was effected on the next day i.e. 4 June 2005.

A letter requesting payment attached to the Delivery Note and the invoice for payment were dispatched to the Ministry on 9 and 16 June 2005 respectively. By October 2005 no payment had yet been effected. Several phone calls to the relevant Officers of the Ministry produced no positive result. On 23 January 2006 the Managing Director of the company personally called on the responsible Desk Officer but the latter was unable to say when payment would be effected.

In the circumstances the company wrote to me on 24 January 2006 with documents in support for my intervention.

I sought the Ministry's explanation on 26 January 2006 and in spite of several reminders from my Office no reply was received. I, therefore, by letter dated 30 May 2006, summoned the Senior Chief Executive of the Ministry to appear before me on 6 June 2006 to furnish her explanation, unless a reply was made before that date.

Following that letter I received a fax dated 5 June 2006 from the Senior Chief Executive to the effect that the Ministry was making appropriate arrangements to settle the company's claim. Ten days later the Senior Chief Executive informed me that payment of the sum of Rs 264,000.00 had been effected.

This case invites a couple of remarks. First, in the absence of any reason given by the Ministry for the long-delayed payment I can only conclude that there was gross maladministration on its part. Second, I was gratified with the usual "We apologise for the delay in submitting the reply" which we now know came only after I had expressed my intention of summoning the Senior Chief Executive for explanation. I therefore invite all Supervising Officers to see to it that queries from my Office are dealt with promptly and to give reasons when it is not possible to do so.

C/157/2006

### **Agreement reached on transportation of luggage by foreign doctor going back to her country**

Dr. (Mrs.) K.E. S., an Indian doctor, was employed on contract by the Government of Mauritius and appointed as Medical and Health Officer near the end of the year 2001.

One of the conditions of her appointment was that on expiry of her final contract she would be entitled to an allowance to cover the cost of a maximum of 4.5 cubic metres for the transportation of her personal luggage by sea. That privilege was also confirmed by a letter dated 6 June 2006 addressed to her by the Ministry of Health and Quality of Life.

In a letter dated 22 July 2006 addressed to the Senior Chief Executive of the Ministry of Health and Quality of Life and copied to me she complained that when she produced the quotation from the Cargo Agency for the transportation of her personal luggage to India to the Personnel Section of the hospital where she was working, she was told by the Personnel Officer that she was not eligible for the transportation costs.

This caused her great mental stress, the more so as she had to go back to India soon to have her children admitted to school.

On the very day I received the copy of that letter I invited the Senior Chief Executive of the said Ministry to look into the matter immediately. In the meantime the complainant wrote to us directly asking for help as she was desperate. Four days later, as I had not yet received the Ministry's reply, I spoke to the Senior Chief Executive on the phone in view of the urgency of the situation – complainant was scheduled to leave Mauritius in a week's time – and she informed me that she will have a meeting with the complainant in order to settle the matter.

Indeed three days later the meeting took place and the complainant was allowed, at her own request, 75 kg excess luggage by air in lieu of 4.5 cubic metres by ship.

Dr. (Mrs.) K.E.S. left for India and I did not hear from her again. Her case stands as rectified.

## **HOUSING AND LANDS**

C/28/2005

### **Access to the seaside cleared for the benefit of nearby inhabitants**

Certain inhabitants of Surinam were facing a lot of difficulties to access the seaside as the construction of the road leading to the seaside had been left uncompleted and the incomplete part had been squatted upon by some nearby inhabitants. That was the gist of their complaint.

Indeed a survey of the site by officials of the Ministry of Housing and Lands at my request disclosed that one Mr. H. had planted banana trees over that part of State land and had even erected a concrete wall thereon. A Notice to Squatter was served upon Mr. H. formally requesting him to remove the banana trees and pull down the concrete wall within a delay of 15 days.

Soon after the expiry of the delay, a further visit was effected and it was noticed that only part of the banana plantation had been removed whereas the wall was still there. Mr. H.'s son informed the officials of the Ministry that the remaining banana trees as well as the wall would be removed as soon as the bananas would have been harvested.

A few months later it was found that all the banana trees had been removed but not the wall. A final delay of seven days was granted to Mr. H. to demolish the wall but as he failed to do so the wall was demolished and the debris carted away by the Development Works Corporation with the assistance of the Police. Some other minor structures and coconut trees obstructing the access road to the sea were also removed. Mr. H. offered no resistance.

## **POLICE**

*C/121/2005*

### **Retiring benefits of police officer revised**

This is the case of a retired Police Constable who claims that his length of service as Special Police Constable had not been reckoned for the computation of his retiring benefits.

His averment is that he joined as Special Constable in March 1964 and attended all the training courses and afterwards performed the normal duties of a Police Constable until he retired from the Police Force in November 2001. Upon retirement he was paid retiring benefits which according to the Accountant General were calculated on the basis of a certificate submitted by the Police Department to the effect that the complainant reckoned continuous service from April 1968.

I invited the Accountant General to reconsider the matter in the light of the complainant's letter of complaint, following which the Accountant General sought further information from the Commissioner of Police regarding the services of the complainant. Indeed, in the course of the inquiry the Commissioner of Police informed me that further searches had been effected and fresh information forwarded to the Accountant General for a revision of the complainant's retiring benefits.

Some time later the Accountant General informed me that the balance of complainant's revised pension gratuity had been credited to the bank account of the complainant who expressed his entire satisfaction with action taken by our Office.

*C/57/2006*

### **Money secured from complainant returned to him**

In the month of January 2002 S.B. was arrested by the Police and a sum of Rs 17000 found on his person secured. S.B. averred that the money had nothing to do with the case against him.

Once he was released on bail he contacted the officer in charge of the Police Station where he was locked up to recuperate his money but he was told to wait for the disposal of the case against him. That was in October/November 2003.

S.B. was sent to jail on 16 February 2006 and once there he again, through the Welfare Officer, tried to recuperate his money which had not been forfeited, although, according to the version of the Police, it was produced as exhibit. He was told that he had to write an official letter to the Commissioner of Police who would consider whether the money should be returned to him or not. He however chose to write to me instead.

I took up the matter with the Commissioner of Police on 3 March 2006 and six days later the money secured from S.B. was returned to him in prison.



C/185/2006

**Reply forwarded to former judge of Supreme Court upon  
Ombudsman's intervention**

A former judge of the Supreme Court had written to the Commissioner of Police, with copy to the Police Superintendent of Curepipe, to know the fate of his client's complaint in connection with a road accident case in Curepipe in which the client was the victim.

As he obtained no reply to his letter nor any acknowledgement of receipt after a lapse of six weeks he again wrote to the Commissioner deploring this fact and this time he chose to copy his letter to me, inter alia.

Five days after I had written to the Commissioner the latter sent a reply to the complainant who, two days later, informed me of same and added that "I do of course regret having had to bother the Ombudsman but it would seem that one is nowadays left with no choice if one wants to obtain some sort of reply from a Government Department".

I hope that all government departments will pay heed to the remark of the former judge.

**PRISONS**

C/94/2006

**Detainee's "lost" belongings found**

Detainee B., along with other detainees, was transferred from one section of the Central Prison to another section on 24 January 2006. He was informed that all his belongings (clothes, shoes, etc.) would be transferred to his new locker.

Some time later when B. had to appear in court he discovered that his belongings were not to be found in his new locker. When he inquired about his belongings he was simply told that they were lost. B. averred that this constituted a problem for him as he had to attend hospital treatment every fortnight and did not desire to do so in a detainee's garb. Although he brought the matter to the attention of the Commissioner of Prisons nothing was done.

Furthermore, B.'s letter reached my Office one whole month after the date on which it purported to have been written.

I queried the Commissioner of Prisons both about the loss and the delay. Some fifteen days later I was informed that the B.'s property bags had been misplaced during the transfer of detainees but had now been retrieved and remitted to B. who confirmed having received same. B. also informed me that the delay for his letter to reach me was of his own making as he had sent the letter to the Records Office of the prison several days after having written it.

**PUBLIC UTILITIES**

C/362/2004

**Adequate drinking water now available in the  
home of some twenty families after twenty years**

More than a year after the start of operation of the Midlands Dam and notwithstanding the fact that the level of water in that dam was fairly high, there were about twenty families living at Swami Dayanand Road in Grand Baie who still experienced enormous difficulties in having drinking water and this for the last twenty odd years.

According to the article which appeared in one of our dailies which reported the matter, officers of the Central Water Authority had effected several visits there but the problem remained unsolved.

After taking cognizance of that article I started an investigation in the matter with the Ministry of Public Utilities.

I was first informed that there were about fifteen houses in the upper part of that road which were supplied by long communication pipes and that indeed the water supply was inadequate as the pressure in that region was low.

As a temporary measure the Central Water Authority agreed to inject additional water into the system but also started to initiate action in order to lay a main pipe along that road so as to eliminate the long communication pipes – this consisted of laying 725 metres of 110mm diameter HDPE pipe at an estimated cost of Rs 1.67 million.

However the Pamplemousses/Rivière du Rempart District Council had imposed certain conditions, including payment of a fee, for the grant of wayleave for pipelaying works along roads under the jurisdiction of the District Council. That fee would have had the effect of swelling tremendously the cost of the project. This issue had become such a problem that the matter had to be raised at the level of a Committee chaired by the Deputy Prime Minister and Minister of Finance and Economic Development. And unless the wayleave issue was settled, the Central Water Authority would not be able to proceed with pipelaying works.

More than a year later, after several meetings of committees, under the chairmanship of the Minister of Public Utilities and comprising the Minister of Local Government and representatives of various ministries and local authorities, a way leave agreement between the Central Water Authority and the Pamplemousses/Rivière du Rempart District Council was reached and finalised and the former confirmed that the pipelaying works had been completed and commissioned on 6 September 2006.

This problem took me more than eighteen months to solve but at long last relief was brought in the home of some twenty families who had waited more than twenty years.

*C/51/2006*

### **Manhole cleared of debris**

An article in the Press concerning the overflow of a manhole which represented a health hazard to the inhabitants of a region in Port Louis attracted my attention. This is what the inhabitants have been reported as saying: “A l’heure où les autorités appellent à la vigilance contre le chikungunya, ce manhole représente un réel danger! ..... Nous faisons le nécessaire en ce qui concerne nos cours et nos maisons, pour réduire les risques que les moustiques trouvent refuge et représentent un danger potentiel de chikungunya. Mais il faut que les autorités aussi prennent leur responsabilité”.

The matter was immediately taken up by me with the Ministry of Public Utilities and I was informed that, according to the Wastewater Management Authority (WMA), the overflow was due to an obstruction in the manhole caused by accumulated debris.

Fortunately the WMA took immediate steps to remove all the debris and restore a normal flow of wastewater. Sometime later a check was effected by officers of the WMA and it was confirmed that the sewer line was functioning normally.

This was but one step taken in the fight against the propagation of chikungunya but admittedly an important one.

## **RODRIGUES**

*C/96/2004*

### **Lease agreement signed after five years**

By letter dated 16 November 2004 Mr. F. complained that his application for a plot of State land for residential purposes made since three years had simply not yet been considered. He was finding it difficult to continue living under the same roof as his parents.

I queried the Island Chief Executive and after several reminders I was informed in June 2005 by the Departmental Head of the Chief Commissioner's Office that although the application had been made on 5 February 2001 it had not yet been processed. I felt that this was very difficult to swallow and therefore pressed for action. In October of the same year I was informed that the application was, at long last, being processed. Two months later I learned that the application had been recommended at the level of the State Land Committee held on 18 November 2005. Then in April 2006 I was told that the lease agreement was being finalised.

Finally in May 2006 the lease agreement was signed by the complainant and Government of Mauritius and a copy of the lease agreement was forwarded to our office.

It is hoped that in future such an exercise would not be allowed to drag for years.

*C/255/2004*

### **Lease agreement signed after Ombudsman's intervention**

This is yet another complaint about the time taken to process an application for State land.

According to Mr. J.C.N. he had applied for a plot of State land in 1999 for constructing a house of his own as he was married with one child but was still living with his parents. As at November 2004 he had not received any reply.

It took the Departmental Head, Chief Commissioner's Office, nearly one year to inform me that according to his records Mr. J.C.N. had applied for a residential lease on 12 October 2001 and that the application was "now being considered". One is left wondering why they did not "consider" the application for such a long time.

Two months later the State Land Committee met and recommended the application. A letter of intent was issued to Mr. J.C.N. at the beginning of April 2006 and two months later the lease agreement was signed.

I again wish to reiterate my concern about such long delays in processing such applications. Those responsible should show much more consideration to and understanding of our citizens' problems.

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

*C/39/2006*

### **Basic Invalidity Pension paid to severely injured boy**

Y.F. contacted our office by email on 9 February 2006 on behalf of his son G.F. aged 21 and employed in the private sector and contributing to the National Pensions Scheme.

On 22 December 2005 G.F. had met with a road accident and sustained severe injuries in his right leg. He stayed in hospital for a little more than a month and had to undergo an operation in order to re-align two broken bones.

As G.F. was confined to bed his father repaired to the Social Security office of his locality at the beginning of 2006 in order to seek financial assistance for his son who could not work, but more than a month lapsed without anybody from that office having contacted either him or his son. When G.F. repaired there a second time in February 2006 he was told that his son would have to wait another two months before his case could be considered as this was the established procedure.

Following my intervention G.F. was medically examined on 27 February 2006 and a payment of Basic Invalidity Pension at the rate of Rs 225 per month from January to December 2006 was recommended in his case, with a review in January 2007.

Payment of arrears to the tune of Rs 6075 for the months of January to March 2006 was immediately effected to the great relief of father and son.

*C/55/2006*

#### **Complainant's pension rights restored**

A letter dated 5 December 2005 addressed by Mrs. A. to the Permanent Secretary, Ministry of Social Security, National Solidarity and Senior Citizen Welfare & Reform Institutions concerning her unpaid Basic Retirement Pension remained without any reply. Three months later she wrote again to the Permanent Secretary to deplore the fact that not even an acknowledgement had been received by her, let alone any action taken. This time she copied her letter to me.

I immediately took up the matter with the Permanent Secretary and his version was that the complainant used to leave the country very often and that renewal of pension in such cases is only made after verification of movements from the Passport Office.

According to the Permanent Secretary, Mrs. A. had left the country on 2 September 2004 and her pension had been suspended pending verification as per above. As it was only in December 2005 that she made a complaint about her pension, action was initiated in January 2006 to restore her pension and payment of an amount of Rs 19800 representing arrears for period July 2005 to February 2006 was effected in February 2006. And as from March 2006 she would be paid her pension normally, meaning that she had been re-established in her rights.

*C/163/2006*

#### **Wheelchair issued to disabled person following Ombudsman's intervention**

On 7 August 2006 our Office received a letter dated 28 July 2006 in which the writer informed us that a disabled person who was 76 years of age was in need of a wheelchair but apparently had been told at the Social Security Office that he would have to wait for three months.

The writer did not however state who that person was nor when or where or by whom the application was made, but, according to the writer, there were several second-hand wheelchairs lying at the Vacoas Social Security Office in good condition.

Upon my intervention the writer was contacted on the phone by the Ministry and fifteen days later a brand new wheelchair was issued to the disabled person at the Vacoas Social Security Office.

I am thankful to the writer for giving me the opportunity of assisting that person whose identity has remained unknown to me.

## TOURISM, LEISURE AND EXTERNAL COMMUNICATIONS

C/45/2006

### Amount overpaid refunded

With a change in the system of licensing of pleasure crafts at the Tourism Authority which had adopted a financial year basis with effect from 1 July 2005, R.J.D., whose previous licence expired on 19 September 2005, was compelled to pay for the new period running from 1 July 2005 to 30 June 2006 when his licence came up for renewal, with the result that he was made to pay twice for the period 1 July 2005 to 19 September 2005.

He claimed a refund of the amount overpaid from the Tourism Authority but more than five months went by without any refund coming his way, although the Authority had, in a letter dated 20 October 2005, requested him to submit a copy of his identity card and his bank account number. He therefore sought my assistance in the matter.

I took up the matter with the parent ministry and I learned three months later that the refund had already been effected only a few days before R.J.D. had written to me.

The obvious explanation to me was that when he wrote his letter of complaint to me R.J.D. was not yet aware of the refund into his bank account. He had however every right to lodge a complaint in the circumstances for the long delay in obtaining his refund.

All is well that ends well.

## STATISTICAL SUMMARY OF COMPLAINTS

Ministries/Departments/Local Authorities/Rodrigues Regional Assembly	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Accountant General	1	-	-	-	-	-	1	2
Agriculture, Food Technology and Natural Resources	1	-	-	-	-	-	1	2
Agro - Industry and Fisheries	-	-	-	1	-	1	3	5
Arts and Culture	1	-	-	-	-	-	1	2
Civil Aviation	-	-	-	-	1	-	-	1
Civil Service and Administrative Reforms	-	-	3	1	-	-	-	4
Commissioner for Value Added Tax	-	-	1	-	-	-	-	1
Comptroller of Customs	-	-	-	-	-	-	1	1
Education and Human Resources	11	-	1	12	1	4	12	41
Education and Scientific Research	5	-	-	-	-	-	2	7
Environment and National Development Unit	2	-	-	3	1	1	11	18
Finance and Economic Development	1	-	4	4	-	-	8	17
Foreign Affairs, International Trade and Cooperation	1	-	-	-	-	-	-	1
Carried forward	23	-	9	21	3	6	40	102

STATISTICAL SUMMARY OF COMPLAINTS - Continued

Ministries/Departments/Local Authorities/Rodrigues Regional Assembly	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought forward	23	-	9	21	3	6	40	102
Health and Quality of Life	13	-	2	7	2	-	11	35
Housing and Lands	3	-	-	1	-	1	6	11
Housing, Lands and Fisheries	-	-	-	-	-	-	1	1
Industry, Small & Medium, Commerce and Cooperatives	-	-	-	-	1	-	-	1
Information Technology and Telecommunications	1	-	-	-	-	-	-	1
Judicial	1	-	-	1	1	1	1	5
Labour and Industrial Relations	-	-	-	-	-	-	1	1
Labour, Industrial Relations and Employment	1	-	-	1	-	-	1	3
Local Authorities	3	1	2	3	1	-	22	32
Local Government	2	-	-	1	-	-	-	3
Local Government and Rodrigues	1	-	-	-	-	-	3	4
Local Government and Solid Waste Management	-	-	-	-	-	-	1	1
Police	7	-	5	29	6	1	25	73
Carried forward	55	1	18	64	14	9	112	273



# STATISTICAL SUMMARY OF COMPLAINTS - Continued

Ministries/Departments/Local Authorities/ Rodrigues Regional Assembly	Rectified	Partly Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought Forward	55	1	18	64	14	9	112	273
Prime Minister's Office	-	-	1	-	-	1	-	2
Prisons	21	-	6	22	4	1	19	73
Public Infrastructure, Land Transport and Shipping	2	-	1	3	5	-	6	17
Public Utilities	7	-	-	-	-	-	4	11
Registrar General	-	-	-	-	1	-	-	1
Rodrigues	33	-	6	26	1	1	46	113
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions	6	-	1	4	1	-	6	18
Tourism and Leisure	1	-	-	-	-	-	-	1
Women's Rights, Child Development, Family Welfare & Consumer Protection	1	-	1	-	-	-	-	2
<b>TOTAL</b>	<b>126</b>	<b>1</b>	<b>34</b>	<b>119</b>	<b>26</b>	<b>12</b>	<b>193</b>	<b>511</b>

## APPENDIX E

No.	Subject of Complaint	Result
<b>Accountant General</b>		
C/71/2006	No action taken regarding payment of pension to complainant's account abroad where she has settled down.	Rectified
C/191/2006	No reply to detainee's letter attempting to recover money to deposited as surety.	Pending
<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/128/2004	No reply to application for land conversion permit since three months.	Rectified
<b>Agro - Industry and Fisheries</b>		
C/25/2006	Complainant alleges he is victim of harassment.	Not investigated
C/152/2006	Qualification for the post of Assistant Park Ranger disputed by majority of Forest Guards.	Explained
C/233/2006	No reply to application for conversion of land from agricultural to residential.	Pending
C/255/2006	No reply to retired officer's letter contesting his pension index.	Pending
C/257/2006	Complainant avers discrimination in payment of responsibility allowance.	Pending
<b>Arts and Culture</b>		
C/47/2006	Complainant recruited on temporary basis. Not yet appointed in substantive capacity after 15 months.	Pending
C/48/2006	Conditions of service still not spelt out after more than one year.	Rectified
<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.	Discontinued
<b>Civil Service and Administrative Reforms</b>		
C/288/2005	Application for extension of study leave without pay rejected.	Explained
C/92/2006	Complainant considers the rejection of his application for sponsorship as unfair and unwarranted.	Not justified
C/125/2006	Ex-public officer deprived of additional increment because of trade dispute relating to the post he was occupying before retirement.	Not justified

No.	Subject of Complaint	Result
<b>Civil Service and Administrative Reforms - Continued</b>		
C/193/2006	Application for sponsorship for post- graduate scheme rejected. Complainant feels victimized.	Not justified
<b>Commissioner for Value Added Tax</b>		
C/6/2006	Request for refund of V.A.T. not being attended to.	Not justified
<b>Comptroller of Customs</b>		
C/112/2006	Complainant made to pay much higher customs duty on imported articles. Claims refund.	Pending
<b>Education and Human Resources</b>		
C/217/2005	Refusal by Ministry to pay balance of university fees etc. to complainant who was awarded a four-year scholarship by Government.	Rectified
C/238/2005	Application for incremental credit not dealt with since three years.	Rectified
C/241/2005	Salary unpaid.	Rectified
C/272/2005	Request for transfer by Acting Rector to school nearer his place of residence rejected. Covers more than 70kms everyday.	Discontinued
C/324/2005	Disparity regarding seniority of complainant who is an Education Officer.	Explained
C/326/2005	Complainant not paid any remuneration for work done in connection with school admission exercise.	Rectified
C/329/2005	Parent not satisfied with school allocated to her child.	Explained
C/5/2006	Parent not satisfied with school allocated to his child.	Explained
C/9/2006	Alleged violation of class allocation criteria and gender discrimination.	Explained
C/11/2006	Request to waive bond on legal, medical and humanitarian grounds not entertained.	Not investigated
C/16/2006	Children prevented from pursuing their education in school of their choice	Rectified
C/17/2006	Head Teacher avers he is being called upon to perform clerical duties in absence of School Clerk who has not been replaced.	Explained
C/21/2006	Request for transfer by teacher not acceded to.	Explained
C/31/2006	Complainant avers he is the "victim" of frequent transfers from one school to another and this affects negatively his career.	Rectified
C/33/2006	Three requests for transfer made by Senior Laboratory Attendant not attended to.	Rectified

No.	Subject of Complaint	Result
<b>Education and Human Resources - Continued</b>		
C/37/2006	Complainant's length of service at Ministry not communicated by the latter to Accountant General for purposes of computing complainant's retiring benefits.	Rectified
C/41/2006	No reply to application for additional increment made nearly four years ago.	Rectified
C/50/2006	Teacher not allowed to use school computers etc.	Explained
C/61/2006	Delay in releasing examination results.	Not investigated
C/68/2006	Denied salary increments.	Pending
C/78/2006	Complainant's conditions of service changed. Loses rights and privileges.	Pending
C/80/2006	Teacher feels victimised by sudden and immediate transfer from one school to another.	Explained
C/96/2006	Education Officer dismissed without justification.	Pending
C/102/2006	Request to re-sit examination in one module in which complainant was referred not granted.	Explained
C/104/2006	Anomaly in salary.	Rectified
C/109/2006	Teacher avers he has been subjected to too frequent transfers.	Not investigated
C/115/2006	Non-payment of incremental credit for experience acquired.	Pending
C/116/2006	No responsibility allowance paid to complainant for performing higher duties.	Explained
C/128/2006	Request for transfer of ward from one school to another rejected five times.	Explained
C/140/2006	Death benefits not paid to widow of ex-employee of Mauritius Institute of Education.	Not justified
C/141/2006	No reply to queries by complainant, to whom a contract had been awarded by the Ministry.	Explained
C/143/2006	Complainant's qualifications not validated by Tertiary Education Commission.	Rectified
C/188/2006	No reply to complainant's request for details concerning arrears of salary paid to him.	Pending
C/216/2006	Request for change in posting by school caretaker on medical grounds not considered favourably.	Pending
C/220/2006	Complainants aver they are victims of discrimination regarding their salaries.	Pending

No.	Subject of Complaint	Result
<b>Education and Human Resources - Continued</b>		
C/225/2006	Primary School Teacher contests allocation of classes.	Not investigated
C/235/2006	Allowance discontinued.	Pending
C/240/2006	Complainant (teacher) contests his transfer to another school – transfer criteria not respected.	Pending
C/242/2006	Length of service not properly calculated.	Pending
C/252/2006	Complainant denied incremental credit for additional qualifications.	Pending
C/256/2006	Complainant's son not admitted to school of his choice.	Pending
<b>Education and Scientific Research</b>		
C/69/2000	Benefits due to retired officer not yet paid.	Pending
C/120/2005	Twenty-three Supply Teachers employed on temporary basis for last 8/9 years not yet appointed.	Pending
C/158/2005	Anomaly in salary.	Rectified
C/171/2005	Anomaly in salary.	Rectified
C/172/2005	Anomaly in salary.	Rectified
C/194/2005	Anomaly in salary.	Rectified
C/204/2005	Anomaly in salary.	Rectified
<b>Environment and National Development Unit</b>		
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.	Discontinued
C/47/2005	Accumulation of water - source of nuisance. No action by authorities concerned.	Explained
C/77/2005	Non-payment for works done.	Pending
C/104/2005	Great inconvenience (odour, flies, etc.) caused to complainants by neighbour's poultry.	Explained
C/203/2005	Lack of drains causes flooding of inhabitants' premises. No action taken by authorities concerned.	Pending
C/30/2006	Flooding of road by stagnant water.	Pending
C/35/2006	Odour nuisance caused by landfill.	Pending
C/95/2006	Drainage and resurfacing works delayed to the great inconvenience of inhabitants of Canot.	Pending

No.	Subject of Complaint	Result
<b>Environment and National Development Unit - Continued</b>		
C/137/2006	Odour nuisance caused by overflow of wastewater.	Pending
C/148/2006	Request to tar road not acceded to. Nuisance thereby caused to inhabitants and other users.	Explained
C/159/2006	Polluted river.	Pending
C/160/2006	Complainant's house flooded whenever it rains. No action by authority concerned.	Pending
C/169/2006	Numerous problems encountered by inhabitants of Congomah due to flooding of bridge when it rains.	Pending
C/177/2006	Abandoned land a source of nuisance to neighbourhood.	Rectified
C/180/2006	Overflow of effluent gives rise to odour problems.	Rectified
C/196/2006	Pollution under bridge at L'Avenir	Pending
C/198/2006	Application for setting up of cattle farm wrongly rejected.	Not investigated
<b>Finance and Economic Development</b>		
C/224/2005	No reply to application made by complainant to the Mauritius Institute of Professional Accountants to be registered as a Professional Accountant.	Explained
C/28/2006	Complainants aver that the bond they are requested to enter into is not justified.	Not justified
C/70/2006	Complainant's length of service not properly calculated. Fears he will not benefit from full pension.	Rectified
C/106/2006	Nominated Officer's application form to attend overseas programme not submitted to the overseas authority.	Explained
C/121/2006	Employee of para-statal body paid only half of his salary whilst under interdiction in connection with case of wounds and blows causing death for which he was subsequently prosecuted and sentenced to 4 years imprisonment. Claims he should have been paid full salary.	Not justified
C/127/2006	Complainant claims he should have been compensated by the Sugar Insurance Fund Board for the lower yield of his sugar cane.	Explained
C/162/2006	Complainant not satisfied with rate of allowance paid.	Not justified
C/168/2006	Complainant heavily indebted to income tax department and requests our intervention on humanitarian ground as he avers he has no means to pay.	Not justified
C/189/2006	Anomalies in salary, back pay etc.	Pending
C/203/2006	Certificate of registration as Professional Accountant not issued to complainant.	Pending

No.	Subject of Complaint	Result
<b>Finance and Economic Development - Continued</b>		
C/206/2006	Actingship allowance for period January to June 2006 not paid.	Pending
C/208/2006	Date of effective retirement from the public service contested by complainant.	Explained
C/219/2006	Complainant, a heart patient with a pacemaker, seeks our intervention to have an objection to departure lifted – he is heavily indebted to the Mauritius Revenue Authority.	Pending
C/231/2006	No reply to petition for refund of registration duty made since nearly two years.	Pending
C/234/2006	Officers not satisfied with their posting at newly-created authority.	Pending
C/236/2006	Entitlement to travel grant not taken into account in conversion of complainant's salary.	Pending
C/241/2006	Request for duty remission for purchase of car rejected.	Pending

#### **Foreign Affairs, International Trade and Cooperation**

C/254/2005	Clause in tender conditions considered illegal by complainant and prevents him from tendering.	Rectified
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#### **Health and Quality of Life**

C/323/2003	Noise and odour nuisances etc. caused by workshop next to complainant's house. No action by authorities concerned.	Pending
C/399/2003	Complainants recruited as Community Health Development Motivators but have not received their confirmation letter.	Pending
C/268/2004	Detainee's operation delayed. Suffering too much.	Discontinued
C/12/2005	Application for financial assistance to be operated overseas wrongly rejected.	Explained
C/49/2005	Complainant contests forfeiture of performance bond for supply of vegetables and bananas to government hospitals.	Pending
C/107/2005	Foul odour caused by pig-breeding. No action taken by authorities concerned.	Rectified
C/153/2005	Denied duty-free facilities for purchase of car.	Explained
C/207/2005	Water leaking from neighbour's house onto complainant's land, thus causing a nuisance. No action taken by authorities.	Explained
C/240/2005	Dust and noise pollution caused by cabinet-maker, complainant's neighbour.	Rectified
C/270/2005	Temporary Medical Records Assistants not yet confirmed after 17 months continuous service.	Explained

No.	Subject of Complaint	Result
<b>Health and Quality of Life - Continued</b>		
C/274/2005	Negligence by nursing officers leading to the death of complainant's father.	Pending
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.	Rectified
C/4/2006	Complainant penalised by delay in finalizing Scheme of Service, as he is to retire soon.	Discontinued
C/7/2006	Complainant faces a lot of difficulties in travelling because of change of posting. Requests that her posting be maintained.	Rectified
C/18/2006	Noise nuisance caused by aluminium workshop.	Not justified
C/19/2006	No payment for goods sold and delivered to Ministry by complainant.	Rectified
C/29/2006	Complainant avers he did not get appropriate treatment in hospital.	Explained
C/40/2006	No action taken by Ministry to counteract potential danger posed by wastewater on complainant's neighbour's adjoining land.	Rectified
C/59/2006	Error regarding the sex of complainant's baby child.	Explained
C/60/2006	Anomaly regarding complainant's pension.	Explained
C/77/2006	Medical certificate not issued to complainant. He is thus not covered for his absence at work.	Rectified
C/89/2006	Noise caused by illegal workshop. No action taken by authorities concerned.	Rectified
C/99/2006	Noise and odour nuisances caused by factories in industrial zone.	Not justified
C/103/2006	No refund of mileage allowance claims.	Pending
C/114/2006	Foul smell caused by poultry breeding on a large scale in residential area	Pending
C/123/2006	Indian doctors working on contract claim they are subject to inhuman treatment regarding hours of work etc.	Rectified
C/157/2006	Foreign doctor on contract not allowed excess luggage to which she is entitled as initially agreed on the occasion of her impending departure.	Rectified
C/167/2006	Odour nuisance caused by poultry shed.	Pending
C/170/2006	No action taken in respect of report of odour nuisances by complainant against his neighbours.	Rectified



No.	Subject of Complaint	Result
<b>Health and Quality of Life - Continued</b>		
C/184/2006	Defective sewage system exists since 6 months. No action taken by authority concerned.	Rectified
C/199/2006	Odour nuisances caused by poultry pen.	Rectified
C/202/2006	Noise nuisance caused by factory. No action taken by authorities concerned.	Pending
C/238/2006	Complainant not afforded the opportunity to earn overtime.	Pending
C/249/2006	Request by Attorney -at-Law for copy of medical file of his client not acceded to.	Pending
<b>Housing, Lands and Fisheries</b>		
C/126/2005	No follow up by Ministry regarding complainant's request for a plot of State land.	Pending
<b>Housing and Lands</b>		
C/284/2001	Non-renewal of leases by Ministry.	Pending
C/28/2005	State land encroached upon thus rendering access to the beach difficult.	Rectified
C/231/2005	Complainant avers that claim by Ministry to refund uncompleted bonded period on pro-rata basis is not fair.	Explained
C/282/2005	Delay by Ministry in processing application for lease of State land. Complainant's loan in danger of being cancelled.	Rectified
C/49/2006	Squatters are a source of nuisance to residents in the neighbourhood.	Rectified
C/73/2006	Wrong interpretation of the law causing prejudice to complainant.	Pending
C/105/2006	Request for regularisation of occupation of plots of State land on which complainant has been living since last 34 years not yet acceded to.	Pending
C/149/2006	Application for plot of State land for residential purposes made since nearly seven years. No reply yet.	Pending
C/154/2006	Complainant still awaiting signature of lease agreement after 6 months.	Not investigated
C/224/2006	Application for sub-division of land made more than 5 years ago not attended to.	Pending
C/232/2006	Lease agreement concerning State land not yet finalised.	Pending
<b>Industry, Small &amp; Medium Enterprises, Commerce &amp; Cooperatives</b>		
C/13/2006	Unnecessary deductions made from complainant's pension.	Discontinued
<b>Information Technology and Telecommunications</b>		
C/293/2004	Complainant not yet confirmed in his post after more than three years.	Rectified

No.	Subject of Complaint	Result
<b>Judicial</b>		
C/279/2005	Application for refund of deposit not attended to.	Rectified
C/14/2006	Surety deposited by complainant's sister not returned to latter after determination of case against complainant.	Not investigated
C/23/2006	Money deposited in court as surety more than a year ago not refunded after lapse of recognizance.	Explained
C/90/2006	Money deposited as surety not returned to complainant after determination of court case.	Discontinued
C/243/2006	No action taken in respect of complainant's request for lifting of freezing order against his property.	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
<b>Labour, Industrial Relations &amp; Employment</b>		
C/124/2006	No reply by Registrar of Associations to letter of complaint from a religious association.	Rectified
C/136/2006	Complainant unable to meet any officer at the Ministry where he had gone to make report.	Pending
C/239/2006	No job offered to complainant who has been registering at the Employment Service since nearly thirteen years.	Explained
<b>Local Government</b>		
C/205/2005	Road in dangerous state for road users.	Rectified
C/85/2006	Bad state of road.	Rectified
C/119/2006	Complainant not paid travelling allowance for last four months.	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.	Rectified
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 Solid Waste Management</b>		
C/208/2004	Road in a very bad state since 24 years.	Pending
<b>Police</b>		
C/148/2004	Complainant threatened by co-detainees. No action taken by Prison Administration. Request to give a statement to the Police.	Discontinued

No.	Subject of Complaint	Result
<b>Police - Continued</b>		
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/24/2005	No consideration given to complainant's declarations to Police.	Explained
C/105/2005	Complainant not informed of the outcome of the police case in which he was the declarant.	Explained
C/121/2005	Length of service not correctly calculated.	Rectified
C/123/2005	Complainant not satisfied with police enquiry into the case of her son who has been murdered.	Pending
C/131/2005	Non-implementation of recommendations made by the Pay Research Bureau.	Explained
C/176/2005	Noise caused by religious gathering in residential area.	Rectified
C/182/2005	Complainant not paid any gratuity or pension upon retirement as Special Police Constable.	Explained
C/208/2005	Workshop operating without proper permit. No action taken by authorities.	Not investigated
C/221/2005	Complainant, a foreigner, detained for more than two years without trial.	Rectified
C/223/2005	Delay in dealing with complainant's declaration.	Explained
C/246/2005	Illegal operation as motor surveyor by complainant's neighbour.	Discontinued
C/247/2005	No reply from the Police in relation to declaration made.	Explained
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.	Explained
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/265/2005	Complainant avers he was humiliated by Police Officer in a bus full of passengers.	Explained
C/269/2005	Complainant, victim of three burglaries in a period of seven months, not satisfied with police action so far.	Explained
C/273/2005	No action taken by Police following declaration made by complainant concerning neighbour's dog.	Explained
C/286/2005	Retiring benefits wrongly computed.	Explained
C/297/2005	Complainant not satisfied with action taken by Police in a case of physical threat reported to Police of his locality.	Discontinued
C/299/2005	Detainee's belongings (money, cell phone, etc.) not returned to him by Police after determination of his case.	Explained

No.	Subject of Complaint	Result
<b>Police - Continued</b>		
C/302/2005	Complainant on remand since more than three years.	Explained
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.	Explained
C/305/2005	Complainant not satisfied with Police action in robbery case reported by her.	Not justified
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.	Rectified
C/325/2005	Complainant's driving licence not returned to him after period of disqualification has lapsed.	Explained
C/1/2006	Complainant contests decision of licensing officer following driving test.	Explained
C/24/2006	Bail refused because of the Police's fault.	Explained
C/26/2006	Complainant's little sister threatened by neighbours. Police Officer failed to record faithfully their statement.	Pending
C/38/2006	Police refuses to record statement of tourist.	Discontinued
C/42/2006	Noise nuisance caused by temple's loudspeaker.	Explained
C/43/2006	Complainant has reported a case of "missing" in respect of his wife. Police has failed to communicate her new address to complainant.	Explained
C/52/2006	No follow up action regarding complainant's declaration.	Explained
C/54/2006	No follow up action by Police in case of wounds and blows against complainant.	Rectified
C/57/2006	Money secured from complainant not returned to him after disposal of case against him.	Rectified
C/64/2006	No action by Police in respect of declaration of threat to complainant.	Pending
C/75/2006	Complainant and his family constantly harassed by a Chief Inspector of Police. Fears for their security.	Not justified
C/88/2006	Complainant still awaiting reply from police in a case of an alleged false allegation against him.	Pending
C/93/2006	Money secured from complainant on drug charge not returned to him after trial.	Explained
C/110/2006	Noise pollution caused by religious group.	Discontinued

No.	Subject of Complaint	Result
<b>Police - Continued</b>		
C/111/2006	Time of service as Special Police Constables not considered for purposes of pay adjustment, promotion, etc.	Explained
C/113/2006	Ex-police officer avers that claim by government to honour bond entered into by him to the tune of Rs 642000 causes him hardship.	Not justified
C/120/2006	New passport issued to married lady complainant with hyphen between maiden and married names, against her wishes.	Explained
C/122/2006	Abuse of authority by Police by delaying to lodge cases against complainant.	Explained
C/155/2006	Inquiry by Police mishandled.	Explained
C/164/2006	Complainant avers that he was wrongly contravened by two Police Officers.	Explained
C/173/2006	No action taken by Police in larceny case reported by complainant.	Explained
C/176/2006	Complainant not made aware of any action taken following declarations of fraud etc. made by him more than two years ago.	Pending
C/178/2006	Police Officer finds "schedule of leave" unfair.	Explained
C/182/2006	Retired police officer not duly compensated upon his transfers whilst in the service.	Pending
C/183/2006	Complainant's driving licence wrongly cancelled by the Police following judgment of the court.	Not justified
C/185/2006	No reply to letter addressed by complainant to Curepipe Police.	Rectified
C/187/2006	Transfer of Police Officer (complainant) from Rodrigues to Mauritius causes him prejudice as he has to live separated from his wife.	Pending
C/190/2006	Complainant victim of serious cases of assault -no action taken by the Police nor has he been informed about the outcome of the inquiry.	Pending
C/192/2006	No action taken by Police following report made.	Rectified
C/200/2006	Money seized from complainant upon his arrest in drug related case not returned to him after determination of court case.	Not justified
C/204/2006	No action taken by Police following declaration made by complainant.	Pending
C/205/2006	Complainant contests the manner in which a criminal case in which he was the victim was handled in court – avers there has been cover-up.	Pending
C/207/2006	Complainant avers that the Police is harassing his wife.	Discontinued

No.	Subject of Complaint	Result
<b>Police - Continued</b>		
C/215/2006	No action taken in reported case of larceny of mobile phone belonging to complainant.	Pending
C/218/2006	No action by Police following declaration of swindling.	Pending
C/221/2006	Complainant avers he has been denied certain benefits following his retirement on medical grounds.	Pending
C/222/2006	Complainant claims to be victim of an unjust transfer.	Explained
C/223/2006	No reply since one year to application to operate a security service company.	Pending
C/226/2006	No action taken against complainant's step son against whom she has made several declarations.	Pending
C/227/2006	No action taken for the return of complainant's private property.	Pending
C/228/2006	Police refuses to record complainant's declaration.	Pending
C/229/2006	Barrister-at-Law's request for plan drawn up in connection with fatal road accident by his client's husband not acceded to.	Pending
C/230/2006	Request by barrister-at-law for information in connection with road accident case not attended to.	Pending
C/250/2006	Request by complainant for the restitution of his passport not yet acceded to although there is no case pending against him any more.	Pending
C/251/2006	No action taken by Police following several declarations of harrasment, including death threat, damage to property, etc.	Pending
C/254/2006	Noise and other nuisances caused by restaurant.	Pending
<b>Prime Minister's Office</b>		
C/219/2004	Citizenship refused to applicant from Reunion who is married to Mauritian national.	Not justified
C/27/2006	Application for citizenship rejected.	Not investigated
<b>Prisons</b>		
C/389/2003	Detainee not issued with denture etc.	Pending
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/323/2004	Detainee avers he is not getting adequate medical attention and care.	Rectified

No.	Subject of Complaint	Result
<b>Prisons - Continued</b>		
C/113/2005	Detainee not getting appropriate medical treatment.	Pending
C/150/2005	Detainee's medical appointment card lost. No consideration given to his problem.	Rectified
C/152/2005	Application for issue of spectacles free of charge rejected.	Pending
C/309/2005	Detainee placed under report at punishment block, without any reason, etc.	Pending
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.	Explained
C/312/2005	Letter addressed to detainee not remitted to him by Prison Administration.	Rectified
C/322/2005	Application to do "extra-remission" work denied	Rectified
C/323/2005	Application to do "extra-remission" work denied.	Rectified
C/328/2005	Visit by detainee's relatives denied.	Explained
C/8/2006	Complainant avers that deduction effected from his salary was unwarranted.	Not investigated
C/12/2006	Request by detainee to be transferred to another prison for security reasons not acceded to.	Discontinued
C/15/2006	Detainee's extra-remission work stopped.	Explained
C/20/2006	Articles of clothing missing from detainee's property entrusted to prison officer upon his admission to prison.	Rectified
C/22/2006	Request by detainee for a copy of the judgment in his case has remained unsuccessful.	Rectified
C/32/2006	Detainee's letters not posted etc.	Explained
C/34/2006	Detainee not given extra-remission work.	Rectified
C/46/2006	Sandals not allowed to detainee etc.	Explained
C/56/2006	Detainee's cardiac treatment suddenly stopped without apparent reason.	Discontinued
C/62/2006	Visit allowed to detainee's wife who is also a detainee cut down from once a week to once a month.	Explained
C/66/2006	Detainee not authorised to buy noodles. (mine Apollo) from his private cash.	Explained
C/67/2006	Detainee transferred to high-security prison without any reason assigned.	Explained

No.	Subject of Complaint	Result
<b>Prisons - Continued</b>		
C/69/2006	Detainee transferred from dormitory to single cell without any advance notice.	Explained
C/72/2006	Unsatisfactory conditions prevailing during visits, poor quality of food, etc.	Explained
C/74/2006	Detainee's special diet discontinued without justification.	Discontinued
C/76/2006	Detainee's belongings lost. No reply from Commissioner of Prisons to complaint made by detainee.	Rectified
C/81/2006	Detainee not getting appropriate food and medical attention.	Pending
C/83/2006	Detainee feeling unsafe where he is located etc.	Rectified
C/84/2006	Request by detainee for a transfer as his life is in danger and no action is being taken against other detainees who have assaulted and threatened him.	Rectified
C/91/2006	Detainee claims he is eligible to remission of his sentence (life) in the light of a recent judgment of the Supreme Court.	Rectified
C/94/2006	Detainee's belongings missing after transfer from one section to another.	Rectified
C/97/2006	Detainee not getting appropriate medical attention for his dental problem.	Rectified
C/98/2006	Detainee claims that instruments used at the prison hospital for his treatment are not properly sterilized.	Not justified
C/100/2006	Detainee's privileges cut.	Explained
C/108/2006	Detainee not getting appropriate medical care.	Explained
C/117/2006	Detainee not getting appropriate treatment for his ear problem.	Explained
C/118/2006	Visit by detainee's relative refused.	Rectified
C/126/2006	Detainee's property (clothings and shoes) have disappeared. No action taken by the Prison Administration.	Rectified
C/130/2006	Postal order destined for detainee refused by Prison Officer.	Discontinued
C/134/2006	Detainee not satisfied with the number of visits he is receiving.	Explained
C/135/2006	Property belonging to detainee and under custody of Prison Administration stolen. Amount of compensation offered by latter refused by detainee as too low.	Pending
C/142/2006	Detainee prevented from giving food items to wife who is also a detainee at the same institution.	Explained
C/145/2006	Denied bread and fruits etc.	Explained



No.	Subject of Complaint	Result
<b>Prisons - Continued</b>		
C/146/2006	Detainee not informed of her rights and privileges etc.	Not justified
C/147/2006	Detainee not satisfied with medical treatment received.	Not justified
C/150/2006	Detainee avers he is not getting appropriate medical treatment for his illness	Not justified
C/151/2006	Detainee avers he is facing problems regarding food and medical care.	Explained
C/153/2006	Detainee is not getting appropriate food in view of his illness.	Explained
C/156/2006	Detainee avers he is not getting appropriate food to replace fish which he does not eat, etc.	Rectified
C/158/2006	Detainee's belongings missing.	Rectified
C/165/2006	Sick detainee avers he is not being served the proper diet, etc.	Pending
C/166/2006	Clothes and other belongings of detainee lost.	Rectified
C/171/2006	No consideration given to detainee's request for a change of prison as he feels in danger where he is being detained.	Explained
C/172/2006	Attempts by detainee to retrieve his gold rings from the Administration have failed.	Explained
C/174/2006	Detainee claims he is entitled to remission on his sentence which is denied by the Prison Administration.	Not justified
C/175/2006	Detainee not getting appropriate medical attention.	Rectified
C/179/2006	Detainee who has a problem in his lower jaw denied special food recommended by doctor.	Pending
C/181/2006	Detainee's period of sentence not correctly computed.	Explained
C/201/2006	No reply by the Court to detainee's application for copies of judgment, etc.	Pending
C/209/2006	Request by detainee for change of diet, etc. ignored by the administration.	Explained
C/210/2006	Detainee sent to punishment block unnecessarily etc.	Pending
C/211/2006	Detainee not taken to hospital for his appointment.	Not justified
C/212/2006	Detainee not served appropriate food as per doctor's recommendation.	Rectified
C/244/2006	Remand detainee made to wear dress meant for convicted detainee, etc.	Pending
C/245/2006	Detainee not satisfied with amount of food served to him.	Pending
C/246/2006	Detainee not getting appropriate medical treatment, etc.	Pending

No.	Subject of Complaint	Result
<b>Prisons - Continued</b>		
C/247/2006	Detainee not provided with recommended food.	Pending
C/248/2006	Detainee's request for transfer from one prison to another rejected.	Pending
C/253/2006	Detainee not getting food recommended by nutritionist.	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	Discontinued
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.	Discontinued
C/266/2004	No action by authority concerned in respect of illegal construction by complainant's neighbour.	Rectified
C/50/2005	Road block caused by flooding is a source of great inconvenience for users.	Discontinued
C/259/2005	Complainant not informed about his retirement pension.	Explained
C/3/2006	Deplorable state of road.	Explained
C/10/2006	Application for taxi licence unjustly rejected.	Explained
C/86/2006	Danger for road users at intersection of roads where there is also a bus stop.	Discontinued
C/87/2006	Roof of district court building in a deplorable state.	Pending
C/139/2006	Application for transfer of Public Service Vehicle (Contract Bus) Licence wrongly rejected.	Not justified
C/161/2006	Illegal operation of taxi at hotel. No action taken by authority concerned.	Discontinued
C/186/2006	Absence of traffic lights at junction in Triolet is a source of danger to road users.	Pending
C/194/2006	Complainant contests the daily amount awarded for loss of use of his car which was involved in an accident.	Pending
C/213/2006	Landslide is a source of danger to road-users.	Rectified
<b>Public Utilities</b>		
C/53/2004	Frequent cuts in water supply.	Pending

No.	Subject of Complaint	Result
<b>Public Utilities - Continued</b>		
C/362/2004	Serious water supply problems for some twenty families in Grand Baie.	Rectified
C/2/2006	Three families without tap water for two months.	Rectified
C/36/2006	Water leak causing problems to nearby inhabitants.	Rectified
C/51/2006	Overflow of manhole causing several problems to inhabitants.	Rectified
C/63/2006	Request for transfer not considered.	Rectified
C/101/2006	Housing estate (cité) deprived of electricity for a very long time.	Pending
C/107/2006	Unclean tap water representing a health hazard.	Rectified
C/138/2006	Irregular and inadequate supply of water at Congomah.	Pending
C/144/2006	Some 150 families provided with very little tap water for last two months.	Pending
C/195/2006	No water supply in locality for a week.	Rectified
<b>Registrar General</b>		
C/14/2005	Complainant's request for waiving of bond entered into by her turned down.	Discontinued
<b>Rodrigues</b>		
C/113/95	Application for transfer of State land not considered by the administration.	Rectified
C/97/97	Length of service not properly computed.	Pending
C/74/98	Length of service not properly computed.	Explained
C/177/98	Length of service not properly computed.	Rectified
C/253/98	Length of service not properly computed.	Pending
C/357/98	Length of service not properly computed.	Pending
C/132/99	Length of service not properly computed.	Not justified
C/155/99	Length of service not properly computed.	Rectified
C/172/99	Length of service not properly computed.	Rectified
C/187/99	Application for lease of State land not yet finalised. Nearly six years have gone by.	Rectified
C/355/99	Application for plot of State land for agricultural purposes not granted.	Pending
C/439/99	Length of service not properly computed.	Pending

No.	Subject of Complaint	Result
<b>Rodrigues - Continued</b>		
C/157/2000	Length of service not properly computed.	Rectified
C/258/2000	Length of service not properly computed.	Rectified
C/267/2000	No reply to application for residential lease renewed yearly.	Pending
C/4/2001	Length of service not properly computed.	Explained
C/8/2001	Land dispute at Petit Brule. Intervention of Rodrigues Administration solicited.	Pending
C/64/2001	Length of service not properly computed.	Discontinued
C/74/2001	Length of service not properly computed.	Explained
C/79/2001	Length of service not properly computed.	Explained
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.	Rectified
C/142/2001	Length of service not properly computed.	Rectified
C/143/2001	Length of service not properly computed.	Not justified
C/148/2001	Length of service not properly computed.	Rectified
C/158/2001	Length of service not properly computed.	Pending
C/228/2001	Application for transfer of lease of State land not considered.	Rectified
C/256/2001	Complainant's salary not adjusted following report of ad hoc Committee into "alleged anomalies".	Pending
C/258/2001	Application for lease of agricultural land made since about six years. Case not yet finalised.	Pending
C/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.	Rectified
C/299/2001	Length of service not properly computed.	Explained
C/312/2001	Widow of late public officer avers she receives no pension after death of husband.	Explained
C/324/2001	Length of service not properly computed.	Rectified
C/329/2001	Length of service not properly computed.	Pending

No.	Subject of Complaint	Result
<b>Rodrigues - Continued</b>		
C/71/2002	Length of service not properly computed.	Pending
C/114/2002	Application for commercial lease made seven years ago. Not yet considered.	Rectified
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/281/2002	Length of service not properly computed.	Explained
C/35/2003	Length of service not properly computed.	Rectified
C/116/2003	Length of service not properly computed.	Rectified
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.	Explained
C/122/2003	Length of service not properly computed.	Pending
C/139/2003	Anomaly in lump sum received by complainant on retirement.	Rectified
C/141/2003	Length of service not properly computed.	Rectified
C/199/2003	Length of service not properly computed.	Explained
C/216/2003	Lump sum not yet paid to heirs of deceased public officer.	Rectified
C/268/2003	Application for the adjustment of public holidays still not attended to.	Rectified
C/286/2003	Length of service not properly computed.	Rectified
C/293/2003	Delay in processing application for building permit.	Explained
C/298/2003	Length of service not properly computed.	Explained
C/345/2003	Complainant still awaiting reply to application for extension of lease of State land after one year.	Rectified
C/356/2003	No reply to request for transfer of land.	Rectified
C/427/2003	Length of service not properly computed.	Rectified
C/435/2003	Benefits not paid to complainant.	Pending
C/458/2003	Length of service not properly computed.	Explained
C/96/2004	Application for residential lease since three years not yet considered.	Rectified
C/172/2004	Length of service not properly computed.	Explained
C/255/2004	No reply to application for State land since five years.	Rectified
C/361/2004	No allowance paid for performance of higher duties.	Not justified

No.	Subject of Complaint	Result
<b>Rodrigues - Continued</b>		
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/34/2005	Length of service not properly computed.	Pending
C/87/2005	Public holiday allowance not paid to complainants since seven years.	Pending
C/127/2005	Length of service not properly computed.	Pending
C/142/2005	Application for transfer of lease rejected.	Explained
C/155/2005	Benefits of deceased husband not paid to his widow.	Rectified
C/162/2005	No reply to application for renewal of lease of State land (agricultural) since more than a year.	Pending
C/165/2005	Length of service not properly computed.	Pending
C/173/2005	Necessary formalities for complainant's retirement from the service completed more than six months ago. No progress made regarding his file.	Rectified
C/177/2005	Arrears of allowance not paid to complainant.	Rectified
C/180/2005	No reply to application for mileage allowance made since a year.	Explained
C/191/2005	Acting allowance not paid to complainant since ten years.	Explained
C/216/2005	Sum of money allegedly due to complainant not credited to his account	Explained
C/237/2005	Pension not paid to complainant for the last two months.	Pending
C/258/2005	Unemployment hardship pension denied to complainant.	Explained
C/293/2005	Anomaly in salary.	Rectified
C/294/2005	No reply to application for plot of State land for residential purposes.	Rectified
C/315/2005	Ad hoc allowance not paid to complainant for last 16 years.	Rectified
C/316/2005	Ambulance drivers treated differently from their counterparts in Mauritius.	Explained
C/317/2005	Retiring benefits of complainant wrongly calculated.	Not justified
C/318/2005	Application for trade licence wrongly rejected.	Pending
C/319/2005	Anomaly in ranking on seniority list.	Explained
C/320/2005	Complainants not paid night duty allowance.	Pending
C/53/2006	Complainant denied promotion during last 13 years.	Explained

No.	Subject of Complaint	Result
<b>Rodrigues - Continued</b>		
C/58/2006	Non-payment of night duty allowance to watchmen.	Pending
C/79/2006	Length of service not properly computed.	Explained
ROD/C/1/2006	Length of service not properly computed.	Explained
ROD/C/2/2006	Denied incremental credits	Not justified
ROD/C/3/2006	Length of service not properly computed.	Explained
ROD/C/4/2006	Non-implementation of High-Powered Committee's recommendations.	Pending
ROD/C/5/2006	Claim for higher responsibility allowance ignored.	Pending
ROD/C/6/2006	No reply to claim of compensation for damages caused to complainant's private land.	Pending
ROD/C/7/2006	Extra working hours not paid.	Pending
ROD/C/8/2006	Complainant not satisfied with lump sum received.	Explained
ROD/C/9/2006	Length of service not properly computed.	Not investigated
ROD/C/10/2006	Length of service not properly computed.	Pending
ROD/C/11/2006	Length of service not properly computed.	Explained
ROD/C/12/2006	Length of service not properly computed.	Pending
ROD/C/13/2006	No reply received by complainant in connection with representations made by him.	Pending
ROD/C/14/2006	Retired public officer not satisfied with lump sum received.	Pending
ROD/C/15/2006	Old bus abandoned by the roadside constitutes an eye sore and a hazard for children.	Rectified
ROD/C/16/2006	Travelling allowance wrongly calculated.	Pending
ROD/C/17/2006	Miscalculation of period served under bond entered into by complainants.	Pending
ROD/C/18/2006	Complainant not satisfied with amount of gratuity received upon retirement.	Not justified
ROD/C/19/2006	Request for responsibility allowance for performing higher duties disregarded.	Pending
ROD/C/20/2006	Complainant avers lump sum paid to him not correct.	Pending
ROD/C/21/2006	Length of service not properly computed.	Pending
ROD/C/22/2006	Pension for children discontinued after several years.	Pending

No.	Subject of Complaint	Result
<b>Black River District Council</b>		
LA/C/1/2006	Huge stone representing danger to road-users.	Rectified
LA/C/4/2006	Noise nuisance caused by lorries and pollution of environment caused by spitting of oil from the vehicles.	Not justified
LA/C/9/2006	No reply to objection by complainants regarding issue of building permit for warehouse.	Explained
LA/C/17/2006	Bad state of road causing great inconvenience to users thereof.	Pending
<b>Grand Port-Savanne District Council</b>		
LA/C/14/2006	No reply to complaint made about absence of lighting where complainant lives.	Rectified
LA/C/24/2006	Road in deplorable state affecting some fifty families mainly.	Pending
LA/C/32/2006	Dumping on bare land is an eyesore.	Pending
<b>Moka/Flacq District Council</b>		
LA/C/2/2006	Absence of lighting on road. Petition sent to Council but no action taken.	Partly rectified
LA/C/6/2006	Youth Association not allowed to participate in football tournament.	Explained
LA/C/10/2006	No action taken following reports of illegal construction by complainant's neighbour.	Pending
<b>Municipal Council of Curepipe</b>		
LA/C/12/2006	Objection to application for Retailer of liquor licence (off) by neighbours of applicant.	Pending
LA/C/15/2006	Abandoned building is the source of various problems and nuisances.	Pending
LA/C/16/2006	Victimized by Council in respect of erection of wall.	Explained
LA/C/18/2006	Several requests by inhabitants to render the street where they live safer not considered.	Pending
LA/C/23/2006	Complainant avers that no action has been taken against her neighbour who, according to her, has put up an illegal building.	Pending
<b>Municipal Council of Port Louis</b>		
LA/C/5/2006	Abandoned vehicle, a blot on the landscape and a breeding ground for flies and other insects representing a health hazard.	Discontinued
LA/C/8/2006	Illegal building put up by complainant's neighbour.	Pending



No.	Subject of Complaint	Result
<b>Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions</b>		
C/236/2005	Complainant's invalidity pension discontinued unfairly.	Discontinued
C/281/2005	Invalidity pension denied to complainant under 15 years of age.	Explained
C/300/2005	No pension paid to complainant's mother for two months. Latter passed away subsequently.	Rectified
C/307/2005	Request for social aid turned down.	Explained
C/39/2006	No financial assistance to complainant's son who had two bones in the right leg broken and who is unable to work. Son has contributed to the National Pension Scheme.	Rectified
C/44/2006	Application for basic widow's pension etc. disallowed.	Rectified
C/55/2006	Pension unpaid.	Rectified
C/65/2006	Request to be registered as member of Senior Citizen Council, which operates under the aegis of the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions.	Explained
C/82/2006	Public officer not confirmed in his post after two years' service.	Rectified
C/129/2006	Pension denied to complainant.	Pending
C/131/2006	Social aid denied to complainant.	Explained
C/132/2006	Claims for social benefits rejected.	Not justified
C/133/2006	Pension discontinued.	Pending
C/163/2006	Delay in providing wheelchair to disabled person.	Rectified
C/197/2006	Pension discontinued.	Pending
C/214/2006	Application by 76-year old complainant for hearing aid since 9 months. No action taken.	Pending
C/217/2006	No pension paid to prisoner's family (wife and son).	Pending
C/237/2006	Pension of complainant's handicapped son discontinued.	Pending

#### **Tourism, Leisure and External Communications**

C/45/2006	Claim for refund of overpayment in respect of pleasure craft licence fee not acceded to.	Rectified
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#### **Women's Rights, Child Development, Family Welfare & Consumer Protection**

C/291/2005	Application for ad hoc allowance rejected.	Not justified
C/296/2005	No reply to complaint made at Consumer Protection Unit.	Rectified

No.	Subject of Complaint	Result
<b>Municipal Council of Port Louis - Continued</b>		
LA/C/19/2006	Bad state of road coupled with absence of light renders use of that road hazardous.	Pending
LA/C/26/2006	Complainant avers he is victim of injustice and lack of good governance.	Pending
LA/C/28/2006	Great inconvenience caused by street vendors along street where complainants live.	Pending
<b>Municipal Council of Quatre Bornes</b>		
LA/C/22/2006	Complainant avers that the Council has reduced the width of his access road when tarring it.	Pending
<b>Municipal Council of Vacoas-Phoenix</b>		
LA/C/13/2006	Land belonging to the Municipality is a source of nuisance and constitutes health hazard.	Not justified
LA/C/21/2006	Building permit refused to complainant.	Pending
<b>Pamplemousses/Rivière du Rempart District Council</b>		
LA/C/3/2006	Complainant's trade licences revoked and not restored.	Pending
LA/C/7/2006	Absence of drains causing flooding of road. Inconvenience to users.	Pending
LA/C/11/2006	Request by inhabitants of Triolet to have road tarred ignored.	Pending
LA/C/20/2006	Waste land used as dumping site. No action by authority concerned.	Rectified
<b>Pamplemousses/Rivière du Rempart District Council</b>		
LA/C/25/2006	Trade licence to operate poultry pen not yet issued to complainant on flimsy grounds.	Pending
LA/C/27/2006	Complainant's neighbour putting up illegal construction. No action taken by District Council despite representation made by him.	Pending
LA/C/29/2006	Application to "distribute a piece of land" ignored.	Pending
LA/C/30/2006	Request by inhabitants to have lane tarred made since six years. No response.	Pending
LA/C/31/2006	Complainant's house gets flooded when there is heavy rainfall. No action taken by authorities concerned.	Pending





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