



Republic of Mauritius

35th Annual Report **of the** **OMBUDSMAN**

January - December 2008

No. 8 of 2009

35th
Annual Report
of the
Ombudsman



January – December 2008

OFFICE OF THE OMBUDSMAN

OMB 13/04 VOL. XXXV

June 2009

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 Réduit

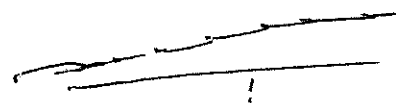
Your Excellency,

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

In accordance with such provisions therefore, I have the honour, pleasure and privilege to present to you the 35th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2008 which marked four decades of ombudsmanship in Mauritius.

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

Yours respectfully,



(Soleman M. HATTEEA)
Ombudsman

TABLE OF CONTENTS

	<i>Page</i>
Year under review	1
40 years of independence – 40 years of ombudsmanship	1
Statistics for 2008	3
Rodrigues	5
Training of staff	5
Acknowledgements	6
Appendices	7

APPENDICES

Page

Appendix A

Chapter IX of the Constitution – The Ombudsman	8
--	-----	-----	-----	---

Appendix B

The Ombudsman Act	13
-------------------	-----	-----	-----	----

Appendix C

Selected Complaints	...	...	...	15
Civil Service Affairs and Administrative Reforms (1)	...	...	...	15
Education and Human Resources (2)	...	...	...	16
Health and Quality of Life (4)	...	...	...	17
Housing and Lands (3)	...	...	...	19
Local Authorities (10)	...	...	...	21
Police (5)	...	...	...	26
Prime Minister's Office (Civil Status Division)(1)	...	...	...	28
Prime Minister's Office (2)	...	...	...	29
Prisons (4)	...	...	...	30
Public Utilities (1)	...	...	...	31
Registrar General (1)	...	...	...	32
Rodrigues (7)	...	...	...	33
Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions (4)	...	...	...	35

Appendix D

Statistical summary of complaints	38
-----------------------------------	-----	-----	-----	----

Appendix E

Subject of complaints	41
-----------------------	-----	-----	-----	----

ANNUAL REPORT OF THE OMBUDSMAN

JANUARY – DECEMBER 2008

Year under review

This is the 35th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2008.

40 years of independence – 40 years of ombudsmanship

The year 2008 was a milestone in the history of the Ombudsman institution in Mauritius in that it marked the 40th anniversary of the establishment of that institution.

Indeed the Ombudsman institution was first created in 1968, at a time when Mauritius acceded to independence, and was firmly entrenched in our new Constitution which came into force on 12 March 1968. It was of such importance that a whole chapter of the Constitution was devoted to the Ombudsman.

The gate was thus opened for our citizens to access a completely new institution for the redress of their grievances against the administration.

A short journey into the past will throw some light on the birth of that institution. Before Mauritius gained independence suggestions were made for the creation of a high-powered tribunal to inquire into abuses of power by those in positions of authority. The matter was raised at the Constitutional Review Talks held at the Colonial Office in London in 1961 and eventually the Late Professor S.A. de Smith was appointed Constitutional Commissioner for Mauritius. During his visit to Mauritius de Smith came to realise that what was being advocated by the proponents of this idea was the creation of an Ombudsman. He thus circulated a paper entitled “An Ombudsman for Mauritius” and received encouraging support from Ministers and other public officials in Mauritius. He therefore, in a Sessional Paper (No. 2 of 1965), reported, *inter alia*, as follows on the matter –

“An Ombudsman for Mauritius would be essentially an independent public officer charged with the duty of investigating and reporting on allegations of maladministration (including unfairly discriminatory acts) made against public authorities and their officials. He would have no power to annul or vary any act or decision, but he would be empowered to make recommendations to the competent authority for granting redress to an aggrieved complainant. He would conduct his inquiries informally and privately; he would not be entitled to single out individual public officers for condemnation in his published reports; he would screen the public service from unjustified criticism, and he would acquire a body of information which would enable him to act as an impartial adviser to the administration. He would, in fact, provide a link between Government and the governed which is at present lacking in Mauritius. Far from weakening the principle of ministerial responsibility, he could make it more efficacious. Although his function would be primarily to assure the redress of individual grievances, his activities would also afford reassurance to minorities which entertained fears of becoming the victims of unfair governmental discrimination. The new constitutional guarantees of fundamental rights and freedoms will have the effect of invalidating unfairly discriminatory laws and administrative acts. But they must first be pronounced invalid by the courts; and there would surely be an advantage in supplementing the judicial process by another

process which may prove less obtrusive and swifter in action and will not depend for its efficacy on the initiative of individual litigants. And the very existence of an independent inquisitor should reduce any possibility that discriminatory practices will be perpetrated by those in authority”.

After comparing like institutions in Sweden, Denmark and New Zealand (the first Commonwealth country to appoint an Ombudsman) Professor de Smith concluded his proposals by stating that they were based on the New Zealand pattern but incorporated a number of variations designed to take into account the different circumstances and constitutional position of Mauritius. He further added that “An Ombudsman cannot be bought off the peg; he must be made to measure.”

Professor de Smith was also of the view that the success of such an institution would depend on the degree with which the first occupant of the office was able to earn the confidence of the politicians, the civil service and the general public alike. Therefore, having regard to the “peculiarly sensitive character” of the functions which the Ombudsman would be called upon to discharge, he recommended that the first holder of the office be a non-Mauritian. This recommendation was agreeable to the Mauritian Government.

A few years later, i.e. in 1968 the idea was embodied in our Constitution. In 1969 the Ombudsman Act was passed in order to make provisions for certain supplementary and ancillary matters which were necessary for the proper functioning of the Office. And in 1970 the first Ombudsman for Mauritius was appointed.

It is interesting to know that our first Ombudsman came from Sweden. We may ask ourselves: “Why Sweden of all places?”. The answer seemed to be that Sweden, as the forerunner of the Ombudsman institution, at least in its modern form, had had an Ombudsman ever since 1809 and therefore had acquired a great wealth of experience in ombudsmanship which it could put at our disposal. The word “Ombudsman” itself is of Swedish origin and is defined as an official appointed to investigate individuals’ complaints against maladministration, especially that of public authorities. It signifies the role of the official holder as that of a grievance-redressal agency.

Therefore our then Prime Minister wrote to the Prime Minister of Sweden requesting him to suggest somebody to occupy that post. It was thus that Judge Gunnar Lindh was appointed as the first ever Ombudsman of Mauritius.

It would be apt here to recall that the law setting up the Ombudsman institution has remained virtually unchanged and is as relevant to-day as it was forty years ago. Indeed the Ombudsman institution has stood the test of time mainly because at the very outset it incorporated the essential characteristics needed to successfully fulfil its mission, to wit: independence of the Office, wide powers of investigation, informal procedure for conducting an investigation, a non-adversarial approach to the resolution of problems and finally the power to make recommendations.

Ever since that historic date the Ombudsman of Mauritius has tackled thousands of complaints and been able to bring relief to hundreds of citizens who had sustained injustice in consequence of maladministration or otherwise unjustly dealt with.

The Ombudsman is not only important to our citizens with concerns and problems but is also of great benefit to our administrators who endeavour to achieve good administration. Indeed we now see how seriously public authorities deal with complaints that are investigated by the Ombudsman. It is no longer a question of resolving a particular dispute but more importantly an opportunity to remedy any flaw in the system and to improve service delivery in general. This attitude has helped to resolve numerous complaints through early resolution instead of having to carry out formal investigations.

My own experience acquired during my tenure of office has shown that the Ombudsman must do his level best to acquire the support and trust of both the public and the administrators in order that he may fulfil his mission effectively. Confidence and credibility are the key words to success.

Before concluding I would like to say that the Ombudsman does not have a magic wand. I do not believe any Ombudsman in the world has. Consequently it does sometimes happen that we are unable to obtain from an administration a reply favourable to a complainant, even on humanitarian grounds. Nor is it our intention to ask any administration to do anything contrary to the provisions of the law or to go against established practices, although we feel that there are cases where the administration may show some flexibility. All our efforts are not lost though, as these are opportunities for us to learn and draw lessons in order to improve our approach.

Our Office therefore continues to be an independent and impartial advocate for administrative fairness.

Statistics for 2008

Case intake

Ministries/departments	...	263
Local authorities	... ..	64
Rodrigues Regional Assembly	...	35
Total ...	... ..	<u>362</u>

Cases dealt with

Ministries/Departments

Rectified	... ..	118
Partly Rectified	... ..	1
Not Justified	... ..	25
Explained	... ..	109
Discontinued	... ..	29
Not Investigated	... ..	5
Not Entertained	... ..	2
Withdrawn	... ..	1
Pending ...	... ..	<u>101</u>
Total ...	... ..	<u>391</u>

Local Authorities

Rectified	...	...	...	...	32
Partly Rectified	...	...	...	...	1
Not Justified	...	...	...	...	2
Explained	...	...	...	...	20
Discontinued	...	...	...	...	4
Pending	...	...	...	...	36
Total	...	...	...	...	95

Rodrigues Regional Assembly

Rectified	...	...	...	...	17
Not Justified	...	...	...	...	10
Explained	...	...	...	...	9
Discontinued	...	...	...	...	1
Pending	...	...	...	...	22
Total	...	...	...	...	59

On the whole therefore our statistics for 2008 are as follows -

Cases pending as at 31 December 2007	183
Case intake in 2008	362
Cases dealt with in 2008	545
Cases rectified	167
Cases partly rectified	2
Cases not justified	37
Cases explained	138
Cases discontinued	34
Cases not investigated	5
Cases not entertained	2
Cases withdrawn	1
Cases pending as at 31 December 2008	159

Apart from the above we also received 219 copies of complaints addressed to other bodies/institutions and 210 complaints relating to matters which were outside our jurisdiction. As much as possible we have tried to help the authors of these complaints either by following them up or by transferring the cases to the competent body/institution or still advising them where to turn for a solution to their problems. I am glad to say that most of these bodies/institutions react positively to the problems that I bring to their attention.

Rodrigues

I repaired to Rodrigues only once during the year under review, from 26 to 30 May, accompanied by the Senior Investigations Officer, Mr. M.A. Zeadally.

The number of persons who called on us amounted to 42. Some had been summoned by us in connection with their complaints whilst some others were “newcomers” and yet others who came by themselves to inquire about progress in their ongoing cases. The number of new files opened there and then was 9.

As usual the Departmental Heads of Commissions against which there were complaints appeared before us for discussions with a view to making available further information in certain cases being investigated by us and/or expediting matters whenever possible.

At the end of the year we had registered 35 new cases from Rodrigues. Altogether the number of cases dealt with, including pending ones, was 59 out of which 17 were rectified.

Training of staff

I am pleased to report that once again officers of our Office followed various courses/training programmes, as per hereunder, with a view to enhancing their knowledge and skills so as to be in a position to provide quality and timely service to our citizens as well as for an efficient running of our Office –

COURSES/TRAINING PROGRAMMES FOLLOWED BY STAFF IN YEAR 2008

	Name/Designation	Courses/Training Programmes	Period
1.	FOWDAR, Mrs. Kumari Higher Executive Officer	(a) Training in Negotiation Skills (b) Training Programme on the Implementation of Performance Management System in the Public Service (Facilitator) (c) Internet and Computing Core Certification (IC3)	29 to 30 May 2008 9 to 13 June 2008 October to December 2008
2.	GUNNOO, Mr. Isnoo Executive Officer	(a) Training in Medium Term Expenditure Framework (MTEF) & Programme Based Budgeting (PBB) (b) Internet and Computing Core Certification (IC3)	4, 5, 6, 8 and 12 February 2008 04 October 2008 to 31 January 2009

	Name/Designation	Courses/Training Programmes	Period
3.	RAMHOTA, Mr. Chetanand Office Supervisor	(a) Training in Negotiation Skills (b) Training in Medium Term Expenditure Framework (MTEF) & Programme Based Budgeting (PBB)	22 – 23 May 2008 11 – 15 February 2008
4.	JUGROOP, Mrs. Nirmala Clerical Officer/Higher Clerical Officer	Internet and Computing Core Certification (IC3)	August 2008
5.	RAJPUTTY, Miss Archana Clerical Officer/Higher Clerical Officer	(a) Induction Course for newly recruited Clerical Officer/Higher Clerical Officer (b) Internet and Computing Core Certification (IC3)	8 – 10 April 2008 25 October 2008 to 21 February 2009
6.	LUTCHMEEA, Mrs. Sangeeta Word Processing Operator	(a) Internet and Computing Core Certification (IC3)	August 2008
7.	JEEWON, Mrs. Yasmin Office Care Attendant	(a) Induction Course for Office Attendants (b) Internet and Computing Core Certification (IC3)	26 – 27 May 2008 2 August to 8 November 2008
8.	LUCHMUN, Mr. Chandranandsing Office Care Attendant	Induction Course for Office Attendants	19 – 20 May 2008

Acknowledgements

Once again my heartfelt thanks to those persons who placed their trust in our Office by resorting to our services for redressal of their grievances. It is true however to say that not every complaint received at our Office means that an administration has gone wrong somewhere. Indeed not all complaints are found to be justified after investigation but in such cases we try and help by explaining contested decisions. In most cases the complainants are satisfied with the explanation given.

I also extend my thanks to those ministries/departments/local authorities and the Rodrigues Regional Assembly whose action (or inaction) I had to investigate and which cooperated fully with our Office with a view to finding solutions to problems brought to my attention by our citizens as well as in cases where I decided to investigate on my own motion.

Annual Reports from colleagues all over the world are also a source of satisfaction in view of the information gathered concerning their activities in their respective jurisdiction. Our Annual Report is also made available to one and all by posting same on our website.

Lastly, I wish to express my thanks to the staff of my Office for their conscientious work and for assisting me all along, including in the preparation of this Report. They also deserve appreciation for 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.

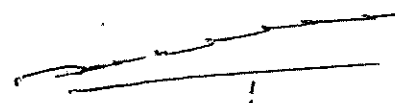
Appendix B reproduces the Ombudsman Act which provides for the oath to be taken by the Ombudsman and his staff upon assumption of office, the procedure for lodging a complaint and other ancillary matters. The Act also makes it an offence for any person who influences or attempts to influence the decision 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 ministries/government departments, local authorities and the Rodrigues Regional Assembly.

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

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

Attention is drawn to the fact that sometimes a particular ministry falls under different appellations e.g. Ministry of Education and Scientific Research, Ministry of Education and Human Resources now called Ministry of Education, Culture 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 of ministries at the time of opening of files has been maintained.



(S.M. HATTEEA)
Ombudsman

June 2009

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 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 any complaint under this section in so far as it relates to –

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

Provided that –

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

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

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

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

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

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

98. Procedure in respect of investigations

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

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

99. Disclosure of information

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

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

(3) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in the public service imposed by any law in force in Mauritius or any rule of law shall apply to the disclosure of information for the purposes

of any such investigation, and the State shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

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

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

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

100. Proceedings after investigation

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

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

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

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

the Ombudsman shall report his opinion, and his reasons, to the principal officer of any department or authority concerned, and may make such recommendations as he thinks fit; he

may request that officer to notify him, within a specified time, of any steps that it is proposed to take to give effect to his recommendations; and he shall also send a copy of his report and recommendations to the Prime Minister and to any Minister concerned.

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

101. Discharge of functions of Ombudsman

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

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

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

102. Supplementary and ancillary provision

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

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

THE OMBUDSMAN ACT

1. Short title

This Act may be cited as the Ombudsman Act.

2. Oaths of office

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

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

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

3. Procedure

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

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

4. Action by department not affected by investigation

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

5. Privilege of communication

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

6. Offences

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

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

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

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

7. Expenses and allowances

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

8. Administrative expenses

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

9. Regulations

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

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

SELECTED COMPLAINTS

CIVIL SERVICE AND ADMINISTRATIVE REFORMS

C/67/2008

Allowance paid for extra hours of work

Complainant, a Principal Job Analyst at the Pay Research Bureau, felt aggrieved by the decision of government not to pay any allowance to officers of the level of Principal Assistant Secretary and above for extra working hours put in by them. He was made to understand that he could be compensated by way of time-off on request and subject to the exigencies of the service, after the publication of the 2008 PRB Report.

He explained how he was given strict instructions to work extra hours on weekdays as well as on Saturdays, including public holidays which fell on weekdays and Saturdays, for the timely publication of the 2008 PRB Report.

He claimed that the imposition of 60 to 70 additional hours of work monthly for a period of 5 consecutive months caused him a lot of inconvenience and disruption in his social and family life, impaired his health and entailed additional travelling expenses. He was of the view that the grant of time-off facilities would not provide sufficient compensation to him.

His initial representation through the Director of the Pay Research Bureau for payment of compensation in cash met with the refusal of the Ministry of Civil Service and Administrative Reforms which was of the opinion that money should not always be the form of compensation. He then addressed the Supervising Officer of that Ministry directly for a review of its decision which he considered to be discriminatory inasmuch as his subordinates were being granted cash payment for similar extra hours of work. Unfortunately he received no reply.

When I took up the matter with the Supervising Officer, Ministry of Civil Service and Administrative Reforms I was given to understand that the extra hours of work put in by any Officer in the grade of Principal Job Analyst were considered to be part of his normal duties just as in the case of a Principal Assistant Secretary. I then requested the Ministry of Civil Service and Administrative Reforms to make a comprehensive reply to the complainant but I learned that the latter had seized the High-Powered Committee about his case.

I therefore continued to follow up the matter until I was informed that the High-Powered Committee had approved payment of an allowance of Rs 65000/- to the complainant.

I did not hear from him again.

EDUCATION AND HUMAN RESOURCES

C/137/2007

Rs 109,649.06 paid to retired officer as revised benefits

Mrs. S.D.C. a retired Teacher/Senior Teacher (Oriental Language - Hindi) wrote in June 2007 to inform us that although she was recruited in the public service as Extra Teaching Assistant in 1973 and later confirmed as a full-fledged primary school teacher in 1981, she was informed by the Ministry that her lump sum and pension would be computed as from 1981 only.

Inquiry revealed that she retired from the public service in May 2007 and the Ministry had already submitted the necessary forms to the Accountant General for the calculation of her pension benefits, excluding period 1973 to 1978.

As regard the excluded period, necessary searches were to be made by the Ministry of Education and Human Resources and transmitted to the Accountant General. Indeed additional information was retrieved and amended forms were forwarded to the Accountant General for necessary action.

I followed up the matter with the Accountant General and this led to payment of revised benefits to the tune of Rs 109,649.06, which sum was directly credited to the lady's bank account.

C/60/2008

Complainant paid the sum of Rs 460,729.78 as gratuity and accrued pension following intervention of the Ombudsman

In a very long letter addressed to our Office, Ms. J.B. related to us the various stages of her career as an educator, researcher, part-time lecturer, full-time lecturer, at the Ministry of Education, Mauritius Institute of Education, Curriculum Development Centre and Mahatma Gandhi Institute, starting since 1982 and ending in 2001.

Her complaint was to the effect that her last employer, the M.G.I., had decided that her pension would be based only on the last few years she taught there. At the time of writing she had not yet been paid any pension nor received any lump sum. She therefore sought our help in this matter inasmuch as her letters to the Ministry of Education and Human Resources had remained unanswered.

I queried the Ministry about this lady's situation and was informed that she reckoned continuous service as from 11 February 1969 till February 2001 when she retired from the service of the M.G.I. where she had been sent by the Ministry to render services. It was however conceded that the M.G.I. could not meet the entire liability in respect of her past services with other employers under more than one pension scheme.

It was therefore decided, after consideration, that part of her past services would be at the charge of the Private Secondary Schools Authority to be paid out of the Private Secondary Schools Staff Pension Scheme and the latter period of her employment i.e. from 1984 to 2001, would be at the charge of the M.G.I.

Finally I was informed by the Ministry that a sum of Rs 460,729.78 representing gratuity and accrued pension had been paid to Ms. J.B. by the S.I.C.O.M. and that she would be paid a monthly pension of Rs 3064.67.

HEALTH AND QUALITY OF LIFE

C/114/2006

Odour nuisance caused by poultry-rearing activities stopped

This is a case in which I started an investigation on my own motion after I had picked up a press article in May 2006 titled “Un élevage de poulet qui dérange – Des habitants ont dû faire appel à la police de l’environnement pour que l’éleveur fasse nettoyer des enclos qui puent. Ils ont signé des pétitions pour faire stopper une telle activité dans cette zone résidentielle.”

According to the contents of the article this situation of odour nuisance had started some two years back and the owner of the poultry of some one thousand birds did not himself live in the neighbourhood.

Inquiry revealed that the offender had in the past been prosecuted for non-compliance with a Sanitary Notice for breeding poultry in a residential zone served on him on 17 October 2005 but the case was dismissed four days later.

Soon afterwards the owner was issued with a Stop Order under the Environment Protection Act but a site visit some months later effected by the Health Inspectorate of the locality, officers of the Ministry of Environment and National Development Unit and the Police de l’Environnement revealed that the owner was still keeping about 1500 birds. He was immediately booked for trading without licence.

He was then prosecuted before the District Court and the matter, after being called proforma, was fixed for hearing on 7 March 2007. Unfortunately the case could not be completed on that day and it was fixed for continuation on 13 August 2007 but was again postponed on five occasions until it was heard on 30 July 2008. The accused pleaded guilty on that day and was simply fined Rs 5000/-.

I had to follow up the matter throughout but, not being satisfied with the end result, I queried the Ministry again about the poultry-rearing activities, the real source of the problem.

A few weeks later the good news came that the owner had ceased his activities, much to the relief of the inhabitants.

C/194/2007

Ad hoc allowance of Rs 50000/- proposed by Ministry for additional duties performed

One D.G., a former Principal Assistant Secretary, was entrusted with a certain number of responsibilities outside his normal schedule of duties during period 27 January 2003 to 17 October 2005 in the context of the National Health Plan Project, a Rs 743m project which also included the upgrading of the main hospital in Port Louis and Capacity Building and Health Promotion. In fact D.G. was appointed the Project Coordinator and as such was entitled to payment of an ad hoc allowance.

By letter dated 29 August 2007 addressed to the Senior Chief Executive of the Ministry of Health and Quality of Life, D.G. deplored the fact that he had not yet been paid his dues in spite of several verbal requests made by him. In his letter he requested a reply from the Senior Chief Executive by mid-September 2007. He copied that letter to me.

I immediately requested D.G. to wait for a period of one month and in the event he received no reply he could come back to me.

Unfortunately, another letter from him dated 10 October 2007 informed me that he had indeed received no reply from the Senior Chief Executive.

I therefore decided to question the Senior Chief Executive about this case. I was made to understand that there were various issues that had to be properly assessed and that, as there were a number of other officers also in this situation, the Ministry needed more time to finalise the matter.

Later the Ministry informed me that the matter had been referred to the Ministry of Civil Service and Administrative Reforms for advice. I therefore went to the latter Ministry and was informed that the claim was still being examined in the light of what had been done in the past in similar circumstances.

Finally, the Ministry of Civil Service and Administrative Reforms approved payment of the sum of Rs 50000 and D.G. was accordingly informed by the Ministry of Health and Quality of Life itself.

However, in a letter dated 18 December 2008, D.G. informed me that the sum of Rs 50000/- was not correct and that he would further take up the matter with the Senior Chief Executive again. I did not hear any more about the final outcome of this case but there is no doubt that our intervention has been fruitful.

C/64/2008

Interest on late settlement of dues paid to company

A private company was awarded the contract for the supply of a certain variety of rice to all government hospitals in the country for a one-year period starting 16 August 2006.

According to one of the conditions of the contract payment by government ought to be effected within 21 days of delivery failing which interest would become payable at 2% above the bank rate. Unfortunately this was not the case and the company first made a written claim for the sum of Rs 15,839.70, being interest on late payment, to the Ministry of Health and Quality of Life on 28 September 2007, followed by reminders on 22 October 2007 and 26 November 2007. It was only on 17 December 2007 that a reply was made by the Ministry informing the company that its claim was still under consideration.

Seeing nothing coming its way after several months, the company solicited our intervention by letter dated 8 March 2008.

When I sought the version of the Ministry of Health and Quality of Life I was informed by the Senior Chief Executive that payments for supplies of rice are made by the respective hospitals and therefore the Ministry was still trying to retrieve the originals of all the vouchers from the different hospitals.

Finally, after a few months, after being pressed by me, the Ministry informed me that the claim for interest had been settled by the respective hospitals and this was confirmed by the company's Director with a word of thanks for our intervention.

Copy of medical report handed over to patient's daughter

The complainant in this case, a Mauritian lady living in Ontario, Canada, emailed our Office to express her dissatisfaction in respect of the treatment received by her father in one of our hospitals and complained that her request for a copy of her father's medical report had not been even acknowledged by the Ministry, let alone acceded to. As she badly needed that report for alternative treatment abroad she solicited the intervention of our Office.

When questioned by me, the Senior Chief Executive of the Ministry informed me that as a general rule, due to its confidential nature and for ethical reasons, the medical report of a patient having undergone treatment in our hospitals is not disclosed to a third party without the prior consent of the patient.

A few days later the written consent of the patient was obtained and a copy of the medical report handed over to the complainant on the same day.

HOUSING AND LANDS

Application for lease of State land approved after more than eight years

Mrs. G.P.P., a resident of Mahebourg, informed me by letter dated 17 July 2006 that she had submitted an application for State land at Rivière La Chaux to the Ministry of Housing and Lands since 21 September 1999! and up to now she had not received any reply. She claimed to be the victim of discrimination although she did not say on what ground.

According to the explanation of the Ministry, Mrs. G.P.P. was but one of several heirs and parties entitled to apprehend the estate and succession of late B.C. who died in January 1998 leaving also a surviving spouse but what Mrs. G.P.P. actually wanted was a right in the succession of late B.C. who was the lessee of State land at Rivière La Chaux. However, as Mrs. G.P.P. was personally facing hardship, the Ministry was prepared to consider the grant to her of a building site lease at Beau Vallon.

Indeed after following up the matter with the Ministry an offer of a building site lease at Beau Vallon was made to Mrs. G.P.P., subject to her being found eligible and she was requested to submit to the Ministry all documents relating to her socio-economic status in order to assess her eligibility. Mrs. G.P.P. did so by the end of February 2007.

By November 2007 I was informed that Mrs. G.P.P. had been found to be eligible and that Cabinet approval was being awaited for the grant of the lease.

Finally, in May 2008, Government approved the lease over a plot of land at Beau Vallon of an approximate extent of 167 square metres. Mrs. G.P.P. confirmed subsequently that she had received a letter of intent and a situation plan. It may be safely assumed that she accepted Government's offer as she did not come back to us.

Lease of State land transferred to designated heir

Government had ever since 1983 leased a plot of land of an extent of 7¼ perches situated at Pointe aux Sables Village to one Mr. J.H.C. for an annual rent of Rs 350/- and the lease was to expire on 30 June 2010. J.H.C. had erected a residential building on the land.

In the meantime J.H.C. passed away on 9 February 2005 but his widow, M.L.C., continued to pay the annual rent and applied to the Ministry for a transfer of the lease in her own name as the original building had deteriorated and she had started the construction of a new one on the site.

Unfortunately despite several visits at the said Ministry, the last one being on 30 November 2007, no consideration had been given to the widow's application. She therefore wrote to our office on 10 December 2007 requesting our assistance in the matter as she wanted to complete the construction of the new house and move in there the following year.

When queried about this case, the Ministry explained that the normal practice in such cases was to request the heirs of the deceased lessee to submit a duly registered notarial deed witnessing the sale of the building(s) standing on the land in the name of one of the designated heirs and thereafter draw a lease agreement in that heir's name. However, the Ministry sought advice from the State Law Office on a possible alternative course of action, in order to avoid heavy financial implications to the heirs of deceased lessees in general. Finally the Ministry agreed to accept an affidavit from the heirs in such a situation instead of a notarial deed.

Consequently the application of the widow was treated along these lines and in the end an affidavit was submitted by the heirs of the deceased, J.H.C., to the effect that they agreed that the lease be drawn in the name of the widow.

Action was then immediately taken by the Ministry for drawing up a new building site lease in the name of the widow.

Campement site lease renewed five years after application

Mrs. S.D. was the lessee of a campement site in Roches Noires village. Her lease had expired on 30 June 2003. But ever since February 2003 she had applied to the Ministry for the renewal of her lease for a further period of 20 years, as provided in the original lease. Unfortunately she never received any reply in spite of further letters to the Ministry, the last one on 28 June 2007.

Mrs. S.D.'s Legal Consultant wrote a final letter to the Ministry on 16 January 2008 and copied same to me.

I intimated to the Ministry that it was most unacceptable to make any person wait for nearly five years without any reply and called for an explanation.

The Ministry's reply was to the effect that some 200 cases out of 1278 campement site leases which had expired since the year 2000 needed to be renewed for their last leg of 20 years. However, following the implementation of the new campement site lease policy decided by government, new letters of offer together with option forms and draft

lease agreements had to be issued to 1278 campement site lessees. This was first done in May 2007 but in the light of representations made by the Association of Campement Owners and Users a fresh set of letters, etc. were issued in November 2007. All the lessees were given a period of six months to respond to the offer.

As regard the 200 cases of leases that had already expired, which included that of Mrs. S.D., the Ministry agreed, upon advice received, to go ahead with their renewal.

On 7 July 2008, Mrs. S.D. was requested to submit all relevant documents to enable the Ministry to finalise her new lease agreement which she did at the end of July 2008.

Some time later I received a letter from Mrs. S.D.'s Legal Consultant to the effect that the new lease document had been signed and all dues paid.

Mrs. S.D. expressed her gratitude for our intervention through her Legal Consultant.

LOCAL AUTHORITIES

LA/C/10/2007

Proper maintenance of Château brought about through intervention of Ombudsman

At a time when the disease of chikungunya was spreading fast in Mauritius and had already made around ten victims in the region of Moka, my attention was caught by a press article entitled "Château Val-Ory: un dépôt-oreiller".

The article described in what a pitiful state the land on which the Château was and how it represented a health hazard to the neighbourhood.

The Château, located in Moka, belonged to the Iranian Government and I felt I had to intervene both for the benefit of the inhabitants in the neighbourhood and that of the Iranian Government itself, having regard to the historical value of the building.

I first queried the Chief Executive of the Moka-Flacq District Council who informed me that according to the Ministry of Local Government an Iranian diplomat working in an international organisation in Mauritius had been mandated by his government to look after the property. The Chief Executive also informed me that the Council had no adequate resources to do anything about it. I also felt that even if the Council did have the necessary resources it could not intervene as it would face a diplomatic hurdle.

I therefore wrote to the Minister of Foreign Affairs, International Trade and Cooperation who informed me that although his Ministry had been pressing the Iranian authorities, both verbally and in writing, on the urgent need for a proper maintenance of the property, no concrete action had been taken. The Minister added that he would take up the matter personally with the Ambassador of Iran to Mauritius who was to present his credentials to the State President shortly. That was in April 2007.

Indeed some three months later I was informed that the matter had been discussed between the Mauritian and Iranian authorities and it was agreed that proper action would be taken.

After taking up the matter further with the Minister he personally informed me that –

- (i) the precincts of the Château had been fully purged from rubbish and weed;
- (ii) the existing pool had been fully drained and was now completely dry, and
- (iii) fencing and repairs of the damaged stone walls had been carried out, and that henceforth a local employee would ensure the proper maintenance of the property.

The Moka-Flacq District Council also reported that upgrading works had been carried out to the Château to its satisfaction.

The same newspaper which carried the initial article reported some eight months later as follows: “Le Château Val-Ory réhabilité”.

LA/C/13/2007

Lane where blind man lives tarred following Ombudsman’s intervention

In an article in one of our dailies entitled “Quatre-Bornes Impasse Kingston: N.D., un aveugle, se plaint des inondations”, it was reported that the said N.D. who was blind was exposed to various risks on account of his handicap especially whenever rain flooded the lane where he was living. According to N.D. he had himself written several letters to the Municipal Council requesting that appropriate action be taken but in vain. Furthermore, not long before the article was published he fell down and nearly had a fracture of the wrist.

I therefore requested the Chief Executive of the Council to look into the matter with a view to having necessary action taken and to report back to me subsequently.

In the first place I was informed by the Chief Executive that the problem arose because the lane was untarred and that, as the tarred works would cost close to Rs 150000/-, the matter would be brought before the appropriate committee of the Council for consideration. Then, two months later, I was informed that the committee had given its approval but that the works would be undertaken upon availability of funds.

I had to constantly press the Chief Executive about the matter until I was informed months later that the tarring works at Kingston Avenue had been completed.

My intervention was therefore more than justified.

LA/C/14/2007

Lay-by and footpath constructed following the Ombudsman’s initiative

The absence of a lay-by for buses in front of a bus-stop in Camp de Masque represented a danger to one and all at that bus-stop, especially schoolchildren who were wont to wait in large numbers at that spot after school hours.

Many a parent have been complaining about the situation, including the President of the Parents-Teachers Association of the State Secondary School found in the vicinity. Nothing had been done.

Inquiry revealed that the road was a “classified” one and thus fell under the responsibility of the Road Development Authority, which itself fell under the aegis of the Ministry of Public Infrastructure, Land Transport and Shipping.

So I raised the matter with that Ministry and I was soon informed that the Ministry of Education and Human Resources had agreed to finance the construction of a lay-by and 212 metres of concrete footpath along that road. As the project was estimated at Rs 1.7m, the Ministry of Education and Human Resources was requested to deposit that sum on the account of the Road Development Authority for the latter to undertake the works.

After some ten months the construction of the bus lay-by as well as the footpath was completed.

This is yet another problem solved following a press article I picked up, thus avoiding an accident could easily have occurred at that spot.

LA/C/37/2007

Pavements reinstated

In a letter he addressed to a daily, one M.H. drew the attention of the Lord Mayor of Port Louis to the urgent need for upgrading certain pavements in the city. M.H. emphasised on a particular street which was frequented by hundreds of pedestrians, including tourists, and where the Passport and Immigration Office was located as well as the Pension Office where thousands of state pensioners, elderly and disabled persons would go to collect their monthly pension. He described the pavements as being in a decrepit state where many have slipped and fell down.

I personally raised the matter with the Chief Executive of the Municipal Council who informed me that they were aware of the situation and that tenders had been invited for the upgrading of pavements and ancillary works, including along the street referred to by M.H. Three offers were received but they all exceeded by far the estimate of the Council for the whole project; hence the tender exercise had been cancelled.

After my intervention the Council embarked on another tender exercise after re-working the tender specifications and within a few months the pavements in question were reinstated.

Thank you M.H.

LA/C/56/2007

Morcellement provided with street lights

According to a press article dated 22 November 2007 and entitled “L’obscurité totale inquiète les résidents” there was no lighting at all along the streets situated at Morcellement Gris-Gris which consists of 360 lots. It would appear that the Grand Port/Savanne District Council had given its green lights to the promoter of the Morcellement without requiring that the Morcellement be provided with a lighting system. As for the said Council it was reported that they had no sufficient funds to set up such a network.

Be that as it may, in the meantime residents were living in fear as some time ago a person had been attacked and sexually abused by the occupants of a vehicle which was circulating within the Morcellement.

I immediately requested the Chief Executive of the Council to look into the matter and take necessary action immediately in order to ensure the security of the inhabitants.

Inquiry revealed that a Sugar Estate situated in the south had carried out two residential morcellements at Gris-Gris on the strength of a morcellement permit. Unfortunately, in the letter of intent issued, the Morcellement Board made no mention of the provision of street-lighting. A meeting with the representative of the promoter of the project was held and he was to report the matter to the Sugar Estate and then revert to the Council.

One month later the promoter wrote to the Chief Executive and stated that it was agreeable to finance the provision of 80 lamps to the tune of Rs 400000/-.

Before they received the cheque for that amount the Council went ahead and fixed 15 street lamps at strategic places in the morcellement and installed the remaining 65 lamps after receipt of the amount promised by the promoter.

Therefore, in about 6 months, what should have been done a number of years ago was finally done upon my intervention.

LA/C/8/2008

Problems solved

Inhabitants of Rivière des Créoles were living in constant fear of a frequently-used bridge (Pont Brocus) collapsing at any time. There was also a dry tree whose branches were overhanging an electric wire in the vicinity. That too represented a source of permanent danger to passers-by. Nothing had been done by the authorities concerned to address these two problems.

I therefore went to the authorities concerned and in less than a fortnight the approval of the Conservator of Forests was obtained for felling the said tree which was carried out by the Special Mobile Force.

As for Pont Brocus, the Road Development Authority effected a site visit, identified the masonry works to be done and completed the works (consolidation of the abatements of the bridge) a few months later.

LA/C/15/2008

Wasteland cleared

On 20 February 2008 it was reported in one of our dailies that one JUC had written to the Chief Executive of the Quatre Bornes Municipal Council since the beginning of 2008 to complain about a bare plot of land at a street corner next to St. Jean Road which was being used as a dumping ground, as a "public toilet" and as a hiding place for drug-users and thieves. Apparently this had been going on for years and years but no action had been taken by the Council.

My inquiry into the matter revealed that a notice had already been served upon the owner on 28 January 2008 whereby a delay of 15 days was given to him to clear and fence his premises.

As the owner had not complied with the Council's request, a notice of intended prosecution was served upon him and within days the offending plot of land was cleared to the satisfaction of the Council's Inspector.

Credit to the Council for prompt action taken this time.

LA/C/24/2008

Overtime due to watchman paid

One R.G., a market watchman, complained in his letter dated 10 April 2008 that he had not been paid overtime for a period of four months amounting to some Rs23000/- despite his having submitted his claim for overtime duly certified by his Inspector. He therefore sought my help as he was facing much hardship to sustain his family and pay a loan he had incurred.

The Chief Executive of the Council was requested to do the needful immediately and within three weeks the complainant's claim was verified and payment effected end of May 2008.

The complainant readily acknowledge having received his due and expressed his gratitude for our help through difficult times.

LA/C/25/2008

Bridge repaired

Following the infamous 26 March 2008 flooding which cost the lives of several people, the whole handrail of a bridge situated at Barlow had been carried away thus resulting in the flooding of several houses in the vicinity.

Some forty days later this problem was reported in a press article which emphasized on the security aspect of the problem.

The matter was immediately taken up with the Chief Executive of the Pamplemousses/Rivière du Rempart District Council and a few months later I was informed that the following works had been carried out –

- (i) cutting, welding and fixing of approximately 20 metres length of handrails with concrete footing, and
- (ii) upgrading of road and construction of retaining wall of approximately 15 metres length, made of stone-masonry.

I am pleased to say that I am satisfied that the Council did not wait too long to react having regard to the circumstances.

LA/C/45/2008

Big hole on road closed

A complaint appearing in a newspaper during the last week of August 2008 referred to a huge hole at Jummah Mosque Street in Port Louis which had been reported to the Customer Care Centre of the Municipal Council of Port Louis since November 2007.

Nine months later nothing had been done notwithstanding further calls and letters to the said Centre.

Within less than one month of my taking up such complaint with the Chief Executive of the Council the complaint was attended to and remedial action taken.

I wish to remind the Council that there is no point in having a Centre called Customer Care Centre when the complaints of "Customers" are not attended to!

POLICE

C/134/2008

Error in Record of Convictions – remedial action taken

One R.K.R. had been imprisoned for a period of ten years for manslaughter and at the time he wrote to me he had already served his sentence.

His complaint was to the effect that when he applied for a Certificate of Morality it showed two previous convictions for drug-related cases, with which he had nothing to do. So he sought my intervention to remedy the situation.

Inquiry from the Police revealed that a bona fide error occurred when the Crime Record System was computerised in the year 1999 whereby the convictions in respect of the two drug cases had been mistakenly entered in the record of R.K.R. instead of another person.

Immediate action was taken to amend R.K.R.'s Record of Convictions with the result that only the case of manslaughter now appeared in his record.

C/146/2008

Money secured from complainant refunded

B.D. was arrested in a drug-related case and was sentenced to eighteen months imprisonment in November 2007 but according to him the court made no order of forfeiture in respect of a certain sum of money which had been seized from him at the time of his arrest.

It would appear that he wrote to the court requesting that his money be deposited into his account in prison but received no reply.

Inquiry revealed that when delivering judgment the Magistrate omitted to make an order in respect of that sum of money which had been produced as exhibit by the prosecution. The Master and Registrar of the Supreme Court, in a correspondence addressed to me, later informed me that the Finance Section of the Supreme Court had sent a Refund of Revenue Form to the Accountant General for a refund to be effected and ten days later the latter confirmed that the refund had been effected.

B.D. who was still undergoing imprisonment was accordingly informed.

Syringes secured returned to their owner

A medical doctor who was practising in the island of Rodrigues had entrusted one of his friends who was coming to Rodrigues to bring some syringes for him from Mauritius. The doctor averred that he used such syringes in the practice of Chinese traditional medicine. Unfortunately, on the day his friend arrived his luggage was searched by a Police Officer who confiscated the syringes. On being asked for whom the syringes were intended the friend disclosed the name of the doctor.

Upon being so informed by his friend, the doctor proceeded to the Police Headquarters in Rodrigues where he allegedly reprimanded the Police Officer for his abuse of authority. All the same, when the doctor asked when he would get back his syringes he was told as soon as the inquiry into the matter would be over but in no case in more than one month.

One and half years later the syringes had not yet been returned to the doctor who therefore lodged a complaint before me claiming back his syringes and sticking all sorts of epithets against the Police: arbitrariness, abuse of power and mischief. He informed me that the Government of Mauritius itself was offering syringes freely to drug addicts in its combat against the spread of AIDS and therefore the seizure of his syringes made no sense.

I inquired about the matter with the Commissioner of Police who informed me that the doctor was involved in two cases of suspected abortion and one case of illegal possession of dangerous drugs. All these cases were awaiting advice from the Office of the Director of Public Prosecutions.

When I probed further into the matter, the Commissioner of Police admitted that the syringes had nothing to do with the above cases. The syringes were secured on mere suspicion. I therefore pursued the matter with the Commissioner of Police with a view to finding out about the fate of the syringes. The Commissioner of Police informed me that he was seeking legal advice in the matter.

Some four months later the doctor himself informed me that his syringes had been returned to him for which he was profoundly grateful to our Office. Later the Commissioner of Police also informed me that advice was obtained that the syringes should be returned to their owner.

Correct Certificate of Morality issued to complainant

This was a complaint against the Police which, according to the complainant, had provided wrong information to the Office of the Attorney General etc. in respect of an application he had made for the obtention of a certificate of character (Certificate of Morality) on 23 August 2007.

This averment was not denied by the Commissioner of Police who explained that the mistake cropped up in the light of a criminal case in which a private company, of which the complainant was the Administration Manager, was prosecuted for illegally employing non-citizens. The complainant merely represented the company in court and pleaded guilty.

Unfortunately the conviction was recorded on the personal name of the complainant and this is what gave rise to the problem which led to complainant having to run from pillar to post and having to provide his fingerprints to the Crime Record Office of the Police Department.

The Commissioner of Police acknowledged the error and exactly a year later the complainant was issued with a clear certificate i.e. one certifying that he had never been convicted of any crime or misdemeanour.

C/232/2008

**Prosecution instituted against driver of van after Police had decided
to take no action against him**

Widow J.M. complained about inaction of the Police in an accident case whereby her daughter was hit by a van whilst walking on the pavement.

My investigation revealed that it was the driver of the van who reported the accident to the Police on the same day and, after inquiry, the Police decided to file the case as they concluded that the accident was due to the victim's fault. At the same time I was informed by the Police that the file had been sent back to the office of the Director of Public Prosecutions who had requested to look at the file.

A week later prosecution was advised by the Director of Public Prosecutions against the driver of the van for "involuntary wounds and blows by imprudence".

The widow was accordingly informed.

PRIME MINISTER'S OFFICE
(Civil Status Division)

C/27/2007

Complainant issued with birth certificate duly rectified

A lady by the name of Miss K.A. had obtained a Magistrate's Order for the rectification of her birth certificate on 30 September 2003. Immediately after, she proceeded to the Central Civil Status Office (C.C.S.O.) with the original copy of the Order so that the necessary rectification be made. More than three years later, notwithstanding several queries at the C.C.S.O., nothing had been done. She therefore solicited my intervention.

The reply I received during my inquiry from the Registrar of Civil Status was that an irregularity had been noted in the rectification Order issued by the Magistrate and therefore the matter had been referred to the Solicitor General for advice, which was to the effect that the matter would be referred to the Supreme Court as the rectification Order appeared to be questionable.

I had to follow up the matter through and through and at one stage I was informed that the State Law Office would have a police inquiry made into the matter as it had come to light that there was a provisional charge of forgery against the lady.

Finally nothing came out of all this and it was the lady herself who turned up at our Office and provided us with a fresh copy of her birth certificate duly rectified and issued exactly one year after she had written to us.

She was extremely thankful for our intervention.

PRIME MINISTER'S OFFICE

C/149/2008

Ad-hoc allowance paid to Clerical Officer for additional work

In June 2008 Y.K. complained about non-payment of an allowance due to him by virtue of work performed at the Office of a Special Adviser to the Honourable Prime Minister, over and above his normal duties as Clerical Officer, in spite of two letters he had written to claim such compensation.

I seized the Secretary to the Cabinet and Head of the Civil Service about the matter and within a fortnight the approval for payment of an ad-hoc allowance was obtained from the Ministry of Civil Service and Administrative Reforms. Such allowance was the equivalent of three increments worth at the point reached by Y.K. for working under constant pressure and beyond his normal duties for period 13 June 2006 to 13 October 2007 and same was paid to him at the end of July 2008.

Y.K. got what he asked for.

C/241/2008

Bank account frozen by mistake – corrective action taken to release the account

In a letter dated 20 November 2008 addressed to the Honourable Prime Minister and copied, inter alia, to me, two sisters affirmed that their savings account carrying some Rs 29000/- at a branch of a well known bank had been frozen by virtue of a letter dated September 2007 from the Prime Minister's Office. At least this is what they were told at the bank when they went to withdraw money from their account on that very day. They claimed that this was wrongful as they were not involved in any drug-related case. They therefore pleaded that remedial action be taken urgently as this was causing them a lot of hardship.

I immediately queried the Secretary for Home Affairs at the Prime Minister's Office and two weeks later I was informed that one of the sisters was religiously married to one F.P. whose account had been frozen since October 2005. However, due to some confusion regarding the account held by the two sisters jointly in their names that account also has been mistakenly frozen by the Bank.

Following the intervention of the Office of the Commissioner, Drug Assets Forfeiture, which falls under the Prime Minister's Office, corrective action was taken by the bank to release the account.

On 5 December 2008 one of the sisters called at the Commissioner's Office where she was accordingly informed. Their problem was thus resolved.

PRISONS

C/243/2007

Detainee's clothings found

Detainee S.G., who was admitted on remand in May 2002 and sentenced in April 2003, wrote to us in December 2007 in order to inform us that a few months earlier when he went to the Reception Office of the prison where he was being kept in order to look for his civilian clothes so as to attend hospital, he was told that they were missing. So he had to attend hospital on two occasions wearing his prison garb, something he understandably resented.

Notwithstanding his complaint to the Commissioner of Police nothing was done but he adamantly held the Prison Administration responsible for the loss of his property. He was even told that he would not even receive any compensation for his lost property which he valued at Rs 3400/-

As he had another appointment in hospital he enlisted my help to remedy the situation.

At my behest S.G. was able to attend hospital with a normal pair of clothings issued by the Reception Officer whilst further searches led to the finding of S.G.'s kit bag containing his clothes which he acknowledged having checked and found in order.

He was satisfied and had no further complaint to make.

C/46/2008

Security provided to whistle-blower detainee

Detainee C.K. who is undergoing sentence at the Central Prison for an offence of dealing in drugs has another four years to spend in jail.

He wrote to me to express his concern for his physical security as he had denounced two co-detainees who were involved in drug trafficking within the same prison to the police. Those two co-detainees had been threatening to kill him.

His request to the Prison Administration to be kept separate from the two co-detainees has been rejected. So he sought my help in the matter.

I took up C.K.'s case with the Commissioner of Prisons and within one month the detainee's request was favourably considered by the Prison Administration and he was kept at the Segregation and Protection Unit where he stated he felt safe and satisfied.

C/104/2008

Detainee's cell cleaned and painted

F.H. is a lifer who has already spent 13 years at Central Prison.

His problem was that his request to have his cell cleaned and painted had not yet been acceded to after having waited for three months. He stated that he could not imagine having to spend his life in a cell where the bed is full of bugs and with bloodstains all over the walls.

The version of the Commissioner of Prisons was that there were works in progress at the prison and some detainees had to be transferred from one block to another where indeed, he reckoned, certain detainees might feel uncomfortable. He assured me however that a redecoration of cells was in progress, including that of detainee F.H.

Two months later I was favoured with a written statement from F.H. who confirmed that his cell had been cleaned and painted and that he had no more cause for complaint. He thanked the Prison Administration as well as our Office for assistance provided to him.

C/196/2008

Detainee allowed to earn extra remission following Ombudsman's intervention

Detainee G.P. who had been sentenced to three years imprisonment wrote to me after having spent six months in jail claiming that his request to work in order to earn extra remission has been turned down although he has a clean record in prison and has never been placed under any report whatsoever. He further informed me that certain other detainees who were less deserving than him are being allowed to do extra-remission work.

The Commissioner of Prisons explained that extra-remission work is recommended by the Reception Board and that the detainee's request was still under consideration.

I kept following up the matter with the Commissioner until I was informed a few months later that the said detainee had been posted in the kitchen thus entitling him to earn extra remission.

PUBLIC UTILITIES

C/54/2007

Preventive action taken pursuant to Ombudsman's initiative

Certain inhabitants of a particular locality in Port Louis had petitioned the Central Electricity Board (C.E.B.) for the replacement of non-isolated high tension wires near their houses and shops. They drew the C.E.B.'s attention to the fact that very often these wires emit sparks which represented a danger to all of them.

In its reply the C.E.B. referred to the estimated cost of the project, Rs 17800/-, which they said they could not implement at that time due to lack of funds but which they would include in their list for their future programme of works. However, the C.E.B. added, if the petitioners wished that the works be carried out at the earliest they would be required to make either –

- “(i) a non-refundable contribution representing 50% of the capital cost to be incurred, or
- (ii) an interest free loan of the total cost of the project refundable to you in 5 equal yearly instalments

Nothing happened and one of the petitioners, I.A., decided to write to me.

I.A. stated that he was a pensioner drawing a monthly pension of Rs 2000/- and that should there be an outbreak of fire through the bare conductors the house where he and his family live, being made of wood and corrugated iron sheets, would be completely destroyed. He drew my

attention to the fact that not so long ago two similar accidents occurred whereby the electric pole in question was hit by a car, thus causing fire sparks and as a result of which the C.E.B. itself had to interrupt the supply of electricity in the region. They were thus living in constant fear for their lives.

I decided to take up the matter with the parent Ministry i.e. the then Ministry of Public Utilities. The latter informed me that, according to the C.E.B. no payment had been effected and therefore no replacement was undertaken. However the C.E.B. was of the view that all the existing bare conductors were well tightened and had sufficient clearance from all existing buildings nearby and that they did not constitute a security hazard.

As I was not happy with the stand taken by the C.E.B. in this matter I requested a full report from the Traffic Management and Road Safety Unit (TMRSU) in order to situate whose responsibility it was to take action in such a situation, which in my opinion may have serious consequences if unattended.

Although the TMRSU came to the conclusion that there was no actual danger, it recommended the installation of guardrails with reflectorised delineators in order to shield the poles from any crash.

The matter was followed up until the Road Development Authority had carried out the works.

Asked whether he was satisfied I.A. made no reply.

I wish to underline that the Ministry of Public Infrastructure, Land Transport and Shipping was of considerable help in finding a solution to this case.

REGISTRAR GENERAL

C/112/2008

Registration duty waived on humanitarian grounds

Mrs. P.C.C. was faced with a claim for the sum of Rs 66000/- from the Registrar General's Department in respect of a deed of transfer of a house from her ex-husband to herself. Indeed the claim was made by the Registrar General under Section 36(1)(b)(ii) of the Land (Duties and Taxes) Act whereby he claimed registration duty of Rs 66000/- on the transfer of a portion of land of 266 square metres by the ex-husband to the complainant.

The latter made representations to the Assessment Review Committee but same were rightly rejected.

In her letter to me she explained how it was her Notary who had made an omission in the deed of sale and how the Notary had made a rectification which was not accepted by the Registrar General's Department.

Mrs. P.C.C.'s plea before me was more on humanitarian grounds than anything else. She even went to the extent of listing all her monthly bills to show that at the end of the month she did not have much left to live on. She said that "you are my only hope to get out of this nightmare" and that she relied on "your comprehension and righteousness to solve this misunderstanding caused by an omission".

Mrs. P.C.C. was examined in our Office and stressed that she had no intention to appeal to the Supreme Court as she had no means of doing so nor was she in a position to pay the sum of Rs 66000/-.

At my request the Registrar General stated she would be prepared to look at this case with sympathy and a meeting was organised between the Registrar General and Mrs. P.C.C.

At the end of the day Mrs. P.C.C. herself wrote to say that the Registrar General whom she described as a person full of humanity and compassion, had, after listening to her, agreed to waive the claim.

She also expressed her gratitude to one and all at our Office.

RODRIGUES

ROD/C/32/2007

Pension for orphan reinstated and arrears of Rs 45377/- paid

In October 2007 widow R.J. complained about non-payment of monthly pension to her minor daughter whose father had passed away since 1994.

Inquiry revealed that apart from a Basic Widows Pension the lady was also drawing a child allowance in favour of her above-mentioned daughter until the year 2003 when the child reached the age of 15.

In August 2007 the complainant had been requested by the Social Security Office to submit proof that her child had been attending school since 2003, so that the child allowance could be reinstated. Unfortunately, it would appear, she did not do so.

Following my intervention both from Mauritius and during a working session in Rodrigues, arrears of child allowance for period August 2003 to June 2008 to the tune of Rs 45377/- were paid in July 2008.

What a relief for the widowed mother and orphaned child.

ROD/C/1/2008

Death gratuity paid to widow of ex-public

Widow M.R.B., whose deceased husband was a public officer, complained that death gratuity payable to her upon the death of her husband some three months before had not yet been paid to her.

She therefore sought my help in the matter and within a matter of days of my intervention a gratuity equivalent to one month's pension amounting to Rs 4250.50 was paid to the widow.

ROD/C/7/2008

Application for leave without pay approved

A lady clerk at the Cadastral Office had followed a course in Management Studies at the University of Mauritius during three years. Subsequently she was offered a job of Education Officer in a college with effect from 21 April 2008 but unfortunately, less than a week before that date, she had still not heard from her employer, the Rodrigues Administration, about her application for leave without pay.

I took up her case with the Island Chief Executive who informed me that his Office had no objection to the lady's request but same had been transmitted to the Ministry of Civil Service and Administrative Reforms for consideration/approval in accordance with Recommendation 17 paragraph 15.4.73(ii)(a) of the PRB Report 2003.

I followed the matter through and through until I was informed by the Island Chief Executive that approval had been obtained and the lady granted leave without pay for period 21 April to 31 December 2008 as requested by her.

Indeed the lady confirmed the above and expressed her thanks for our assistance in the matter.

ROD/C/17/2008

Responsibility allowance amounting to Rs 8000 paid to complainant

J.M.R.'s complaint was to the effect that he had not been paid responsibility allowance for acting as driver for period March 2007 through May 2008, when he wrote to me.

The views of the Departmental Head of the Commission where J.M.R. was working were sought for and, upon receipt of same, authority was conveyed to the Commission to pay the said allowance amounting to Rs 8000 for period 01 March 2007 to 30 June 2008 as he was reverted to his substantive post of General Worker as from 01 July 2008.

After informing us in October 2008 that he had not been paid yet, he followed up in November 2008 acknowledging payment of the said allowance which had in fact been paid to him along with his October 2008 salary.

ROD/C/19/2008

1

Revised benefits paid to complainant who had been shortpaid

Mrs. M.A.H., a retired public officer, claimed by letter dated 2 June 2008 that the calculation of her lump sum paid to her when she retired in May 2006 had not been correctly computed.

Inquiry revealed that Mrs. H. had joined the service as substitute Hospital Servant on 21 July 1978 and had been employed in that capacity until 30 June 1984, during which period she indeed did not work for a substantial number of days which also included a

number of days which were untraceable. Therefore, when her total length of service was computed, the untraceable period was erroneously deducted twice from her retiring benefits. It was confirmed that she had been shortpaid.

Remedial action was therefore taken and the retired officer was paid a final sum of Rs 9210 as revised gratuity and pension on 8 August 2008.

ROD/C/29/2008

Complainant obtains his post – PRB 2008 increase in pension

Following the publication of the PRB Report 2008 one R.P., a former public officer, informed me that he had not received any increase in his pension.

Indeed the Accountant General reported that such was the case and therefore R.P. was immediately awarded an increase of Rs 1405 per month as from November 2008 whereas corresponding arrears for the months of July to October 2008 would be paid accordingly.

R.P.'s complaint was well founded.

ROD/C/32/2008

Arrears of child allowance paid

Mrs. M.D.A., a widow with one child attending secondary school, complained by letter dated 29 September 2008 that the allocation she normally receives on behalf of that child had not been paid since the beginning of the year, notwithstanding the fact that she had submitted all relevant documents to the Social Security Office as she does every year.

Within three weeks of my taking up the matter with the Departmental Head, Commission for Social Security, Women's Affairs, Child Development and Family Welfare, a payment of Rs 8328, representing Child Allowance for period January to October 2008 was effected.

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

C/237/2006

Basic Invalidity Pension restored and arrears of Rs 12504/-paid to epileptic boy

Since May 2005 Z.A. had been in receipt of Basic Invalidity Pension (BIP) on account of his epilepsy. In May 2006, through his mother, he applied for Additional Basic Invalidity Pension (Carer's Allowance). He was medically boarded in July 2006 and certified to be less than 60% disabled, not requiring constant care. Consequently the decision was taken by the Ministry to discontinue even the BIP and a disallowance notice issued in October 2006. The mother, Mrs. N.M., therefore decided to have recourse to our services in order to have the initial BIP, which had been awarded for a period of five years, restored.

The Ministry's argument was that the boy was found not to meet the criteria for Carer's Allowance as well as for BIP at the time of the medical examination and therefore it did not propose to restore the initial BIP. Again according to the Ministry the boy was invited to appeal against that decision in case of dissatisfaction but did not do so. The Ministry suggested that the boy reapplies for BIP and subsequently for Carer's Allowance.

We were not satisfied with the argument advanced by the Ministry as we considered that the Medical Board had no mandate to stop the BIP which was awarded up to the year 2010. The only competent authority to reverse that decision would have been the Medical Appeal Tribunal.

After lengthy discussions with the Ministry and advice sought by the Ministry from the State Law Office, the BIP of Z.A. was restored and arrears of BIP amounting to Rs 12504 for the unpaid period was paid to Z.A. and thereafter he continued to be paid regularly every month.

C/104/2007

Basic Invalidity Pension awarded for five years to sportswoman with amputated foot

My attention was drawn to a Press article about a young handicapped sportswoman (amputation of right foot) who was shortly due to represent Mauritius at the next Island Games (Jeux des Iles) in Madagascar – her disability pension was discontinued two years ago and she has been fighting out her case ever since.

I called for the explanation of the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions and at the same time requested the Ministry to let us have her address, etc. We convened her to our Office and upon our initiative the lady lodged a formal complaint before us in which she declared that she had made several applications for invalidity pension in 1994, 1997 and 2000 but they have all been rejected. However, upon a fresh application made in 2004, the Medical Board granted her application for a period of one year. Then in 2006 she made another application which was once more rejected. In 2007 she made yet another application but she received no reply from the Ministry. She avers that she is in receipt of social aid to the tune of Rs 1700/- monthly which is totally insufficient.

According to the Ministry her past applications were rejected on the ground that she was found not to be substantially disabled but she was recommended for social aid ever since 31 July 1997. As regard her 2007 application it is the Ministry's version that twice she was convened to be medically boarded but on both occasions she failed to attend, whilst according to the lady she never received any letter.

Be that as it may, after filing her complaint before me, the lady made another formal application for Basic Invalidity Pension on 20 March 2008. She was medically boarded on 22 May 2008 and this time found to be 60% substantially disabled for five years. She was thus awarded Basic Invalidity Pension and would be paid accordingly.

We asked the lady to inform us once she starts receiving the said pension but she has never contacted us again.

C/29/2008

Lady amputated of both legs gets additional Basic Invalidity Pension and wheelchair

In an article dated 27 January 2008 appearing in one of our weeklies I took cognizance of the sad case of a 47 year old woman, diabetic since the age of 15, amputated of both legs, and still waiting with bated breath for a wheelchair and additional financial aid from the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions. Hers was a straight forward case as she had been examined at home by two government medical officers who informed her that she would be receiving an official letter soon. She never received any.

I took up her case the next day with the Ministry and I was informed that she was already drawing Basic Invalidity Pension (BIP) and Child Allowance at the rate of Rs 3119 (Rs2315 + Rs 804) per month. I was also given to understand that she had already been medically examined since August 2007 and would henceforth be drawing Rs 4521/- monthly as BIP, Child Allowance and additional BIP, whilst arrears of additional BIP from July 2007 to January 2008 and for February 2008 amounting to Rs 12618/- would be paid into her bank account in early March 2008.

Upon my insistence she was also provided with a wheelchair on 21 March 2008.

C/45/2008

Old lady gets her spectacles

An article appearing in the issue of 18 February 2008 of one of our dailies spoke about the problems a 77-year old lady was encountering to obtain a pair of spectacles from the Ministry of Social Security, National Solidarity & Senior Citizen Welfare and Reform Institutions since April 2007. To cut a story short, she was made to attend both hospital and the ministry a number of times before she was told to wait another eight months to get her spectacles.

I took up the case of that lady with the Permanent Secretary on 20 February 2008 and she explained that there were no spectacles in stock at the time the lady applied for a pair and the Ministry had to initiate tender exercise for the supply of spectacles, award of contract, etc. It so happened however that at the end of March 2008 the spectacles were delivered and the lady was issued with one pair on 11 April 2008.

No blame could be laid at the doors of the Ministry, though.

STATISTICAL SUMMARY OF COMPLAINTS

<i>Authority concerned</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Withdrawn</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Accountant General	-	-	-	1	-	-	-	-	2	3
Agro-Industry and Fisheries	-	-	1	3	2	-	-	-	2	8
Arts and Culture	-	-	-	1	-	-	-	-	1	2
Civil Service and Administrative Reforms	1	-	1	2	-	-	-	-	2	6
Consumer Protection and Citizens Charter	-	-	-	-	-	-	-	-	1	1
Education, Culture and Human Resources	1	-	-	1	-	-	1	-	6	9
Education and Human Resources	7	-	2	7	1	1	-	-	8	26
Education and Scientific Research	-	-	-	1	-	-	-	-	-	1
Environment and National Development Unit	1	-	1	-	-	-	-	-	3	5
Finance and Economic Empowerment	2	-	1	5	2	-	1	-	5	16
Health and Quality of Life	14	1	3	4	4	-	1	1	8	36
Housing and Lands	3	-	-	-	1	-	1	-	6	11
Information and Communication Technology	-	-	-	-	-	-	-	-	3	3
Judicial	-	-	-	1	-	-	-	-	-	1
Carried forward	29	1	9	26	10	1	4	1	47	128

STATISTICAL SUMMARY OF COMPLAINTS — continued

<i>Authority concerned</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Withdrawn</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Brought forward	29	1	9	26	10	1	4	1	47	128
Labour, Industrial Relations and Employment	2	—	1	3	—	—	—	—	—	6
Local Authorities	32	1	2	20	4	—	—	—	36	95
Local Government and Rodrigues	1	—	—	—	—	—	—	—	—	1
Local Government, Rodrigues and Outer Islands	1	—	—	—	—	—	—	—	—	1
Police	57	—	3	46	11	1	1	—	23	142
Prime Minister's Office	2	—	—	—	—	—	—	—	—	2
Prime Minister's Office (Civil Status Division)	1	—	—	1	—	—	—	—	—	2
Prisons	10	—	9	23	5	—	—	—	17	64
Public Infrastructure, Land Transport and Shipping	4	—	—	2	—	—	—	—	5	11
Public Utilities	1	—	—	2	1	—	—	—	1	5
Registrar of Associations	1	—	—	—	—	—	—	—	—	1
Registrar Civil Status	—	—	—	1	—	—	—	—	—	1
Registrar General's Department	1	—	—	—	—	—	—	—	—	1
Carried forward	142	2	24	124	31	2	5	1	129	460

STATISTICAL SUMMARY OF COMPLAINTS — *continued*

<i>Authority concerned</i>	<i>Rectified</i>	<i>Partly Rectified</i>	<i>Not Justified</i>	<i>Explained</i>	<i>Discontinued</i>	<i>Not Entertained</i>	<i>Not Investigated</i>	<i>Withdrawn</i>	<i>Pending</i>	<i>Total No. of Complaints</i>
Brought forward	142	2	24	124	31	2	5	1	129	460
Renewable Energy and Public Utilities	—	—	—	—	—	—	—	—	1	1
Rodrigues	17	—	10	9	1	—	—	—	22	59
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions	8	—	3	5	1	—	—	—	7	24
Tourism and Leisure	—	—	—	—	1	—	—	—	—	1
TOTAL	167	2	37	138	34	2	5	1	159	545

APPENDIX E

No.	Subject of Complaint	Result
Accountant General		
C/213/2008	Anomaly in pension.	Explained
C/223/2008	Retiring benefits of complainant not adjusted as in the case of other colleagues who were appointed on the same day and retired at the same time.	Pending
C/224/2008	No reply to complainant regarding payment of benefits allegedly due to her.	Pending
Agro-Industry and Fisheries		
C/255/2006	No reply to retired officer's letter contesting his pension index	Discontinued
C/16/2007	Financial assistance not yet paid to surviving spouse of professional fisherman who drowned at sea some fifteen months ago.	Pending
C/35/2007	Illegal construction put up on irrigation land. No appropriate action taken by the authorities.	Explained
C/146/2007	Illegal erection of fencing on river reserves thus preventing public access to same.	Pending
C/69/2008	Complainant, a Principal Fisheries Protection Officer, avers he is subject to deep humiliation and pure persecution by being transferred to another Fisheries Post.	Not justified
C/144/2008	Denied income support as a pig-breeder.	Explained
C/147/2008	Non-payment of incremental credit.	Discontinued
C/163/2008	Fishermen not receiving bad weather allowance.	Explained
Arts and Culture		
C/47/2006	Complainant recruited on temporary basis. Not yet appointed in substantive capacity after 15 months.	Pending
C/25/2008	Non-payment of overtime to drivers.	Explained
Civil Service and Administrative Reforms		
C/236/2007	No reply to correspondence from complainant.	Explained
C/249/2007	Anomalies in salaries.	Explained

No.	Subject of Complaint	Result
Civil Service and Administrative Reforms — <i>continued</i>		
C/67/2008	Compensation for extra hours of work not paid to complainant.	Rectified
C/108/2008	Complainant avers she has been denied a fair deal in respect of her application for leave without pay.	Not justified
C/207/2008	Refund of accrued benefits to officers on transfer to the M.R.A. delayed.	Pending
C/249/2008	No reply from Minisry to complainant's letter requesting a review of his pension.	Pending
Consumer Protection and Citizens Charter		
C/242/2008	Complainant's report at Ministry not yet considered.	Pending
Education, Culture and Human Resources		
C/206/2008	No payslips sent to complainant in Rodrigues and non-payment of other benefits to him.	Explained
C/212/2008	Unutilized sick leave not paid.	Pending
C/215/2008	Anomaly in salary.	Pending
C/216/2008	Complainant contests hours of work.	Not investigated
C/217/2008	Complainant, a Senior Trainer at Lycee Polytechnique Sir Guy Forget, avers that his hours of attendance have been wrongly changed suddenly.	Rectified
C/231/2008	Non-payment of incremental credit for experience acquired prior to joining the public service.	Pending
C/238/2008	Complainant contests her change in posting.	Pending
C/245/2008	Non-payment of increment for long service.	Pending
C/250/2008	Complaint by a group of parents against the manner in which school administered by Head Teacher.	Pending
Education and Human Resources		
C/242/2006	Length of service not properly calculated.	Pending
C/26/2007	Complainant not satisfied with the one-off allowance etc. granted to her.	Pending
C/33/2007	Complainant not paid full pension upon retirement.	Pending
C/46/2007	Complainant avers that her responsibilities are not being matched by an appropriate salary.	Rectified

No.	Subject of Complaint	Result
Education and Human Resources — <i>continued</i>		
C/124/2007	Anomaly in salary.	Pending
C/132/2007	Teacher in Rodrigues not getting the same benefits and privileges as Mauritian counterpart.	Pending
C/137/2007	Period during which complainant was employed to give extra teaching assistance not remunerated.	Rectified
C/195/2007	Headship allowance not paid to complainant for two years.	Rectified
C/202/2007	Complainant feels victimized on account of frequent changes in posting during last nine years - nearly once every year.	Explained
C/207/2007	Retiring benefits of headteacher wrongly computed.	Explained
C/230/2007	Allowance stopped since five months.	Pending
C/232/2007	Allowance not paid for courses delivered.	Pending
C/234/2007	Complainant, a teacher, avers that his transfer is arbitrary and punitive.	Not justified
C/237/2007	Complainant, a Primary School Teacher, avers that his transfer from one school to another is causing him great prejudice.	Rectified
C/253/2007	Complainant, a Deputy Head Teacher, not satisfied with class allocation.	Rectified
C/3/2008	Delay in finalising complainant's promotion.	Rectified
C/12/2008	Complainant not agreeable to class allocation to her.	Discontinued
C/14/2008	Complainant, a teacher, protests against his transfer from one school to another.	Explained
C/35/2008	Disagreement with exam result.	Explained
C/49/2008	Complainant contests the examination (H.S.C.) results of his son.	Explained
C/50/2008	Request for incremental credit turned down.	Not entertained
C/60/2008	Complainant's retiring benefits not properly computed.	Rectified
C/62/2008	Complainant not yet appointed or confirmed after three years in the public service.	Explained
C/82/2008	Special duty allowance denied to complainant.	Pending

No.	Subject of Complaint	Result
Education and Human Resources — <i>continued</i>		
C/160/2008	Non-recognition of degree.	Not justified
C/189/2008	Pre-degree exam at University in India held not to be equivalent to Cambridge HSC exam. Complainant disagrees.	Explained
Education and Scientific Research		
C/120/2005	Twenty-three Supply Teachers employed on temporary basis for last 8/9 years not yet appointed.	Explained
Environment and National Development Unit		
C/203/2005	Lack of drains causes flooding of inhabitants' premises. No action taken by authorities concerned.	Rectified
C/169/2006	Numerous problems encountered by inhabitants of Congomah due to flooding of bridge when it rains.	Pending
C/168/2007	Risk of landslide represents danger to inhabitants.	Pending
C/242/2007	Harm caused to environment by factory.	Pending
C/244/2008	Harrassment at work.	Not justified
Finance and Economic Development		
C/189/2006	Anomalies in salary, back pay etc.	Pending
C/206/2006	Actingship allowance for period January to June 2006 not paid.	Rectified
C/234/2006	Officers not satisfied with their posting at newly-created authority.	Explained
C/236/2006	Entitlement to travel grant not taken into account in conversion of complainant's salary.	Explained
C/22/2007	Certificate as Professional Member of Association not delivered.	Rectified
C/165/2007	Allegation of double standards at Registrar General's Department.	Explained
C/201/2007	Complainant contests liability to income tax. No reply to letter of protest.	Not investigated
C/211/2007	Arbitrary assessment of income tax payable.	Pending

No.	Subject of Complaint	Result
Finance and Economic Development — <i>continued</i>		
C/238/2007	Request for payment of responsibility allowance wrongly turned down.	Explained
C/9/2008	Complainant's cars detained in connection with court case. Cars not returned to him after dismissal of case.	Pending
C/28/2008	Complainant contests duty claimed.	Explained
C/54/2008	Families in distress – housing problems, no financial assistance, etc.	Pending
C/65/2008	Complainant avers she is victimized by her transfer from one department to another department.	Discontinued
C/70/2008	Families living in horrible conditions at Saint Hilaire.	Pending
C/131/2008	Request to waive income tax payable rejected. Complainant invokes humanitarian and other grounds.	Discontinued
C/208/2008	Harassment by the Mauritius Revenue Authority.	Not justified
Health and Quality of Life		
C/399/2003	Complainants recruited as Community Health Development Motivators but have not received their confirmation letter.	Rectified
C/295/2005	No action taken by authorities concerned to abate nuisances caused by cabinet-maker located in residential area.	Explained
C/114/2006	Foul smell caused by poultry breeding on a large scale in residential area.	Rectified
C/167/2006	Odour nuisance caused by poultry shed.	Rectified
C/249/2006	Request by Attorney-at-Law for copy of medical file of his client not acceded to.	Rectified
C/93/2007	Claim for refund of expenses incurred for treatment of a very serious illness not available in Rodrigues but available in Mauritius.	Partly rectified
C/114/2007	No action taken in respect of complaint of nuisance caused by cow-rearing.	Rectified
C/166/2007	Medical report pertaining to complainant's injuries sustained in road accident refused to him.	Rectified

No.	Subject of Complaint	Result
Health and Quality of Life — <i>continued</i>		
C/190/2007	Complainant not registered as Specialist.	Pending
C/194/2007	Allowance not paid to Project Coordinator for works done.	Rectified
C/197/2007	Complainant feels victimized on account of his frequent transfers – five in sixteen months.	Withdrawn
C/209/2007	No action taken in case of nuisance caused by stagnant water.	Rectified
C/248/2007	Request for information in respect of death of complainants' relative not entertained.	Rectified
C/250/2007	Non-payment of dues for official work.	Discontinued
C/254/2007	Salary for two months, end-of-year bonus, etc. not received by complainant.	Rectified
C/37/2008	Senior Medical Officer's request to obtain the privilege of private practice not entertained.	Pending
C/47/2008	No action taken by health authorities in respect of complaint made by complainant against his neighbour.	Not justified
C/64/2008	Claim for payment in respect of supply of rice to government hospitals not attended to.	Rectified
C/68/2008	Complainant avers unjustified transfer.	Explained
C/77/2008	Nuisances caused by biscuit-making factory.	Not justified
C/120/2008	Medical negligence leading to complainant's daughter's death.	Discontinued
C/121/2008	Air pollution caused by factory.	Rectified
C/123/2008	No action taken to prevent waste water flowing onto complainant's land from his neighbour's yard.	Discontinued
C/129/2008	Request for financial assistance for surgical operation abroad only partly met.	Explained
C/148/2008	Air pollution caused by poultry farm of complainant's neighbour. No action taken by authorities concerned.	Rectified
C/162/2008	Complainant, a driver, considers his transfer from one hospital to another as a case of victimization.	Explained

No.	Subject of Complaint	Result
Health and Quality of Life — <i>continued</i>		
C/167/2008	Detainee not satisfied with medical treatment received following assault upon him causing serious injuries.	Discontinued
C/172/2008	Complainant, a hospital servant, wants to know the reason of his transfer from one hospital to another.	Not investigated
C/190/2008	Complainant considers his transfer as a case of victimization.	Not justified
C/198/2008	Medical report denied to patient's daughter who is the complainant.	Rectified
C/199/2008	Company avers that its bid for the supply of milk to hospitals has been wrongly rejected.	Pending
C/200/2008	Complainants not satisfied with their new salary in the wake of the Pay Research Bureau Report 2008.	Pending
C/214/2008	Complainant avers she is victim of discrimination inasmuch as her roster hinders her studies.	Pending
C/226/2008	Complainant denied certain privileges, not paid for work done.	Pending
C/246/2008	Detainee not satisfied with medical care received in respect of a broken foot sustained following a fall whilst working at Central Prison.	Pending
C/258/2008	Permission for complainant to travel abroad for final treatment withheld by Ministry.	Pending
Housing and Lands		
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.	Rectified
C/232/2006	Lease agreement concerning State land not yet finalised.	Pending
C/148/2007	Encroachment/squatting on State land leased to complainant who now claims compensation from Ministry.	Pending

No.	Subject of Complaint	Result
Housing and Lands — <i>continued</i>		
C/239/2007	Application since a year for transfer of lease of land from widow's deceased husband's name to her own name not yet considered.	Rectified
C/23/2008	Expired campement site lease not renewed since almost five years.	Rectified
C/59/2008	Some thirty families living in extreme poverty.	Pending
C/96/2008	Complainant denied lease over State land which he has occupied for 37 years.	Discontinued
C/204/2008	Application for government grant for casting of slab not entertained since 10 months.	Pending
C/252/2008	Complainant, driver in a temporary capacity, reverted to substantive post of General Worker – no reason given.	Not investigated
C/261/2008	Complainant treated as squatter whereas he is regularly paying rent since three years.	Pending
Information and Communication Technology		
C/11/2008	No reply to representations of maladministration by complainant.	Pending
C/178/2008	Remuneration for providing training not paid to complainant.	Pending
C/255/2008	Application for leave to pursue studies abroad not acceded to.	Pending
Judicial		
C/186/2008	Security deposited by complainant not returned to him after trial.	Explained
Labour, Industrial Relations and Employment		
C/27/2008	No action taken by Employment Office in respect of non-payment of end-of-year bonus to complainant.	Rectified
C/85/2008	No reply to letter of complaint addressed to Ministry.	Rectified
C/86/2008	Complainant “dismissed” by her employer and reported the matter to Labour Office. Does not agree with the stand of the latter.	Not justified

No.	Subject of Complaint	Result
Labour, Industrial Relations and Employment — <i>continued</i>		
C/132/2008	Application for permit to work as “job-contractor” turned down without reason given.	Explained
C/173/2008	Complainant has not yet secured a job although he has been registering himself regularly at the Employment Office for the last 15 years.	Explained
C/247/2008	Application for work permit in respect of foreigner not considered after more than fifteen days.	Explained
Local Authorities		
LA/C/15/2006	Abandoned building is the source of various problems and nuisances	Pending
LA/C/27/2006	Complainant’s neighbour putting up illegal construction. No action taken by District Council despite representation made by him.	Rectified
LA/C/31/2006	Complainant’s house gets flooded when there is heavy rainfall. No action taken by authorities concerned.	Pending
LA/C/6/2007	Absence of drains causes water to stagnate near public garden, etc.	Partly Rectified
LA/C/9/2007	Opening of garage poses serious problems of noise and air pollution to the neighbourhood.	Explained
LA/C/10/2007	Chateau in abandoned state. Source of various nuisances.	Rectified
LA/C/13/2007	Blind man complains about absence of drains which causes flooding of the road where he lives.	Rectified
LA/C/14/2007	Absence of lay-by for buses along road exposes passengers (especially school-children) waiting for buses to danger.	Rectified
LA/C/19/2007	Complainant contests change of name of owner of building on Valuation List.	Explained
LA/C/25/2007	Well-frequented road in a very bad state. Represents a danger to users.	Rectified
LA/C/28/2007	Absence of lighting on the road and numerous other problems in small locality in the south of the island.	Pending
LA/C/32/2007	Complainant denied the appropriate number of increments to his salary.	Pending

No.	Subject of Complaint	Result
Local Authorities — <i>continued</i>		
LA/C/33/2007	Road not resurfaced after execution of pipe-laying works over a distance of about two kilometres. State of road is a source of nuisance to road users.	Rectified
LA/C/36/2007	No action taken in respect of noise nuisance caused by complainant's neighbour.	Explained
LA/C/37/2007	Pavement needs upgrading for the safety of hundreds of users every day.	Rectified
LA/C/38/2007	Village hall in a state of disrepair.	Pending
LA/C/39/2007	Illegal construction put up by complainant's neighbour. No action by authority concerned.	Pending
LA/C/41/2007	Stacking of old vehicles and metal- nuisance to nearby inhabitants.	Rectified
LA/C/42/2007	Road constantly flooded – levelling works needed.	Pending
LA/C/44/2007	Huge holes on the road. Danger for motorists.	Rectified
LA/C/48/2007	Destruction of green space by municipal authorities.	Explained
LA/C/49/2007	Noise nuisance caused to complainant by factory operating illegally near complainant's house.	Pending
LA/C/50/2007	Noise nuisance caused by illegal metal workshop.	Explained
LA/C/51/2007	Only access road to the houses of some 25 families occupying land leased to them by Government in a bad state.	Pending
LA/C/52/2007	Excavation by complainant's neighbour near complainant's house – no action taken by the Council.	Rectified
LA/C/53/2007	Land used as dumping ground gives rise to smell nuisance.	Rectified
LA/C/54/2007	Natural course of rain water blocked by wall put up by new inhabitant in locality.	Pending
LA/C/56/2007	Total absence of lighting in rural area -residents fear for their security.	Rectified
LA/C/57/2007	Waste land is a source of nuisance to nearby inhabitants.	Rectified
LA/C/58/2007	Claim for refund of alleged overpayment not acceded to.	Explained

No.	Subject of Complaint	Result
Local Authorities — <i>continued</i>		
LA/C/59/2007	Illegal construction by complainant's neighbour.	Rectified
LA/C/1/2008	Building plan submitted by complainant, who is not a professional engineer, rejected by Council.	Explained
LA/C/2/2008	Complaint of illegal development against complainant's neighbour ignored.	Rectified
LA/C/3/2008	Complainant's neighbour's sewage seeping onto his garden. No action taken by authorities concerned.	Rectified
LA/C/4/2008	Construction of wall by complainant's neighbour contested. No action taken by authority concerned.	Explained
LA/C/5/2008	No action taken by Council following reports of nuisance made to it.	Rectified
LA/C/6/2008	No response to letters of complaint addressed to the Municipal Council.	Rectified
LA/C/7/2008	Wall and trees cause nuisance to complainant. No action taken by District Council.	Explained
LA/C/8/2008	Bridge at Rivière des Créoles about to collapse.	Rectified
LA/C/9/2008	Inadequate drains and cross-drains resulting into flooding of houses.	Explained
LA/C/10/2008	Derelict building is a source of several nuisances. No action taken by authority concerned.	Rectified
LA/C/11/2008	No action taken by Council following reports by the complainant against his neighbour to the effect that the latter is constructing a handrail illegally.	Explained
LA/C/12/2008	Garbage bin poses problem to passers-by.	Explained
LA/C/13/2008	Poor scavenging service. Village Hall needs fencing, part of village lacks proper lighting.	Pending
LA/C/14/2008	Anomaly in respect of payment of vacation leave to complainant.	Explained
LA/C/15/2008	No action taken by Council to cause plot of waste land used as dumping place to be cleared.	Rectified
LA/C/16/2008	Tarring of road badly needed.	Rectified
LA/C/17/2008	Complainant contests occasional trade fee claimed from him by Municipal Council.	Not justified

No.	Subject of Complaint	Result
Local Authorities — <i>continued</i>		
LA/C/18/2008	No action taken by Council in respect of offending building.	Rectified
LA/C/19/2008	Complainant claims he is not liable to pay trade refuse fees as he ceased trading since years.	Not justified
LA/C/20/2008	Not paid retirement benefits more than three months after retirement.	Rectified
LA/C/21/2008	Village in deplorable state: uncollected garbage everywhere, odour nuisance, etc.	Rectified
LA/C/22/2008	No action taken by Council following report by complainant about dangerous state of building.	Pending
LA/C/23/2008	Council not taking appropriate action in respect of report by complainant regarding boundary wall put up by neighbour.	Rectified
LA/C/24/2008	Overtime not paid.	Rectified
LA/C/25/2008	Handrail broken. Dangerous situation for users of part of the road.	Rectified
LA/C/26/2008	Objection against application for Building and Land Use Permit wrongly rejected.	Explained
LA/C/27/2008	Frequently -used parking space in a very bad state.	Rectified
LA/C/28/2008	Damaged footbridge represents a danger, especially for children and elderly people.	Pending
LA/C/29/2008	Odour and noise nuisances caused by poultry.	Discontinued
LA/C/30/2008	Bareland in Bambous source of nuisance.	Pending
LA/C/31/2008	Flooding of well-frequented road. No action taken by authority concerned.	Discontinued
LA/C/32/2008	Absence of adequate crematorium in village. Inhabitants waiting desperately.	Pending
LA/C/33/2008	Unlawful raising of wall by complainant's neighbour.	Pending
LA/C/34/2008	Offending boundary wall put up by complainant's neighbour. Report made to Council but no action taken.	Pending
LA/C/35/2008	Pavement flooded as the level of the road has been raised.	Explained
LA/C/36/2008	Flooding of road. Water remains stagnant.	Explained

No.	Subject of Complaint	Result
Local Authorities — <i>continued</i>		
LA/C/37/2008	Abandoned plots of land pose security threat to neighbourhood.	Rectified
LA/C/38/2008	Overflowing of roads because of inadequate drains. Dangerous situation.	Pending
LA/C/39/2008	Absence of drains and bad state of roads cause accumulation of water. Nuisance for inhabitants.	Explained
LA/C/40/2008	No action taken on objection lodged by complainant in respect of an application for a building permit.	Pending
LA/C/41/2008	Tarring of lane awaited by inhabitants since 15 years.	Pending
LA/C/42/2008	Main road in deplorable condition.	Discontinued
LA/C/43/2008	Road constantly flooded after slightest rain.	Pending
LA/C/44/2008	Tarring of road required by complainant since years. No reply received.	Pending
LA/C/45/2008	Hole on the road represents danger to road users.	Rectified
LA/C/46/2008	Flooding of road etc. cause much inconvenience to users.	Pending
LA/C/47/2008	Obstruction on the road. No action taken by authority concerned.	Pending
LA/C/48/2008	Access road squatted upon by complainant's neighbour thus causing flooding of her yard. No action taken by authorities concerned.	Discontinued
LA/C/49/2008	Offending wall put up by complainants' neighbour. No action taken by the Council.	Explained
LA/C/50/2008	Crematorium in deplorable state.	Explained
LA/C/51/2008	Stagnant water may give rise to disease.	Pending
LA/C/52/2008	Site leading to cemetery in a filthy state.	Rectified
LA/C/53/2008	Complainant unable to operate from stall allocated to him in market.	Explained
LA/C/54/2008	Several roads in poor state.	Pending
LA/C/55/2008	Caleran Bridge represents a danger to the public. Nothing done by authority concerned since 10 years.	Pending

No.	Subject of Complaint	Result
Local Authorities — <i>continued</i>		
LA/C/56/2008	Abandoned bare land represents a danger to neighbourhood as it has become a meeting place for criminals.	Pending
LA/C/57/2008	Cabinet-maker operating without permit. Noise nuisance.	Pending
LA/C/58/2008	Foul smell from canal affecting health of complainant and his family.	Pending
LA/C/59/2008	No action taken by Council in respect of report of nuisance caused by illegal cabinet workshop in residential area.	Pending
LA/C/60/2008	Absence of street-lighting is a source of danger to complainant and his family.	Pending
LA/C/61/2008	Construction of house stopped. Site has become a den for drug addicts.	Pending
LA/C/62/2008	Change in posting: complainant avers administrative arbitrariness.	Pending
LA/C/63/2008	No action taken by authority concerned regarding report of nuisances caused by complainant's neighbour.	Pending
LA/C/64/2008	Encroachment by District Council onto complainant's land.	Pending
Local Government and Rodrigues		
C/322/2003	Flooding of roads, absence of street lighting, etc.	Rectified
Local Government, Rodrigues and Outer Islands		
C/39/2008	Allowance for performing higher duties not paid to retired officer.	Rectified
Police		
C/123/2005	Complainant not satisfied with police enquiry into the case of her son who has been murdered.	Explained
C/221/2006	Complainant avers he has been denied certain benefits following his retirement on medical grounds.	Pending
C/226/2006	No action taken against complainant's step son against whom she has made several declarations.	Rectified

No.	Subject of Complaint	Result
Police — continued		
C/6/2007	Police Officer complains about the shift he is required to perform, which leaves him without public transport to go back home during the night.	Discontinued
C/60/2007	Nuisance caused by complainant's neighbour's dogs. No action taken by authorities concerned.	Rectified
C/63/2007	Noise nuisance caused by neighbour's dogs etc. No action taken by authorities concerned.	Explained
C/80/2007	Police assistance refused in connection with a dispute about ownership of car.	Explained
C/81/2007	Length of service not adequately calculated.	Rectified
C/111/2007	Harrassment by Police.	Explained
C/112/2007	Criminal prosecution lodged against complainant ten years ago. Case never proceeded with.	Rectified
C/115/2007	Suspected swindling in case of ownership of car. Request for police inquiry.	Explained
C/121/2007	Complainant not satisfied with decision of Police in respect of road accident case in which his wife sustained injuries.	Explained
C/149/2007	Detainee's request to have a Police Officer record a statement from him not considered.	Rectified
C/173/2007	Complainant, witness in a criminal case, subject of threat by accused and latter's spouse. Request for police protection.	Explained
C/177/2007	Delay by Police in dealing with declaration of assault against complainant jeopardises his chance of promotion.	Rectified
C/191/2007	No action taken by Police following several declarations made.	Rectified
C/203/2007	Night duty allowance not paid to Police Officer.	Rectified
C/204/2007	Detainee imprisoned for more than a year without trial.	Rectified
C/205/2007	Request by Senior Counsel for information in respect of road accident not yet entertained.	Rectified
C/206/2007	Complainant's belongings secured upon his arrest not returned to him after trial.	Explained

No.	Subject of Complaint	Result
Police — continued		
C/210/2007	Application by Senior Counsel for certain documents relating to road accident not considered since more than a month.	Rectified
C/213/2007	Request by Senior Counsel for documents and other information not acceded to.	Rectified
C/219/2007	Length of service not properly computed.	Rectified
C/222/2007	No reply to Senior Counsel's request for information and documents in respect of road accident.	Rectified
C/226/2007	Allegation of wilful delay in lodging cases against complainant in order to "punish" him.	Rectified
C/227/2007	Request by detainee to have a statement recorded from him by the Police not entertained.	Rectified
C/240/2007	Request for information by Senior Counsel not acceded to.	Pending
C/241/2007	Request by Senior Counsel for documents regarding fatal road accident not yet entertained.	Rectified
C/245/2007	Request by Senior Counsel for documents in connection with fatal road accident case not entertained yet.	Rectified
C/246/2007	Request by Senior Counsel for certain documents etc. in connection with road accident not entertained.	Rectified
C/251/2007	Request for information by Senior Counsel in respect of road accident not yet entertained.	Explained
C/252/2007	Request by Senior Counsel for documents relating to road accident not yet entertained.	Rectified
C/1/2008	Complainant on remand since six months without trial.	Rectified
C/2/2008	Complainant on remand since three months without trial	Discontinued
C/4/2008	Documents and information applied for by Senior Counsel not furnished by the Police.	Rectified
C/5/2008	No reply to Senior Counsel's request for documents in connection with road accident case.	Rectified

No.	Subject of Complaint	Result
Police — continued		
C/6/2008	Complainant's passport which was secured by the Police not returned to him after trial and objection to departure not waived.	Rectified
C/8/2008	No action taken by Police upon declaration made by complainant.	Not entertained
C/13/2008	Noise nuisance by complainant's neighbour. No action taken by Police.	Discontinued
C/15/2008	Complainant on remand since three months for breach of condition for release on bail. Requests that his case be lodged as soon as possible.	Discontinued
C/16/2008	Detainee on remand for nearly a year without trial.	Rectified
C/17/2008	Detainee on remand since about four months without trial.	Rectified
C/18/2008	Detainee on remand for five months without trial.	Explained
C/19/2008	Detainee on remand since more than seven months without trial.	Explained
C/32/2008	Complainant detained since almost six months without trial.	Rectified
C/33/2008	Barking of dogs causes inconvenience to complainant. No action taken by the Police.	Not justified
C/34/2008	No action taken following assault on complainant.	Explained
C/40/2008	Request by detainee to have four cases of larceny against him heard as soon as possible.	Rectified
C/41/2008	Complainant involved in several cases of larceny detained since nearly four months. Requests early trial.	Explained
C/42/2008	Remand detainee wants to be released on bail.	Discontinued
C/44/2008	No action taken against complainant's neighbour following report made to the Police.	Pending
C/48/2008	Request by detainee to give a statement to the Police in respect of an assault of which he was the victim in prison. Nothing done by Prison Administration.	Rectified
C/51/2008	Detainee on remand requests that he be tried separately from other co-accused.	Explained

No.	Subject of Complaint	Result
Police — continued		
C/52/2008	Complainant subject to threat and abuse by neighbour. Has reported the matter to the Police but nothing has changed.	Explained
C/53/2008	Application by Senior Counsel for documents and information relating to road accident case not yet entertained.	Rectified
C/56/2008	No action taken following declarations made to the Police regarding traffic offences which cause problems to the complainant.	Rectified
C/57/2008	Delay in prosecuting complainant.	Rectified
C/58/2008	Detainee arrested since eight months. Enquiry completed. No trial yet.	Discontinued
C/63/2008	Group of Rodriguan Officers posted at the Special Mobile Force request for transfer to Rodrigues.	Explained
C/71/2008	Complainant arrested since more than two months. Requests that his cases be heard as soon as possible.	Explained
C/72/2008	Complainant under detention since more than three months. Requests that case against him be lodged as soon as possible.	Explained
C/73/2008	Complainant has no financial means for his release on bail. Requests early trial.	Rectified
C/75/2008	Complainant avers that there is conspiracy between certain Police Officers to harass and arrest him.	Explained
C/76/2008	Complainant claims she was the victim of an assault and that no action has been taken against her assailant.	Explained
C/78/2008	No reply received by Senior Counsel to his letter to the Police requesting communication of documents etc.	Rectified
C/84/2008	Not satisfied with action taken by Police following declaration of theft made by complainant.	Rectified
C/90/2008	Complainant detained since more than five months in connection with case of larceny. Requests early trial.	Explained
C/91/2008	Complainant under detention since more than two months without trial.	Discontinued

No.	Subject of Complaint	Result
Police — continued		
C/92/2008	Complainant on remand since more than three months. Requests early trial.	Rectified
C/93/2008	Complainant on remand since four months without trial.	Explained
C/94/2008	Remand detainee requests early trial 15 days after his arrest in a case of attempt at larceny.	Explained
C/95/2008	Complainant avers he is on remand since more than 3 months in a case of rape. Requests early trial.	Explained
C/97/2008	Complainant detained since five months without trial. Requests early trial.	Rectified
C/98/2008	Complainant on remand since more than one month. Requests that his case be heard early as he is an invalid person with wife and child.	Explained
C/99/2008	Complainant detained since two months in connection with a case of attempt at larceny. No trial yet.	Explained
C/100/2008	Complainant arrested in a drugs-related case since two months and still detained. Requests early trial of his case.	Discontinued
C/101/2008	Complainant under detention since one and a half months without trial. Requests early trial.	Discontinued
C/102/2008	No action taken by Police following declarations made by complainant against his neighbour.	Explained
C/103/2008	Complainant detained since more than two months without trial.	Discontinued
C/105/2008	Detained since more than four months without trial.	Explained
C/107/2008	Complainant detained since four months without trial. Claims he is innocent.	Rectified
C/113/2008	Complainants aver that the Police is wrongly maintaining a criminal charge against them whilst the real culprits have been arrested.	Explained
C/115/2008	Complainant's father died in a road accident – hit and run suspected. Not satisfied with Police inquiry and fears there may be cover up.	Explained
C/116/2008	Detainee on remand without trial since a few months.	Rectified

No.	Subject of Complaint	Result
Police — continued		
C/117/2008	Complainant on remand since more than one month. Requests early trial.	Rectified
C/118/2008	Trespassing on complainant's land continues in spite of reports made to the Police.	Discontinued
C/125/2008	No reply to Senior Counsel's request for documents and information.	Rectified
C/127/2008	Complainant on remand since about three months. Requests early trial.	Explained
C/133/2008	Application for an extract of an entry made by complainant in Police Diary Book not attended to.	Explained
C/134/2008	Anomaly in complainant's record of criminal convictions.	Rectified
C/135/2008	Detainee victim of serious assault by co-detainee in Prison. No action taken by Administration. Request to report the matter to the Police.	Rectified
C/136/2008	No statement recorded from complainant who is a detainee following assault on his person by Prison Officer.	Rectified
C/137/2008	Application by Senior Counsel to Commissioner of Police for communication of documents etc. not attended to.	Rectified
C/138/2008	No action taken by the Police in several cases reported to them.	Not justified
C/139/2008	Application by Senior Counsel for documents etc. in respect of road accident not entertained.	Pending
C/142/2008	Complainant detained since eleven days. Fears that his case may be delayed.	Not investigated
C/143/2008	Request to make a statement to the Police Complaints Bureau and for early trial.	Explained
C/146/2008	Money seized from detainee upon his arrest not returned to him in spite of an order of the Court.	Rectified
C/150/2008	Complainant detained since one month. Requests that his case be lodged as soon as possible.	Explained
C/151/2008	No reply made to Senior Counsel by the Police in connection with his request for information and documents.	Rectified

No.	Subject of Complaint	Result
Police — continued		
C/152/2008	Complainant on remand since three months. Requests that the case against him be lodged as soon as possible.	Rectified
C/153/2008	Complainant under detention since three months. Requests that his case be lodged now.	Explained
C/154/2008	Arbitrary seizure of needles belonging to complainant who is a doctor practising in Rodrigues.	Rectified
C/158/2008	No reply to letter addressed to the Commissioner of Police more than a year ago.	Explained
C/159/2008	Wrong information provided by the Police concerning the complainant for purposes of issuing certificate of character.	Rectified
C/161/2008	Complainant reported alleged criminal offences some four years back. Has not heard anything so far.	Pending
C/164/2008	Application for copies of statements given to Police by complainant and his wife not yet considered after 20 months.	Rectified
C/165/2008	Documents required by Senior Counsel not supplied.	Rectified
C/168/2008	Detainee on remand since three months without trial.	Explained
C/169/2008	Detainee on remand since more than a year without trial.	Explained
C/170/2008	Detainee on remand since 9 months without trial.	Explained
C/174/2008	Complainant on remand since 15 months without trial.	Explained
C/176/2008	Senior Counsel not supplied with information requested from the Police in connection with road accident.	Rectified
C/177/2008	No reply from the Commissioner of Police to complainant's letter after more than one and half months.	Rectified
C/179/2008	Complainant detained since nine months without trial.	Explained

No.	Subject of Complaint	Result
Police — continued		
C/180/2008	Complainant arrested a year ago on a murder charge. No trial yet.	Explained
C/182/2008	No reply to complainant's request for information regarding a fatal road accident.	Rectified
C/185/2008	No action taken following an assault of which complainant - detainee was a victim more than four years ago.	Explained
C/187/2008	Mobile phone secured from complainant upon her arrest not returned to her after case against her has been heard.	Pending
C/191/2008	Complainant's brother victim of a fall whilst at work. Latter is now bed-ridden. His employer did not report the matter to the Police.	Pending
C/193/2008	No action taken against Police Officers who caused damage to the premises and personal belongings of complainant during a search.	Not justified
C/195/2008	Undue delay in causing complainant, a foreign national serving sentence, to be transferred to his country.	Pending
C/202/2008	Refusal by Police to take down complainant's statement.	Pending
C/209/2008	No further action taken following report of road accident by complainant three months earlier.	Pending
C/211/2008	Detainee's belongings seized during search at his place not returned to him despite requests to that effect.	Explained
C/218/2008	Application to retire from the Force after 25 years service not considered.	Explained
C/221/2008	Personal belongings of detainee serving sentence not returned to him after case against him heard and determined.	Pending
C/225/2008	Abuse of power and authority by Police Officers.	Pending
C/227/2008	Important sum seized from complainant who considers the seizure illegal and abusive.	Pending
C/228/2008	Complainant detained since six months without trial.	Rectified

No.	Subject of Complaint	Result
Police — continued		
C/229/2008	No reply to request by Senior Counsel for information and documents regarding road accident.	Pending
C/232/2008	No action taken against driver of vehicle which hit complainant's daughter who was walking on the pavement.	Rectified
C/233/2008	Senior Counsel not provided with documents and other information in respect of road accident case.	Pending
C/234/2008	Complainant on remand since nine months without trial.	Explained
C/235/2008	Complainant who reported a criminal case to Police not made aware of the outcome of the inquiry.	Pending
C/236/2008	Complainant "blackmailed" into not giving a statement to the Police in respect of alleged murder case.	Pending
C/240/2008	Traffic offences reported by complainant to Police not attended to.	Pending
C/243/2008	No action taken following report by complainant regarding neighbour's dog.	Pending
C/257/2008	Senior Counsel not provided with documents and information in respect of road accident case solicited from Police.	Pending
C/259/2008	Articles seized from complainant not returned to him after dismissal of case against him since more than a year.	Pending
C/260/2008	Senior Counsel's request for documents and information in respect of road accident case not yet acceded to.	Pending
C/262/2008	Complainant detained since more than seven months without trial.	Pending
Prime Minister's Office		
C/149/2008	Allowance for performing higher duties not paid.	Rectified
C/219/2008	Complainant, victim of flood, has not benefitted from the Prime Minister's Relief and Support Fund.	Explained
C/241/2008	Complainants' bank account wrongly frozen.	Rectified

No.	Subject of Complaint	Result
Prime Minister's Office (Civil Status Division)		
C/27/2007	No action taken to rectify complainant's act of birth since more than three years.	Rectified
Prisons		
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/152/2005	Application for issue of spectacles free of charge rejected.	Pending
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.	Explained
C/72/2007	Detainee not getting appropriate medical care.	Not justified
C/75/2007	Detainee's operation postponed. Wants his case to be considered by a Medical Board.	Pending
C/136/2007	Detainee denied special diet.	Discontinued
C/164/2007	Detainee's belongings lost during transfer from one prison to another.	Not justified
C/167/2007	Authorisation to receive letters and visits discontinued.	Rectified
C/179/2007	Prison administration refusing to accept money sent to detainee.	Discontinued
C/181/2007	Detainee waiting for months in respect of his eyes problem.	Pending
C/184/2007	Detainee who is a victim and witness in a case of sodomy avers he is being threatened by the alleged authors and requests protection.	Rectified
C/186/2007	Detainee serving long sentence not issued with new clothings, etc.	Explained
C/189/2007	Detainee not satisfied with medical treatment received.	Explained
C/198/2007	Privileges afforded to other detainees not granted to complainant.	Discontinued

No.	Subject of Complaint	Result
Prisons — <i>continued</i>		
C/215/2007	Conditions of detention (bedding, food) not adequate.	Not justified
C/216/2007	Detainee avers that he is being persecuted and harrassed.	Discontinued
C/217/2007	Detainee denied certain privileges and rights.	Explained
C/221/2007	Parcel intended for detainee sent by her family in South Africa not handed over to her.	Explained
C/231/2007	Detainee avers he is not getting appropriate medical treatment.	Pending
C/243/2007	Detainee's personal belongings not to be found.	Rectified
C/244/2007	Morally and physically "tortured" by Prison Administration.	Explained
C/247/2007	Request by detainee for spectacles turned down.	Pending
C/7/2008	Detainee claims he is subject of verbal abuse.	Not justified
C/20/2008	Detainee avers that his conditions of detention are harsh, unfair and unjust.	Explained
C/22/2008	Detainee not getting appropriate food.	Rectified
C/30/2008	Detainee avers that another prisoner who works in the prison kitchen has threatened to poison the detainee's food. Requests his transfer from the kitchen.	Not justified
C/31/2008	Detainee with an eye problem not supplied with eye drops through negligence of the prison administration.	Explained
C/46/2008	Detainee fears for his security at the unit he is located. Request for transfer turned down.	Rectified
C/80/2008	Detainee transferred from one Block to another where he does not enjoy certain rights and privileges.	Explained
C/81/2008	Convicted detainee avers that he is being punished excessively as regard sentence.	Explained
C/87/2008	Remand detainee in muder case not allowed certain privileges.	Explained
C/88/2008	Detainee in case of murder not allowed privileges enjoyed by other detainees.	Explained

No.	Subject of Complaint	Result
Prisons — continued		
C/104/2008	Detainee undergoing life sentence requests that his cell be cleaned and painted.	Rectified
C/106/2008	Request for large cell and new clothings turned down.	Explained
C/119/2008	Detainee avers that his medical problems have not been attended to on the ground that his medical file is lost.	Not justified
C/126/2008	Detainee's request to be examined by specialist doctor not entertained.	Rectified
C/128/2008	Pages missing from documents requested by and communicated to detainee.	Rectified
C/130/2008	Detainee denied results of blood tests carried out on him.	Explained
C/140/2008	Complainant's son who is serving sentence denied access to computer room.	Explained
C/156/2008	Complainant has been off duty since one and a half years on account of injury sustained whilst on duty. Part of his salary not paid.	Rectified
C/157/2008	Detainee assaulted seriously by another detainee. No action taken by Prison Administration.	Discontinued
C/166/2008	Detainee not satisfied with food served etc.	Explained
C/171/2008	Detainee alleges he is being "tortured" morally.	Not justified
C/175/2008	Detainee avers he is being morally and physically "tortured".	Not justified
C/181/2008	Complainant's letter not posted etc.	Explained
C/183/2008	Denied use of hot water for shower all of a sudden.	Not justified
C/184/2008	Detainee made to wait too long to see the doctor whenever he reports sick, etc.	Explained
C/188/2008	Detainee who is a foreigner denied visits by Mauritian friends.	Explained
C/194/2008	Detainee not granted appropriate remission in respect of his sentence.	Explained
C/196/2008	Detainee denied extra-remission work.	Rectified
C/201/2008	Detainee in Hospital Ward Remand Block complains of lack of nurses and other appropriate facilities.	Explained

No.	Subject of Complaint	Result
Prisons — continued		
C/203/2008	Detainee's right to visits curtailed.	Explained
C/205/2008	Milk diet prescribed for detainee stopped for no reason.	Explained
C/220/2008	Detainee claims he is not getting appropriate medical care.	Pending
C/222/2008	Privileges denied to detainee at new place of detention.	Pending
C/239/2008	Denied psychiatric and other medical treatment.	Pending
C/248/2008	Remand detainee denied weekly visits by his wife who is also a remand detainee.	Pending
C/253/2008	Letters written by detainee not posted.	Pending
C/254/2008	Detainee complains about quality of food served, inadequate medical attention, etc.	Pending
C/256/2008	Detainee not taken to hospital for operation and no reason given, etc.	Pending
C/263/2008	Non-delivery of parcel sent by complainant to his cousin who is in prison after more than three weeks.	Pending

Public Infrastructure, Land Transport and Shipping

C/143/2004	Bus stop constitutes traffic hazard.	Pending
C/87/2006	Roof of district court building in a deplorable state.	Rectified
C/106/2007	Absence of drains causes great inconvenience to complainant.	Pending
C/139/2007	Complainants prevented to operate their taxis on account of confusion in the appellation of taxi-stands.	Rectified
C/185/2007	Bus stop dangerously situated.	Pending
C/225/2007	Student pass for free bus transport not issued after three months.	Rectified
C/10/2008	Complainant's Public Service Vehicle (Taxi) licence revoked but not given opportunity to appeal.	Pending
C/66/2008	No reply to representations made by complainant in connection with a decision of the National Transport Authority.	Pending

No.	Subject of Complaint	Result
Public Infrastructure, Land Transport and Shipping — <i>continued</i>		
C/74/2008	Request by the son of deceased holder of licence to operate taxi rejected.	Explained
C/89/2008	Inhabitants facing serious difficulties during rainy season. No action taken by authorities concerned.	Rectified
C/124/2008	Shortage of buses for school children both in the morning and in the afternoon, etc.	Explained
Public Utilities		
C/54/2007	Electrocution danger not attended to by authority concerned as complainant cannot afford to pay amount claimed for certain preliminary works to be done.	Rectified
C/38/2008	Complainant not provided with electricity in spite of having knocked all available doors - avers discrimination.	Explained
C/43/2008	Complainant not provided with electricity in spite of numerous "démarches" – avers favouritism.	Explained
C/79/2008	Overflow of manholes.	Discontinued
C/83/2008	Application for new water supply rejected.	Pending
Registrar of Associations		
C/21/2008	No reply to letter addressed to Registrar of Associations.	Rectified
Registrar Civil Status		
C/24/2008	Request to use combined surnames on new birth certificate refused.	Explained
Registrar General's Department		
C/112/2008	Complainant contests claim for registration duty.	Rectified
Renewable Energy and Public Utilities		
C/237/2008	Poles causing hindrance to traffic.	Pending
Rodrigues		
C/162/2005	No reply to application for renewal of lease of State land (agricultural) since more than a year.	Pending

No.	Subject of Complaint	Result
Rodrigues — continued		
C/320/2005	Complainants not paid night duty allowance.	Rectified
ROD/C/6/2006	No reply to claim of compensation for damages caused to complainant's private land.	Pending
ROD/C/2/2007	Old lady living in abject poverty.	Pending
ROD/C/5/2007	Adhoc allowance for performing higher duties not paid.	Rectified
ROD/C/7/2007	Shortage of Charge Nurses at hospital.	Explained
ROD/C/11/2007	Complainants required to perform duties for which they have received no training.	Explained
ROD/C/12/2007	Cash in lieu of accumulated sick leave not paid to Rodrigues Customs Officers.	Rectified
ROD/C/13/2007	No reply to application for residential lease of State land since a year.	Pending
ROD/C/15/2007	Recording of attendance wrongly done, etc.	Explained
ROD/C/20/2007	No reply to application for lease of State land since more than one year.	Pending
ROD/C/23/2007	Complainant injured whilst on duty. No indemnity paid to him.	Explained
ROD/C/24/2007	Complainant requests the restoration of the industrial lease that was granted to him and cancelled through no fault of his.	Pending
ROD/C/25/2007	Seven years' responsibility allowance not paid.	Not justified
ROD/C/26/2007	Offer of State land proposed to complainant for residential purposes unjustly withdrawn.	Pending
ROD/C/28/2007	Acting allowance not paid.	Not justified
ROD/C/29/2007	Claim for retiring benefits not paid.	Not justified
ROD/C/31/2007	Allowance for performing extra duties not paid.	Not justified
ROD/C/32/2007	Non-payment of pension to orphan.	Rectified
ROD/C/33/2007	Acting allowance not paid.	Not justified
ROD/C/34/2007	Revised death gratuity not paid to heirs of deceased public officer.	Rectified
ROD/C/35/2007	Application for commercial lease not finalised since 15 years.	Pending

No.	Subject of Complaint	Result
Rodrigues — continued		
ROD/C/40/2007	Lump sum and passage benefits not correctly calculated.	Not justified
ROD/C/41/2007	Length of service not properly computed.	Pending
ROD/C/1/2008	Salary owed to deceased officer not paid to his widow.	Rectified
ROD/C/2/2008	Application by widow for assistance to repair the roof of her house not yet considered.	Pending
ROD/C/3/2008	Benefits short paid to widow of deceased public officer.	Rectified
ROD/C/4/2008	Allowance for performing higher duties not paid yet.	Explained
ROD/C/5/2008	Retiring benefits short paid.	Pending
ROD/C/6/2008	No retiring benefits paid to complainant after eight years' service as Extra Teaching Assistant.	Pending
ROD/C/7/2008	Application for leave without pay not approved.	Rectified
ROD/C/8/2008	Lump sum short paid.	Discontinued
ROD/C/9/2008	Length of service not properly computed.	Not justified
ROD/C/10/2008	No action taken by Labour Office in respect of plaint lodged by complainant against her ex-employer.	Pending
ROD/C/11/2008	No reply from Registrar of Associations to letter written by members of Provident Fund.	Pending
ROD/C/12/2008	Complainants deprived of certain benefits which they would have received had their appointment in a substantive capacity been made as promised.	Pending
ROD/C/13/2008	Night allowances etc. not paid.	Rectified
ROD/C/14/2008	Pension under the Civil Service Family Protection Scheme not paid to complainant.	Explained
ROD/C/15/2008	Responsibility allowance not paid.	Rectified
ROD/C/16/2008	Not refunded vacation leave	Explained
ROD/C/17/2008	Allowance not paid for responsibility assumed by complainant.	Rectified
ROD/C/18/2008	Destitute mother waiting for one and a half years for assistance from the Trust Fund for the Social Integration of Vulnerable Groups.	Pending

No.	Subject of Complaint	Result
Rodrigues — continued		
ROD/C/19/2008	Retired public officer claims that her lump sum has not been correctly calculated.	Rectified
ROD/C/20/2008	Complainant, unemployed and with a handicapped husband and three very young children needs a house for her family. No action taken yet by authorities and bodies contacted.	Pending
ROD/C/21/2008	Complainant not satisfied with amount of lump sum received.	Pending
ROD/C/22/2008	Complainant not paid any acting/responsibility allowance for performing higher duties.	Rectified
ROD/C/23/2008	Length of service not properly computed.	Explained
ROD/C/24/2008	Length of service not properly computed.	Not justified
ROD/C/25/2008	Length of service not properly computed.	Explained
ROD/C/26/2008	Complainant and her three minor children live in dire conditions. No assistance provided by the Trust Fund for the Integration of Vulnerable Groups.	Pending
ROD/C/27/2008	Sick leave and overtime not paid.	Pending
ROD/C/28/2008	Anomaly in pension.	Rectified
ROD/C/29/2008	Compensation post PRB Report 2008 not paid to complainant.	Rectified
ROD/C/30/2008	Complainant's pension not revised following PRB Report 2008.	Rectified
ROD/C/31/2008	Complainant claims he was not paid any "award" after his retirement from the service.	Not justified
ROD/C/32/2008	Child allowance not paid to complainant since eight months.	Rectified
ROD/C/33/2008	Refund of sick leave not effected.	Pending
ROD/C/34/2008	Complainant not satisfied with lump sum received upon retirement.	Not justified
ROD/C/35/2008	Delay in approving application for transfer of land leased to now deceased person onto the name of the widow.	Pending

No.	Subject of Complaint	Result
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions		
C/129/2006	Pension denied to complainant.	Pending
C/237/2006	Pension of complainant's handicapped son discontinued.	Rectified
C/104/2007	Complainant's invalidity pension stopped since two years – she is amputated of her right leg.	Rectified
C/108/2007	Social aid paid to complainant for one month only.	Rectified
C/233/2007	Complainant avers that his application for invalidity pension has been wrongly rejected several times.	Not justified
C/26/2008	Complainant's pension wrongly computed as his ex-employer has not contributed to the National Pensions Fund. No action taken by Ministry.	Pending
C/29/2008	Claim for additional basic invalidity pension not yet awarded.	Rectified
C/36/2008	"Demotion" averred by Senior Social Officers.	Pending
C/45/2008	Old lady of 77 years awaiting issue of spectacles since nearly a year.	Rectified
C/55/2008	Families in distress.	Discontinued
C/61/2008	Pension refused to complainant.	Explained
C/109/2008	Invalidity pension paid to complainant discontinued.	Explained
C/110/2008	Substitute Social Security Attendant not considered for the post of Social Security Attendant.	Explained
C/111/2008	Non-payment of exceptional allowance to flood victims.	Pending
C/114/2008	Complainant's application for fees in respect of his daughter's S.C. exams wrongly turned down.	Not justified
C/122/2008	Victim of flood not paid "compensation exceptionelle".	Explained
C/141/2008	Application for financial assistance in respect of operation performed abroad not acceded to.	Not justified
C/145/2008	Social aid paid to handicapped girl stopped.	Rectified
C/155/2008	Invalidity pension of handicapped person stopped.	Pending
C/192/2008	Delay in issuing wheel-chair to complainant's brother who is crippled for life as a result of a fall.	Rectified

No.	Subject of Complaint	Result
Social Security, National Solidarity and Senior Citizen Welfare and Reform Institutions — <i>continued</i>		
C/197/2008	Payment of complainant's pension halted.	Explained
C/210/2008	Non-payment of lump sum to complainant who retired from the public service on medical grounds whilst under 45 years of age.	Pending
C/230/2008	Claim for increment in salary turned down.	Rectified
C/251/2008	Complainant denied basic invalidity pension.	Pending
Tourism and Leisure		
C/196/2007	Complainants, licensed beach hawkers, requested to stop operating at the hotel where they were authorised to operate.	Discontinued

Printed by the Government Printing Department
Republic of Mauritius
August 2009