



Republic of Mauritius

38th Annual Report **of the** **OMBUDSMAN**

January - December 2011

S. M. HATTEEA
Ombudsman
Bank of Baroda Building
Port-Louis • MAURITIUS

38th
Annual Report
of the
Ombudsman



January – December 2011

OFFICE OF THE OMBUDSMAN

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15 June 2012

Her Excellency Mrs. Monique Ohsan-Bellepeau, GOSK.,
Acting 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 38th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2011.

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

Yours respectfully,



(Soleman M. HATTEEA)
Ombudsman

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ANNUAL REPORT OF THE OMBUDSMAN

JANUARY – DECEMBER 2011

Year under review

This is the 38th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2011 in the course of which we registered a total of 352 new cases as detailed below.

Statistics for 2011

Case intake

Ministries/departments	...	...	...	260
Local authorities	...	...	...	47
Rodrigues Regional Assembly	...	...	...	<u>45</u>
Total	...	...	...	<u>352</u>

Cases dealt with

Ministries/Departments

Rectified	...	...	...	99
Not Justified	...	...	...	18
Explained	...	...	...	113
Discontinued	...	...	...	16
Not Investigated	...	...	...	2
Pending ...	...	...	...	<u>113</u>
Total	...	...	...	<u>361</u>

Local Authorities

Rectified	...	...	...	17
Explained	...	...	...	16
Discontinued	...	...	...	7
Not Investigated	...	...	...	1
Pending ...	...	...	...	<u>34</u>
Total	...	...	...	<u>75</u>

Rodrigues Regional Assembly

Rectified	...	...	...	21
Not Justified	...	...	...	9
Explained	...	...	...	13
Discontinued	...	...	...	2
Pending ...	...	...	...	<u>31</u>
Total	...	...	...	<u>76</u>

On the whole therefore our statistics for 2011 are as follows –

Cases pending as at 31 December 2010	...	160
Case intake in 2011	... ..	352
Cases dealt with in 2011	... ..	512
Cases rectified	... ..	137
Cases not justified	... ..	27
Cases explained	... ..	142
Cases discontinued	... ..	25
Cases not investigated	... ..	3
Cases pending as at 31 December 2011	...	178

Otherwise our Office also received 225 “miscellaneous” complaints against numerous bodies that fall outside our jurisdiction. In a helping spirit we referred such cases to the appropriate bodies or else assisted the complainants as best we could.

We also received 39 copies of complaints against parastatal bodies and 136 that were directed against other institutions. In the same vein and in deserving cases we endeavoured to follow up such complaints with the authorities concerned with a view to finding solutions to the problems faced by the writers.

Rodrigues

During the year under review two working trips were effected by our Office in May and December.

Altogether 79 persons called on us. They comprised –

- (i) complainants whose cases were already before us and who had been specifically summoned by us for follow up purposes;
- (ii) complainants who had also already written to our Office and who came voluntarily to inquire about the status of their cases;
- (iii) new complainants who came to deposit their letters, and
- (iv) people who came to inquire about the procedure for lodging a complaint to our Office.

The Departmental Heads of those Commissions against which complaints had been lodged were also convened to appear before us for discussion/explanation, in order to expedite matters and, in some cases, finalize them.

We opened 16 new files in Rodrigues itself whilst the total number of complaints by the end of the year amounted to 45.

What the Ombudsman is about

Anywhere in the world where there is a sense of injustice or a lack of trust in the administration of the country, there is a feeling of frustration among the citizens of that country. It is therefore of paramount importance that officials of the administration, be they at central, municipal or local levels, show that they are worthy of trust in their day-to-day work and in their dealings with their fellow-citizens. Mauritius is no exception.

However, human nature being what it is, errors or irregularities do creep in from time to time in the decision-making process. When that happens it is open to any aggrieved citizen to lodge a complaint before the appropriate institution for redress. As far as administrative action is concerned the proper authority in Mauritius to receive such complaints is the Ombudsman. Indeed our Constitution provides that –

S. 97(1) the Ombudsman may investigate any action taken by any officer or authority 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
.....

It can be seen from the above Section that the Ombudsman may not only open an investigation as a result of a complaint made to him but he can also, of his own free will, acting in his own discretion, start an investigation in the absence of any complaint whenever he is in presence through other means of an act of maladministration.

At a time when society is demanding more and more openness and probity in the sphere of public administration it is important for the Ombudsman to re-emphasize the importance and independence of his own Office.

The mission of the Ombudsman is to receive and examine complaints of maladministration in the public service, investigate whenever there are grounds for doing so and make recommendations for remedial measures to be taken whenever he finds any complaint justified or other irregularity.

It must be emphasized that the Ombudsman does not take sides. It is only when he finds that an administration has committed a mistake or has acted inappropriately or unreasonably or still when it has acted contrary to its own rules/policies, that he has the ability to intervene in favour of a particular complainant. On the other hand, whenever the Ombudsman considers that any action taken is correct he would act as a shield against unfounded or even frivolous allegations of maladministration.

When people write to our Office about their problems they place their trust in us. We must therefore do everything to give them satisfaction, although that does not always mean a finding in their favour. Therefore in cases where complaints are not justified we must endeavour to explain to the complainants why the decisions taken by the administration in their cases are unassailable. The satisfaction of such complainants lies in the fact that their complaints have been investigated by an independent body.

Indeed the independence of the Ombudsman is the core value of the institution: he is independent of government, political parties and any other person or authority. His job is to ensure government accountability through an effective oversight of the public service. Any interference with the Ombudsman's independence undermines the essence of what he stands for.

It is important for me to underline that our Office has been fairly successful in instilling a culture of integrity and fairness in the public service. I therefore call upon public officers to uphold and maintain such values like honesty and trustworthiness as they are fundamental in establishing a just society. On our part we shall endeavour to bring about a culture of confidence in the public service, as citizens are too often wary of officials who fail to live up to their expectations. It is a matter of reconciling the citizens with the State.

Acknowledgements

First and foremost I would like to express my deep sense of appreciation to my staff for their dedication to work, their continued support to people who come to us with their problems and the team spirit that prevails at the Office. My thanks also to those who have contributed in the preparation of this Report.

As mentioned earlier we have been fairly successful in enlisting the understanding and positive response of all Supervising Officers, Senior Chief Executives, Head of Commissions of the Rodrigues Regional Assembly, the Commissioner of Police and the Commissioner of Prisons in tackling together the complaints lodged at our Office and finding solutions thereto. I am therefore thankful to them also for their valuable cooperation.

Appendices

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

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

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

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

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

Attention is drawn to the fact that sometimes a particular ministry falls under different appellations e.g. Ministry of Public Infrastructure and Land Transport and Ministry of Public Infrastructure, National Development, Land Transport and Shipping. This is due to the fact that, in its wisdom, the government of the day decides to make changes in the attribution of responsibilities falling under certain ministries. For the purposes of this report however, the appellation at the time of opening of files has been maintained.

15 June 2012



(S.M. HATTEEA)
Ombudsman

CHAPTER IX – THE OMBUDSMAN

96. Office of Ombudsman

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

97. Investigations by Ombudsman

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

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

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

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

his instructions;

- (v) any person exercising powers delegated to him by the Public Service Commission or the Disciplined Forces Service Commission, being powers the exercise of which is subject to review or confirmation by the Commission by which they were delegated.

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

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

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

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

(6) The Ombudsman shall not conduct an investigation under this section in respect of 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

MINISTRIES/DEPARTMENTS

ACCOUNTANT GENERAL

C/52/2011

“Lien” on car removed after five years

Mr. P.G.B., a former Police Superintendent living in Rodrigues wrote to me on 15 March 2011 seeking my intervention in his problem.

The facts of the case are as follows: on 25 August 1999 P.G.B. had taken a car loan from government refundable in 84 monthly instalments. A “lien” was taken on the said car and was to be lifted after July 2006 but at the time of writing i.e. nearly five years later the “lien” had still not been removed.

He contacted all the relevant authorities both in Rodrigues and in Mauritius, including the Accountant General, but no one took any action.

When I took up this case with the Accountant General I received a reply within a week to inform me that the “lien” had been removed and a certificate dated 29 April 2011 to that effect issued to P.G.B. The Accountant General however also informed me that his office had never been contacted by P.G.B., surely meaning that if that had been the case his Office would have done the needful.

I wish to express my thanks to the Accountant General for prompt action taken by his Office after receiving my letter.

C/117/2011

Retired officer refunded contribution

The complainant, one Mr. A.S., averred that after he retired from the public service on 13 July 2010 he was shortpaid the contribution made to the National Savings Fund on his behalf by government.

He queried the Ministry of Social Security, National Solidarity and Reform Institutions and the reply he received made reference to the years for which he had been refunded, whereas for the years 1999, 2000 and 2001 during which he was employed by the Ministry of Agro Industry and Food Security, nothing was mentioned.

He was therefore referred to the Ministry of Agro Industry and Food Security to inquire about the matter and from there he was sent from pillar to post until he decided to go to the Ministry of Civil Service and Administrative Reforms where he was issued with a letter certifying that during the period 21 January 1985 to 20 January 2002 he was posted at the Ministry of Agro Industry and Food Security.

I took up the matter with the Accountant General who informed me that the return in favour of A.S. was not sent to the Ministry of Social Security, National Solidarity and Reform Institutions by the Ministry of Agro Industry and Food Security.

This was done on 17 June 2011 and A.S. was paid his dues on 1 July 2011, one month after we received his complaint.

Asked to confirm whether he had received payment, A.S. never came back to us. It is therefore assumed that he obtained satisfaction.

C/194/2011

Retiring benefits paid to ex-Police Sergeant

A retired Police Sergeant wrote to our Office on 18 October 2011 complaining about non-payment of his retiring benefits more than a month after his retirement.

He alleged having contacted the Treasury but was constantly told that his file was still at the Police Department. As he was no longer in receipt of any salary he requested our prompt intervention to alleviate his financial difficulties.

The matter was immediately taken up with the Accountant General whose version was that the complainant's Pension Sheet and other relevant documents only reached his office on 4 October 2011 and that payment of all benefits had been effected on 18 October 2011 i.e. on the very day the complainant filed his complaint but of which he was not aware then.

All is well that ends well as our further intervention was not necessary.

AGRO - INDUSTRY AND FOOD SECURITY

C/104/2011

Full contractual amount paid to complainant following Ombudsman's intervention

In 2007 R.F. had retired from the public service as Research Scientist/Senior Research Scientist in the Livestock Research Department of the Agricultural Research and Extension Unit (AREU) of the Food and Agricultural Research Council (FARC).

Given his vast experience in the field of livestock, R.F. was contacted in September 2009 by the Food Security Cell of the Ministry of Agro-Industry and Food Security to work as Census Coordinator for the National Livestock Census 2009. It was agreed by both parties that R.F. would be drawing a monthly salary of Rs 25000/- plus a travelling allowance of Rs5000/-.

When his assignment was completed in May 2011 R.F. was paid only a sum of Rs 21,250/- (after deduction of the sum of Rs 3750/- in favour of the Mauritius Revenue Authority).

In his letter addressed to our Office, R.F. claimed that he should have been paid the sum of Rs 105,000/- including travelling allowance, having worked during three and a half months. He therefore sought our intervention so that justice be done to him.

According to the Permanent Secretary of the Ministry of Agro-Industry and Food Security it was the Ministry of Civil Service and Administrative Reforms which informed his Ministry that the amount payable to R.F. was Rs 25000/- for the whole project as recommended by the Pay Research Bureau.

As I did not agree with that reasoning I wrote to the Senior Chief Executive, Ministry of Civil Service and Administrative Reforms and recommended that R.F. be paid the sum he was claiming i.e. Rs 105000/- (before tax). The Senior Chief Executive replied that the offer of Rs 30000/- per month was made by the Ministry of Agro-Industry and Food Security without the prior approval of the Ministry of Civil Service and Administrative Reforms. The Senior Chief Executive argued that in the circumstances his Ministry could not be held responsible for the situation and that R.F. could pursue the matter in court of law.

I therefore used my powers under section 100(2) of the Constitution and recommended that the contractual amount be paid to R.F. and requested the Senior Chief Executive to notify me within a period of 15 days of the steps he proposed to take to give effect to my recommendation.

The Senior Chief Executive replied that it was only now that his Ministry has been made aware of the fact that the services of R.F. had been enlisted as an external professional in the relevant field and not as a public officer, since R.F. had already retired from the service well before the Census was undertaken. The Senior Chief Executive therefore claimed that payment of R.F.'s fees fell to be considered by the Ministry which employed him.

After informing me that the claim of R.F. was being favourably considered the Permanent Secretary, Ministry of Agro-Industry and Food Security informed me that all the same R.F. had been requested to submit an updated report before payment was effected. Naturally R.F. refused to submit any such report – 16 months after having completed his assignment as Census Coordinator by discharging all the tasks devolving upon him. He made his views known to the Permanent Secretary, Ministry of Agro-Industry and Food Security by way of letter dated 6 October 2011. I totally agreed with R.F.

One month later I was informed by the Permanent Secretary, Ministry of Agro-Industry and Food Security that payment of the sum claimed by R.F. had been effected. Latter confirmed that this was so.

EDUCATION, CULTURE AND HUMAN RESOURCES

C/152/2009

Complainant paid passage benefits due to him

A.G.S. who formerly held the post of Teacher/Senior Teacher was interdicted from the duties and functions of his office as from 11 September 1998 in respect of a case of “attempt upon chastity” reported against him. The case was dismissed by the court on 29 March 2006. However, before he could be reinstated to his post, he had already retired from the service on 15 March 2005 on reaching retiring age.

In a letter dated 7 July 2009 addressed to me, he claimed not having been paid sick leave benefits, pre-retirement leave and passage benefits. He therefore requested my assistance in obtaining his dues.

The Ministry's version was that sick leave and passage benefits are not payable when an officer is under interdiction pursuant to sections 4.5.6(1)(d) and 4.13.4 respectively of the Personnel Management Manual. As for pre-retirement leave, as A.G.S. was under interdiction before his retirement date he was not entitled to vacation leave.

As we did not totally agree with the reasoning of the Supervising Officer of the Ministry we requested him to seek legal advice.

Finally, after referring the matter to the Ministry of Civil Service and Administrative Reforms and advice obtained from the State Law Office, approval was granted for the payment of passage benefits during the period of interdiction.

On 1 March 2011 the sum of Rs 60627.26 was paid to A.G.S. to his great relief.

EDUCATION AND HUMAN RESOURCES

C/44/2011

Gratuity paid to complainant

On 15 December 2010 Mrs. S-D. wrote to the Director of the Mauritius Institute of Training and Development (MITD) claiming payment of gratuity owed to her on completion of her contract for a period of one year. A week later MITD replied saying that the matter was under consideration and that Mrs. S-D. would be informed in due course. Two months later no action was taken by MITD. Therefore the lady resorted to our services.

We took up the matter with the parent Ministry i.e. the Ministry of Education and Human Resources and one month later we were informed that the MITD had, after obtaining legal advice, agreed to pay.

Finally the MITD itself informed us that its Board had agreed to pay Rs 50000/- to the complainant who indeed a few days later confirmed having received Rs 42000/- after deduction of Rs 8000/- representing income tax.

C/61/2011

Student in Lower VI allowed change of subject combination

The complainant, Mr. K.R., informed me that his son, G.R., had ranked 2nd in Economics and 5th in Accounts at the 2010 "O Level" Exams held by the Mauritius Examinations Syndicate.

K.R. therefore called at the Ministry of Education and Human Resources to make a request for a change of subject combination in Lower VI for his son from Maths/Chemistry/Physics to Maths/Economics/Accounts.

He was informed that his request could not be granted as his son had obtained a seat at the Royal College Curepipe on the basis of the science combination. K.R. was therefore requested to look for a private college for his son. K.R. considered this to be most unfair and prejudicial.

When I raised the matter with the Supervising Officer of the Ministry of Education and Human Resources he informed me what the policy of the Ministry was in such circumstances i.e. to disallow any change of subject combination once a seat in a particular school had been allocated. The Supervising Officer however informed me that all the same, having regard to the exceptional circumstances of G.R., his Ministry would reconsider the matter and take a decision thereafter.

Indeed on the very same day i.e. 19 April 2011 the Ministry wrote to G.R.'s mother informing her that the change of subject combination had been allowed.

K.R. attended our Office a few days later to inform us about our successful intervention and stated that he was satisfied.

C/66/2011

Complainant's daughter transferred to school near their residence

In April 2011 M.Y. complained about the delay taken to transfer his daughter from the distant school where she was enrolled to another school situated very near their house (some 200 ft. away).

He averred that he had made an application for transfer on the official form obtained at the Ministry but after a period of three months, whilst the first term had already come to an end, no transfer exercise had been carried out. He repaired to the Ministry several times but each time he was

told that all classes were full. However, according to him, there were still two places available. He claimed to have been victimized the more so as his residence was in the catchment area of the school he requested. He therefore sought our intervention in order to avoid his daughter having to travel a long distance to school.

After taking up the matter with the Supervising Officer of the Ministry I was informed three weeks later that the daughter had been transferred as requested by M.Y. This was confirmed by him.

FINANCE AND ECONOMIC DEVELOPMENT

C/117/2010

Ad hoc allowance of Rs 17000/- paid to complainant

In the year 2008 a Committee of Inquiry was set up by the Trust Fund for the Social Integration of Vulnerable Groups to inquire into cases of malpractice.

Ms. J.B., Secretary at the Ministry of Finance and Economic Development, was entrusted to type hearings and notes of meetings of the said Committee of Inquiry.

According to Ms J.B. she had to work for hours every night from April to October 2008 in order to meet the deadline for the Report of the Committee, inasmuch as at the Ministry she had no time to do so having regard to her normal duties of Confidential Secretary. At the end of the day, whilst other colleagues had been paid their dues, she was left out. She therefore wrote a letter to the Trust Fund but received only Rs 5049.77 which she considered not enough to compensate her for the efforts put in by her during nearly seven months. She therefore wrote again to the Trust Fund but received no reply.

I took up her case with the Financial Secretary as the Trust Fund which was operating under the aegis of the Ministry of Finance and Economic Development was by then defunct.

The matter was considered at the level of the Ministry and finally an amount of Rs 17000/- was paid to Ms. J.B.

The latter wrote a letter of thanks to our Office in the following words: "I have highly appreciated the support that you have provided. I don't find words to express my thanks for the invaluable help during this process to speed up matters to give me my due for all the work performed during odd hours and that seemed to be not recognized by unconscious people."

C/116/2011

Complainant allowed to purchase car of engine capacity higher than his entitlement

The complaint of A.G. was to the effect that, as a School Inspector, he made an application for 70% excise duty remission on a motor vehicle of engine capacity higher than 1400 c.c. but he was not authorised to do so although he was prepared to pay the difference in excise duty.

When the matter was discussed with the Director General of the Mauritius Revenue Authority he informed our Office that under Recommendation 2 Paragraph 18.2.22(c) of the PRB Report 2008 beneficiaries of 70% duty remission were not allowed to purchase a car of higher engine capacity.

However, according to advice received from the Pay Research Bureau a beneficiary may purchase a motor car with higher engine capacity and pay excess duty on the excess engine capacity.

The issue was further discussed between officers of the Mauritius Revenue Authority and representatives of the Ministry of Civil Service and Administrative Reforms following which the said Ministry issued a letter authorising beneficiaries of 70% excise duty remission to purchase a motor car of higher engine capacity than their normal entitlement upon payment of excise duty on the excess engine capacity.

All car dealers were informed accordingly and A.G. was allowed to purchase his car as long as he paid the excess excise duty.

HEALTH AND QUALITY OF LIFE

C/171/2009

Complainant's retiring benefits adjusted and an extra amount of Rs 56050.86 paid to him

From 1978 to 1982 V.C. worked as Hospital Servant. In July 1982 he was appointed Health Surveillance Officer. From 7 September 2006 to 25 May 2009 he was assigned the duties of Timekeeper. On 10 July 2009, whilst on pre-retirement leave, he made representations to our Office to the effect that his retiring benefits were not being adequately computed.

The version of the Senior Chief Executive, Ministry of Health and Quality of Life, was to the effect that V.C. was assigned higher duties of Timekeeper by virtue of powers delegated to the Ministry on a seniority basis for administration convenience. Therefore a case was made to the Accountant General to reckon the period of assignment of duties as Timekeeper for more than 120 days with a view to enabling the retiring benefits of V.C. to be computed on the prevailing pensionable emoluments of the post of Timekeeper, despite the fact that the approval of the Public Service Commission had not been previously sought. However, now a case was made to the Public Service Commission seeking authority for V.C. (and others) to be assigned the duties of Timekeeper.

Finally the Public Service Commission exceptionally conveyed its approval and the Accountant General informed that an adjustment was made to the retiring benefits of V.C. and an amount of Rs 56,050 had been credited to his bank account.

Upon being so informed V.C. conveyed his "utmost admiration and appreciation" to our Office.

C/136/2011

Cattle rearing activity in residential area discontinued

Certain inhabitants of a particular locality in Vacoas complained about the presence of bull-rearing activity in their neighbourhood, which gave rise to an odour nuisance affecting them in a bad way. They averred having alerted the Health Office of their area but no action whatsoever had been taken.

At my request the matter was inquired into by the Ministry of Health and Quality of Life through their Health Office in Vacoas and it was observed that one Mr. D. was illegally rearing sixteen heads of cattle in the open near human habitation. Foul smell was confirmed as well as the presence of flies.

Immediately the author of the nuisance was issued with a Sanitary Notice calling upon him to put an end to his activity at that place and to shift the animal shed to a site approved by the Sanitary Authority. He was granted a delay of fifteen days to do so.

Upon inspection it was found that Mr. D. had not complied with the Sanitary Notice. He was therefore booked there and then and a court case filed against him. He pleaded guilty.... and was ordered to pay a fine and to abate the nuisance.

A further visit by the Vacoas Health Office revealed that Mr. D. had ceased his activity to the great relief of the inhabitants.

C/176/2011

Patient recalled for treatment after Ombudsman's intervention

S.A. was injured in a road accident and had to undergo an operation in his left leg.

After some time, as he was experiencing too much pain, he took an appointment at the Jeetoo Hospital on 18 August 2011. When he repaired to the hospital on that day the medical practitioner referred his case to the Orthopaedic Unit. There he was asked to wait but after two hours he was still not examined. When he asked to talk to the doctor he was informed that his file could not be found. He left his phone number with the lady in charge in order that he may be contacted in the event his file was recovered.

Unfortunately five weeks later he had still not been contacted by the hospital. So on 26 September 2011 he solicited our help so that he could have proper care and treatment at the said hospital.

The matter was immediately taken up with the Supervising Officer, Ministry of Health and Quality of Life and, after inquiry, arrangements were made for S.A. to be called back for treatment.

Indeed, on 17 November 2011, S.A. was seen by his treating doctor and satisfactory treatment given to him. He was also requested to call again after two months.

We did not hear from S.A. again.

HOUSING AND LANDS

C/138/2009

Compensation for compulsory acquisition of land paid to complainant after nearly 10 years

The gist of Mr. O.'s complaint dated 22 June 2009 was that he had still not been compensated for a portion of land which Government had compulsorily acquired some ten years before under the Phoenix-Nouvelle France 2nd Carriageway Project.

In a letter dated 5 February 2001 the Ministry of Housing and Lands informed him that his claim for compensation had been referred to a Board of Assessment.

But from then on it was complete silence by the Ministry notwithstanding several visits by the complainant and a last letter dated 30 January 2009 from him.

He appealed to me to redress "the gross injustice that had been done to me".

Initially the Ministry informed me that they would have to call the complainant to their office in order to clarify the situation in view of the fact that this was a very long-standing matter and thereafter they would compensate him within the shortest possible delay.

After a meeting with the complainant and his son on 22 July 2009 the Ministry realized that the matter had been referred to the Board of Assessment a long time ago and they had to write to the

Master and Registrar of the Supreme Court to know the outcome of the hearing before the Board of Assessment and its decision.

Some time later the Ministry was informed by the Master and Registrar that in view of the complex and bulky nature of the case the Chairperson of the Board had not yet completed her task and would submit her award in another three to four weeks as from mid-October 2009. It is to be noted that the last sitting of the Board was held on 11 July 2008.

Months not weeks went by without any development heard from the Master and Registrar until I decided to write to the latter directly. Three months later the Master and Registrar informed me that the Chairperson of the Board had not made an award as relevant documents had not been forwarded to her.

When I wrote to the Permanent Secretary of the Ministry of Housing and Lands about this situation he then told me that the relevant documents would be sent immediately. It would appear that there was a confusion between this present case and that of another person whose land in the same region had been acquired compulsorily.

Finally, nearly one and a half years after receiving this complaint, we managed to sort it out and a sum of Rs 21,222.19 representing compensation and interest was paid to Mr. O.

C/34/2011

Complainant's occupation of State land regularized

S.M. had squatted on State land some twenty-four years ago and he had even erected a concrete house thereon in which he and his family were living.

Government had decided to regularize the situation of pre-July 2001 squatters and in the case of S.M. the Ministry's Surveyor had already been on the spot more than seven times.

However, when the regularization exercise was carried out in 2005, the case of S.M. was overlooked. At my instance therefore the Ministry undertook to take remedial action.

Therefore, soon after, this plot of land was surveyed and its boundaries delimited. And some time later a letter of intent was issued to S.M. for the regularization of his occupation.

S.M. was over the moon for it took us only five months to put an end to his long wait.

C/83/2011

Right of way granted by Ministry

In June 2008 D.N.C. and other co-heirs to two plots of land situated in Rose Belle made an application for a division of those plots among the heirs for residential purposes.

They obtained the approval of the appropriate District Council subject to "clearance of the Ministry of Housing and Lands regarding right of way on State land". Indeed there existed a large portion of State land between the plots of land in question and the public road.

The heirs made an application for right of way to the Ministry of Housing and Lands on 14 July 2008 specifying that they, as well as their father in his lifetime, had always been using part of the State land to access their property from the public road. After certain inquiries and submission of some documents, it was in July 2010 that a site visit was effected by the Officers of the Ministry.

Unfortunately, as at the time of writing, i.e. 27 April 2011, no reply had been received from the Ministry.

So D.N.C. requested my intervention after submitting to our Office copies of all relevant documents.

The matter was taken up with the Ministry on 2 May 2011 and on 24 May 2011 the Ministry granted the request of the heirs without further ado.

POLICE

C/273/2010

Detainee obtains his release from prison after nearly three years on remand

On 20 December 2010 detainee L.M.S. complained about being kept in prison on a provisional charge of homicide for nearly three years without any formal charge being laid against him.

When I queried the Commissioner of Police about this man I learned that another person had been sentenced by the Supreme Court one month earlier to a term of twenty-seven years imprisonment for this homicide case and that the provisional plaint against L.M.S., who had been arrested in connection with this same case, had been struck out on 16 December 2010.

I immediately took up the matter with the Commissioner of Prisons and a few days later L.M.S. was released from prison.

C/75/2011

Complainant issued with a “Driving School and Instructor’s Licence” after nearly five years

B.R.R. had made an application for a “Driving School and Instructor’s Licence” on 9 October 2006. On 27 February 2008 he passed the advanced theoretical test and on 12 April 2008 he successfully underwent the advanced practical test.

In May 2008 his proposed premises for his school were visited and inspected by two Senior Officers of the Traffic Branch. They informed B.R.R. that they were satisfied and favourably impressed by the layout of the school.

Unfortunately, by letter dated 10 November 2008, the Commissioner of Police informed B.R.R. that there were 140 holders of “Driving School/Instructor’s Licence” and this was considered to be a sufficient number to serve the public at large. The Commissioner of Police added that should there be any development he would be informed.

In his letter dated 28 April 2011 addressed to me, B.R.R. mentioned that there was a group of persons who were in the same situation but as they were not satisfied with the Commissioner of Police’s explanation, they filed a case in court against the Commissioner of Police.

Again according to B.R.R., the Commissioner of Police called these persons in his office on 18 April 2011 and they were delivered their licence whilst he, B.R.R. was left out. Hence his letter to me in which he stated that he felt aggrieved by the decision of the Commissioner of Police and therefore requested my intervention.

The matter was immediately raised with the Commissioner of Police and on 18 May 2011 B.R.R. was issued with the licence he had applied for, after such a long wait.

Complainant's passport restored after six years

P.G.M., a Customs Officer, was interdicted from duty in April 2002 in connection with a case of illegal entry of stolen cars into Mauritius from South Africa. His passport was secured by the Police and he could not leave the country without the permission of the Comptroller of Customs.

He was reinstated in his post on 23 September 2005 and resumed duty a week later at the Mauritius Revenue Authority. The objection to his departure was also waived but his passport was not returned to him.

One week after I had taken up the matter with the Commissioner of Police, P.G.M. was convened at the Passport Office and his passport was returned to him.

However I wish to add that it was through no fault of the Police that P.G.M.'s passport was withheld. Indeed the Commissioner of Police had to rely on information he received from the office of the Comptroller of Customs and subsequently from the Human Resources Manager of the Mauritius Revenue Authority.

P.G.M. wrote to us again and stated that "At least now one can have faith in our institutions, not say all, but yours for sure is among the best"

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

"Bus Stop" relocated

This was a complaint from M.B. regarding a "Bus Stop" situated in front of his house in Mont Ida.

In his letter dated 19 November 2010 M.B. informed me of some serious problems encountered by him since years, to wit: perpetual noise, buses alighting and taking up passengers block the entrance to his premises, traffic jam whenever more than one bus stop at the said "Bus Stop", etc. In other words, he was confronted to long delays before leaving and entering his premises daily. He therefore requested our assistance in having the "Bus Stop" transferred to a more appropriate place.

I requested the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping to look into the matter and report to me. The Supervising Officer informed me that the Traffic Management and Road Safety Unit had been requested to relocate the "Bus Stop" at a distance further away from M.B.'s house.

In March 2011 I received information from the said Ministry that the relocation of the "Bus Stop" had been completed.

Asked whether he was satisfied, M.B. made no reply.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/150/2010

Arrears of pension paid to complainant, an old age pensioner

In a very short letter dated 13 July 2010, Mrs. C.B., an old age pensioner, complained that she had not received her pension for the months of January to May 2010. Despite several requests made by her at the Social Security Office of her locality, nothing was done.

We immediately wrote to the Ministry about this complaint and on 1 August 2010 the amount of Rs 15,240 representing 5 months pension was credited to the bank account of Mrs. C.B.

We were however only informed of such payment at the beginning of the following year as an internal inquiry was being carried out to know the reason for the delay and necessary action taken to avoid a repetition of this kind of situation.

The Ministry also indicated its intention to issue an apology to Mrs. C.B. for any inconvenience caused to her.

Mrs. C.B. confirmed having received the arrears due to her but made no mention of any apology.

C/94/2011

Financial assistance provided to destitute family

According to Miss J. in a letter dated 14 May 2011 she and her four children aged 13, 9, 6 years and 6 months live in abject poverty as the father of the children had abandoned them. Furthermore she could not take up any job because she had to look after the children. She claimed that she had been denied social aid by the Ministry.

Inquiry revealed that the father of the children had been arrested on a charge of larceny. During the period of his detention social aid was paid to his family but after his discharge from prison he disappeared and his whereabouts were not known.

Following further inquiry it was established that Miss J. was entitled to social aid and an immediate payment of Rs 2576 for the month of June 2011 was made to her and her case was thereafter regularized as from July 2011 and she continued to receive that sum monthly, much to her relief and that of her children.

LOCAL AUTHORITIES

GRAND PORT – SAVANNE DISTRICT COUNCIL

LA/C/59/2009

Bridge causing flooding problems reconstructed

My attention was drawn to a Press article on 29 October 2009 about the utter deterioration of a lane at Chamouny caused by successive heavy rainfalls. According to the inhabitants this is a problem that has lasted for more than ten years but yet no action had been taken.

I requested the Chief Executive of the District Council to look into the matter with a view to having necessary action taken. He informed me that a few days prior to the Press article the Council had initiated action to repair the lane, whereas there was a flooding problem due to the narrowness of

the Damur Bridge which frequently overflowed. According to him the National Development Unit of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping had started the construction of a new bridge in order to resolve the flooding problem.

I therefore followed up the matter with the National Development Unit. The latter confirmed that the construction was ongoing but later informed me that after the construction of the new bridge had been completed there were reports of poor quality of works and therefore the matter was being investigated. That was in December 2010. The report of the Consultant was expected during the first week of February 2011.

Finally, in March 2011, it was reported that the results of various tests carried out showed no major deviation from the specifications and therefore the contractor was instructed to complete all outstanding works and carry out a general cleaning of the site after completion.

A few months later I was informed that Damur Bridge at Chamouny had been completely reconstructed and was now accessible to the public.

LA/C/12/2010

Drain constructed to avoid flooding of lane

A copy of a letter dated 5 March 2010 which was addressed to the Acting Chief Executive of the Grand Port-Savanne District Council by “Inhabitants of Camp Carol Village” was received at our Office.

In that letter the inhabitants complained about the deplorable state of Gandhi Lane which, according to them, required resurfacing as their children had all sorts of difficulties to reach the main road as the said lane was flooded during rainy days. It would appear that ever since November 2008 a similar request had been made to the District Council but no action had been taken.

Upon being queried about this complaint the Acting Chief Executive replied that the real problem was the topography of the lane which caused water to accumulate and remain stagnant thereby causing a lot of inconvenience to road users especially pedestrians. He suggested that an absorption drain be constructed over a stretch of 12 metres which according to him would solve the problem. He even quoted the figure of Rs 180000 as an estimate to cover the cost of works and indicated that this could be done by the end of May 2010 after tender procedures would have been completed.

I followed up the matter with the Acting Chief Executive until the contract was finalized and, on 19 January 2011, I was informed that the construction of the drain had been completed.

What a relief it was for the “Inhabitants of Camp Carol Village”!

MUNICIPAL COUNCIL BEAU BASSIN – ROSE HILL

LA/C/25/2011

Claim for general rate withdrawn by Council

A couple living in Rose Hill complained about being wrongly claimed general rate to the tune of Rs 16,289.28 by the Municipal Council in respect of property belonging to them.

Indeed in its “Proposal for Alteration of Valuation List” dated 20 August 2010 the Council indicated that “your Municipal Tax is nil”, whereas eight months later the couple received a

“Prosecution Notice” requesting them to pay the aforesaid amount within a delay of 48 hours, failing which legal action would be taken against them.

The complainants chose not to pay the amount claimed and lodged a complaint at our Office on 15 July 2011. They also informed me that there was no building over their plot of land, which to all intents and purposes, is wasteland.

No sooner had I raised the matter with the Chief Executive than he replied that the property in question had been exempted from payment of general rate and that necessary adjustments had been made in their computerized system to indicate a Nil balance.

However, I questioned the Chief Executive about the Prosecution Notice and he replied that no further action would be taken against the couple and that they could disregard same. They were informed accordingly.

I am thankful to the Chief Executive for taking prompt action in this matter.

MUNICIPAL COUNCIL QUATRE BORNES

LA/C/39/2010

Dormitory in residential area closed down

J.C.T.’s letter dated 25 October 2010 was to the effect that he and other persons living in his vicinity had made several unsuccessful complaints to the Municipal Council of Quatre Bornes during the past few years mainly about the presence of 90 foreign workers living in a dormitory in a residential area in Quatre Bornes, with the consequence that this gave rise to many problems such as “improper hygiene, no proper sewage system, hazardous gas piping system, noise, food odour, etc.”

The Council’s version was that the issue of licence for dormitory/guest workers accommodation fell under the purview of the Tourism Authority and further claimed that as the building had been constructed since about eight years no action could be taken by the Council under the Building Act as it was time-barred. The Council’s Acting Deputy Chief Executive filed copies of clearances from the Fire Services Department and the Ministry of Health and Quality of Life and he also submitted a copy of a letter he had written to the Tourism Authority for necessary action to be taken.

I took up the matter with both the Ministry of Health and Quality of Life and the Ministry of Labour, Industrial Relations and Employment. The latter Ministry informed me some time later that the actual tenant of the building had undertaken to transfer all the workers to a new dormitory in Flacq and the building would be handed back to its owner.

As at August 2011 the workers had still not been transferred according to the complainant. However in the same month the Ministry of Labour, Industrial Relations and Employment reported that all the workers had been transferred to Bramsthan but had to come back to Quatre Bornes as they had clashed with other expatriate workers who were lodged in the same accommodation. Alternate arrangements were being made to lodge them at two different places.

Finally, on 3 October 2011, the Ministry of Labour, Industrial Relations and Employment informed me that a visit effected on 27 September 2011 revealed that all the workers had been evacuated to new accommodation and same was confirmed by the complainant who further stated that:

“My family and I would like to express our thanks and gratitude to you for your help. I hope that as from now we will enjoy peaceful time in our house.

Should the owner of the said building use it as a dormitory again I will get in touch with you once more.”

H.C.T. never got in touch with our Office again.

MUNICIPAL COUNCIL OF VACOAS – PHOENIX

LA/C/26/2011

Absorption drain extended to prevent accumulation of rain water

A.B.K.’s contention was that he was being victimized by the Chief Executive of the Council. He claimed that his grievance has been brushed aside for a very long time and stated as follows: “I have explored all avenues, but to my great pain, my just plea has fallen on deaf ears and on stony hearts. So, I am left with no alternative than to seek your help, wisdom and co-operation to make matters happen.”

The problem was that the locality where he was living was in a most deplorable state. At the least shower, the lane where he lives was quickly transformed into a mini lake and, as there was no sidewalk, people had to wade in the muddy water to go about their business.

Upon being questioned by us, the complainant admitted that when he contacted the Chief Executive the latter did send an engineer to meet him and after a site visit the engineer was convinced that he had a real problem. He also admitted that the Chief Executive did write to him informing him that a prolongation of the absorption drain would be carried out upon the availability of funds. However after a period of six months nothing had been done.

The Chief Executive’s version was that a decision to extend the absorption drain had already been taken by the Council and as funds were now available it was expected to carry out and complete the works in about four months’ time. I wish to add that there has been no evidence of any victimization by the Chief Executive.

Indeed works were completed well before time and it was A.B.K. himself who broke the news to me. He was very happy with our intervention.

Other cases in brief including own motion cases

Case No.	Local Authority concerned	Nature of Complaint	Result
LA/C/12/2011	Pamplemousses-Rivière du Rempart District Council	Polluted drain at Poudre d’Or Village near Police Station	Drain cleaned by Council.
LA/C/14/2011	Municipal Council of Port Louis	Request to have a tree cut down on ground that it represented a nuisance not entertained	Owner of land served with notice by Council. Tree cut down.

Case No.	Local Authority concerned	Nature of Complaint	Result
LA/C/16/2011	Municipal Council of Port Louis	Metallic strapping installed over drain is a source of nuisance	Levelling of grid and road done.
LA/C/17/2011	Pamplemousses-Rivière du Rempart District Council	Handrail of pavement removed to allow construction but not replaced. Danger to pedestrians	Remedial measures taken by Road Development Authority.
LA/C/18/2011	Pamplemousses-Rivière du Rempart District Council	Absence of drain and street lighting at Riche Terre	Road and drain cleaned regularly by Council's Contractor and street lighting provided.
LA/C/21/2011	Municipal Council of Port Louis	Absence of slab on pavement represents danger to pedestrians	Damaged slab replaced.
LA/C/22/2011	Pamplemousses-Rivière du Rempart District Council	Drain, asphaltting of road and street lighting claimed by inhabitants of Impasse Ste. Cécile, Riche Terre	Drain cleaned by Council Contractor and cleaning works undertaken on regular basis. Decision taken to provide new drain network and to tar road. Street lighting provided.
LA/C/23/2011	Moka-Flacq District Council	Crematorium and cemetery in deplorable state	Regular cleaning by Council.
LA/C/37/2011	Moka-Flacq District Council	Noise pollution and other disturbances caused by metal workshop	Warning given to operator of workshop. Activities ceased.

RODRIGUES REGIONAL ASSEMBLY

CHIEF COMMISSIONER'S OFFICE

ROD/C/8/2010

Overtime paid following Ombudsman's intervention

In a letter dated 23 February 2010, Mr. G., a Fisheries Protection Officer, claimed that he had not been paid overtime for duties performed by him at odd hours five days per week during a period of three months.

According to him he has been taken for a ride by the Officer in Charge of his Section who kept on finding all sorts of excuses for not approving his claim.

He further averred that even his mileage for the month preceding his letter of complaint had also not been paid.

The matter was taken up with the Departmental Head, Chief Commissioner's Office, who was even convened before us in Rodrigues during our September 2010 visit in order to report progress in the matter. However, before our arrival in Rodrigues, the Departmental Head submitted his report after having had the opportunity of discussing the matter with the complainant.

In the light of that report we convened the complainant in Rodrigues. He came and informed us that in the meantime his mileage had been paid but the issue of overtime was still pending.

Indeed all the log books had not been retrieved and therefore it was difficult to ascertain the genuineness of the complainant's claim.

Pressed by us to speed up his efforts, the Departmental Head finally informed us that action was being initiated for payment of overtime in accordance with the Attendance Register. Therefore retracing the missing log book was no longer necessary.

Soon after we were informed by the Departmental Head that payment of overtime amounting to Rs 18,765.40 had been effected on 10 February 2011 i.e. a year after Mr. G.'s complaint.

The latter confirmed having received payment and expressed his satisfaction with the outcome of our investigation.

ROD/C/18/2010

Responsibility allowance finally paid to complainant

This is a complaint about non-payment of responsibility allowance in respect of certain duties entrusted to complainant, one L.G.C. When the latter wrote to his Departmental Head claiming his dues all he got was a transfer from one department to another!

L.G.C. therefore sought our help to solve his problem.

Upon being questioned by us, the Departmental Head submitted that he had since long made a recommendation to the appropriate authority for payment but no reply had yet been received.

I therefore invited the Departmental Head to press the "appropriate authority" for a reply.

As we did not hear from the Departmental Head for a period of four months we convened him to appear before us in Rodrigues during our September 2010 visit there. The Departmental Head was represented by one of his officers who was formally requested to inform the Chief Commissioner's Office about our inquiry into this matter.

It was only some six months later that we were informed that approval had been obtained for payment of allowance.

L.G.C. appeared before us during our May 2011 visit in Rodrigues where he confirmed having received his dues and expressed his satisfaction with our intervention in his favour.

ROD/C/37/2010

Remedial measures taken in respect of workers on Crab Island

This complaint concerns several grades of employees working on Crab Island which falls under the responsibility of the Rodrigues Regional Assembly.

The problems encountered by the officers concerned were enumerated by the Gangman in a letter dated 4 October 2010. They were mainly –

- (i) no insurance cover in case of bad weather
- (ii) no life jacket provided
- (iii) no risk allowance
- (iv) boat in deplorable condition
- (v) no boatman appointed specifically for the transport of workers on the island.

It would appear that these problems had existed for several years.

Following our intervention the following measures were taken –

- (a) acquisition of a new fibre glass boat for the safe transport of the workers
- (b) thirteen life jackets provided to them for everyday use
- (c) two General Workers appointed as Boatman and paid a monthly allowance.

I was also informed that in the event anything unfortunate happens, the Workmen's Compensation Act would apply.

The person who filed the complaint was informed and as we did not hear from him again we assumed the workers were satisfied.

ROD/C/43/2010

Arrears of responsibility allowance due to complainant paid

In an email dated 24 November 2010 J.R.B. informed me that he had been performing various duties which were not in accordance with his Scheme of Service as Filterman. Indeed he was called upon to act as Laboratory Technician and had performed several duties like collecting water samples and effecting the required physico-chemical and bacteriological analysis, preparation and calculation of flocculant for water treatment, water network disinfection and water monitoring at reservoirs.

I took up his case with the Island Chief Executive and it was agreed to pay J.R.B. a responsibility allowance for performing the duties of Handyworker (Special Class).

J.R.B. was thus paid an amount of Rs 15000/- representing arrears of responsibility allowance for period 1 April 2010 to 30 September 2011 and this was to be followed by a monthly allowance of Rs 750/-. He was satisfied.

ROD/C/47/2010

Last salary and other benefits paid to widow of deceased public officer

On 20 December 2010 Ww. N.B. informed me that her husband, a General Worker at the Commission for Health, passed away on 2 September 2010 after a long and painful illness period during which all their savings had been used for treatment required. She was left penniless or rather rupeeless.

N.B. contacted the officer responsible for gratuity on several occasions and after more than a month she was paid Rs 3000/- as death grant but did not receive the last salary of her deceased husband. She contacted the scheduled officer several times and each time she was told that same would be paid along with the lump sum payable. As at the time of writing she had not received any further payment.

As soon as I took up the complainant's case with the Island Chief Executive I was informed that the one month accrued salary of the late husband as well as other benefits to the tune of Rs 295,718/- had been paid in February 2011 to the complainant.

We did not hear from her again.

**COMMISSION FOR AGRICULTURE, FOOD PRODUCTION, FORESTRY, PLANT AND
ANIMAL QUARANTINE, STATE LAND AND TOWN AND COUNTRY PLANNING**

ROD/C/24/2011

Residential lease extended

Mr. C.B. had submitted an application to the Commission for Agriculture, Food Production, Forestry, Plant and Animal Quarantine, State Land and Town and Country Planning for the extension of his residential lease since January 2011. By August 2011 he had not received any reply to his application, whereas others have had their application approved in a short time, according to him.

I took up the matter with the Departmental Head of that Commission on 30 August 2011 and on 21 September 2011 a Letter of Intent was issued to C.B. and he gladly accepted the extension of the lease on the terms and conditions stated in the said Letter of Intent.

C.B. informed our Office of his acceptance and did not fail to thank us for our intervention in the matter.

**COMMISSION FOR HEALTH, CO-OPERATIVES, FIRE SERVICES, SOCIAL SECURITY,
PRISON AND REFORM INSTITUTIONS**

ROD/C/44/2010

Child Allowance restored

Child Allowance which was being paid to complainant, Mrs. P.L., a widow, on behalf of her child who was still attending school, had been stopped since January 2010. This was disclosed in a letter dated 15 November 2010 which the complainant addressed to our Office.

The matter was immediately taken up with the Departmental Head of the Commission for Social Security, Women's Affairs, Child Development and Family Welfare.

The official explanation received was that the complainant has two dependent children. One of them had stopped going to school in January 2010. As the file was lying at the benefits

branch in Mauritius the Child Allowance for the second child who was still attending school had not been renewed.

In February 2011 the Child Allowance was restored and all arrears due were paid to Mrs. P.L.

ROD/C/27/2011

Death gratuity, pensions and other benefits paid to widow of deceased public officer

The complaint of Widow L.L.M. dated 15 October 2011 was to the effect that soon after her husband, an ex-public officer, passed away, she submitted all the necessary documents to the Commission for Health, Co-operatives, Fire Services, Social Security, Prison and Reform Institutions claiming (i) death gratuity, (ii) pension from the Civil Service Family Protection Scheme Board and (iii) widow's pension.

As nothing had been done and, being unemployed she was facing acute financial problems with three children under her responsibility, she requested me to intervene on her behalf.

Less than a month after I had taken up the matter with the Departmental Head of that Commission I was informed that all documents had been forwarded to the Accountant General for payment of death gratuity and other benefits, whereas the pensions had been paid by the Civil Service Family Protection Scheme Board and by the Social Security Office.

Probing further into the matter revealed that the complainant had been paid as follows –

- (a) death gratuity amounting to Rs 84,437.50, and passage benefits amounting to Rs 6690.60 on 18 November 2011;
- (b) pension from the Civil Service Family Protection Scheme Board since 25 October 2011 to the tune of Rs 3374 monthly;
- (c) pension of a monthly sum of Rs 2833 by the Social Security Office

whereas payment of bank balance of 103.5 days sick leave not taken was to be effected in December 2011.

I am grateful to the various departments concerned for taking prompt action following my intervention.

STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Accountant General	3	–	–	–	–	1	4
Agro-Industry, Food Production & Security	–	–	1	–	–	1	2
Agro-Industry and Food Security	1	1	–	1	–	–	3
Arts and Culture	–	–	1	–	–	–	1
Business Enterprise, Co-operatives and Consumer Protection	2	–	3	–	–	–	5
Civil Service and Administrative Reforms	1	1	3	–	–	1	6
Education, Culture and Human Resources	1	–	3	–	–	–	4
Education and Human Resources	10	1	8	–	–	6	25
Environment and National Development Unit	–	–	1	–	–	4	5
Environment and Sustainable Development	–	–	–	1	–	1	2
Carried forward	18	3	20	2	–	14	57

STATISTICAL SUMMARY OF COMPLAINTS — *continued*

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought forward	18	3	20	2	—	14	57
Finance and Economic Development	2	—	—	—	—	1	3
Finance and Economic Empowerment	—	—	3	—	—	1	4
Gender Equality, Child Development and Family Welfare	1	—	—	—	—	—	1
Government Printing	—	—	—	—	—	1	1
Health and Quality of Life	8	1	6	—	—	15	30
Housing and Lands	16	—	9	4	—	9	38
Judicial	3	—	—	—	—	—	3
Labour, Industrial Relations and Employment	2	1	—	—	—	2	5
Local Authorities	17	—	16	7	1	34	75
Local Government and Outer Islands	1	—	—	—	1	—	2
Police	19	3	23	7	—	16	68
Carried forward	87	8	77	20	2	93	287

STATISTICAL SUMMARY OF COMPLAINTS — continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought forward	87	8	77	20	2	93	287
Prime Minister's Office	—	1	—	—	—	1	2
Prisons	11	7	30	1	—	15	64
Public Infrastructure and Land Transport	2	—	1	—	—	3	6
Public Infrastructure, National Development Unit and Shipping	4	—	2	—	—	3	9
Registrar General	—	1	—	—	—	1	2
Rodrigues	21	9	13	2	—	31	76
Social Integration and Economic Empowerment	—	—	—	—	—	7	7
Social Security, National Solidarity and Reform Institutions	10	1	18	2	1	20	52
Tertiary Education, Science, Research and Technology	—	—	—	—	—	2	2
Tourism and Leisure	2	—	1	—	—	1	4
Youth and Sports	—	—	—	—	—	1	1
TOTAL	137	27	142	25	3	178	512

No.	Subject of Complaint	Result
ACCOUNTANT GENERAL		
C/52/2011	“Lien” on car purchased by complainant not removed since almost five years.	Rectified
C/80/2011	Additional pension not paid since 3 years.	Pending
C/117/2011	Short payment of contribution fees to retired public officer.	Rectified
C/194/2011	Retiring benefits not paid to retired Police Sergeant.	Rectified
AGRO INDUSTRY, FOOD PRODUCTION AND SECURITY		
C/182/2010	Letter addressed to Ministry remains without reply or any acknowledgement of receipt.	Explained
C/226/2010	No action taken in respect of complaint of odour nuisance caused by poultry.	Pending
AGRO INDUSTRY AND FOOD SECURITY		
C/104/2011	Short-payment of complainant’s salary.	Rectified
C/108/2011	Letter deposited by complainant for Establishment Section of Ministry apparently not to be found.	Discontinued
C/147/2011	Complainant not compensated for land retrieved by Ministry.	Not justified
ARTS AND CULTURE		
C/47/2006	Complainant recruited on temporary basis. Not yet appointed in substantive capacity after 15 months.	Explained
BUSINESS, ENTERPRISE, COOPERATIVES AND CONSUMER PROTECTION		
C/202/2010	No action taken by Ministry to monitor activities and accounts of cooperative society thus penalizing 68 small planters.	Explained
C/208/2010	Complainant unaware of action taken following a report by him against a trader.	Explained

No.	Subject of Complaint	Result
BUSINESS, ENTERPRISE, COOPERATIVES AND CONSUMER PROTECTION		
C/232/2010	No reply received by Secretary of Cooperative Society to his letter addressed to Registrar of Cooperatives.	Rectified
C/241/2010	No action taken in the case of a report made by complainant at the Consumer Protection Unit.	Explained
C/121/2011	No reply to letter addressed to Registrar of Cooperatives.	Rectified
CIVIL SERVICE AND ADMINISTRATIVE REFORMS		
C/24/2010	Complainant's qualifications not recognized for promotion purposes etc.	Rectified
C/103/2010	Car allowance not paid to complainant.	Explained
C/45/2011	Anomaly in salary	Explained
C/189/2011	Stoppage of payment of car allowance disputed by complainant.	Explained
C/193/2011	Request for a fair and equitable salary turned down.	Not justified
C/243/2011	Complainants employed on daily basis for three years have not benefitted from any form of leave or other compensation.	Pending
EDUCATION, CULTURE AND HUMAN RESOURCES		
C/231/2008	Non-payment of incremental credit for experience acquired prior to joining the public service.	Explained
C/152/2009	Benefits due to complainant not paid.	Rectified
C/180/2010	Complainant contests the amount refunded to him in relation to air ticket.	Explained
C/187/2010	Request for increase of allowance not entertained	Explained
EDUCATION AND HUMAN RESOURCES		
C/198/2010	Increments awarded to complainant not in line with PRB Reports.	Rectified
C/239/2010	Complainant's request for transfer of her son from one school to another on account of long-distance travelling not entertained.	Explained
C/264/2010	Complainant's daughter who obtained high grading admitted to non-star college.	Explained

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES		
C/5/2011	Complainant, an Educator, avers he is victim of frequent transfers from one school to another over the last decade.	Explained
C/8/2011	Teacher transferred without any reason.	Explained
C/11/2011	Complainant not satisfied with class allocation to her.	Not justified
C/16/2011	Salary entitlement not considered.	Rectified
C/23/2011	Complainant refused admission at national college of his choice.	Explained
C/26/2011	Request to regularize situation of ICT Teachers made since almost three years not yet considered.	Pending
C/31/2011	No allocation of class to Educator.	Rectified
C/41/2011	Education Officer avers that his transfer from one school to another is not justified.	Rectified
C/42/2011	Complainant, an Usher, not satisfied with her posting.	Rectified
C/44/2011	Non-payment of gratuity at end of complainant's contract of employment.	Rectified
C/46/2011	Educator avers that his transfer to school far from his residence causes him severe prejudice on account of his state of health. Request for transfer not entertained.	Explained
C/61/2011	Request for change of subject combination at school not granted.	Rectified
C/66/2011	Complainant's daughter admitted in far away school whereas they reside in a catchment area where there is another school where complainant has applied for her admission.	Rectified
C/74/2011	Non-payment of salary increments to complainant for Diploma obtained by him.	Rectified
C/90/2011	Senior Head Master avers arbitrary transfer.	Rectified
C/103/2011	Application by Educator for vacation leave not approved.	Explained
C/111/2011	Non-payment of incremental credit after completion of in-service course.	Pending
C/118/2011	Anomaly in salary.	Pending

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES		
C/129/2011	Complainant avers that she has been penalized by Ministry's delay in respect of her entitlement to purchase a 100% duty-free car through no fault of hers.	Pending
C/201/2011	Application for study leave not granted.	Explained
C/204/2011	Arrears not paid to complainant.	Pending
C/209/2011	Senior Officer avers she has been arbitrarily transferred from one School Zone to another more distant Zone from her residence.	Pending
ENVIRONMENT AND NATIONAL DEVELOPMENT UNIT		
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/199/2009	Flooding problems caused to inhabitants of housing estate each time it rains. No action by authorities concerned.	Pending
C/219/2009	Bridge in dangerous state. Can collapse at any time.	Pending
C/49/2010	Application for resurfacing of badly-damaged road not entertained after more than a year.	Explained
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT		
C/53/2011	Dust pollution caused by stone-crusher plant – prejudice caused to planters. No action taken yet.	Discontinued
C/127/2011	Problems galore (absence of drain, road resurfacing and street lighting) – inhabitants request action by authorities.	Pending
FINANCE AND ECONOMIC DEVELOPMENT		
C/117/2010	Extra hours put in by complainant not adequately compensated.	Rectified
C/116/2011	School Inspector not authorized to purchase motor car of higher engine capacity than 1400 c.c.	Rectified
C/238/2011	Complainant avers that the Police Departments's request for him to make good the bonding agreement entered into by him as unreasonable.	Pending

No.	Subject of Complaint	Result
FINANCE AND ECONOMIC EMPOWERMENT		
C/63/2009	Anomalies in salary, back pay, etc.	Explained
C/150/2009	No reply to various representations made by complainant regarding accrued dues and benefits owed to him after his reinstatement following interdiction.	Pending
C/50/2010	No reply from Financial Services Commission regarding complainant's claim in respect of an accident in which his car was involved.	Explained
C/100/2010	Application for exemption of duty on purchase of car wrongly turned down.	Explained
GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE		
C/65/2011	Non-payment of mileage allowance for 11 consecutive months.	Rectified
GOVERNMENT PRINTING OFFICE		
C/43/2011	Complainant not satisfied with his retirement benefits.	Pending
HEALTH AND QUALITY OF LIFE		
C/148/2009	No reply to complainant's representations concerning his salary.	Pending
C/171/2009	Retiring benefits of complainant not properly computed.	Rectified
C/126/2010	Noise pollution caused by supermarket.	Rectified
C/158/2010	Noise pollution caused by biscuit factory. No action taken by authorities concerned.	Explained
C/192/2010	Complainant who was advised to undergo eye surgery abroad treated locally.	Explained
C/213/2010	Payment for undertaking dialysis sessions on behalf of Ministry not effected for last seven months.	Rectified
C/227/2010	No action taken following reports of nuisance caused by wastewater made by complainant.	Rectified
C/240/2010	Odour nuisance reported a year ago. No action taken.	Explained

No.	Subject of Complaint	Result
HEALTH AND QUALITY OF LIFE		
C/1/2011	No reply to application by Attorney for a copy of a medical report in respect of his client.	Rectified
C/10/2011	Noise pollution by complainant's neighbour. No concrete action taken by the authorities concerned.	Explained
C/12/2011	Complainant assaulted by colleague in presence of members of the public, whilst on duty. No reply to complaint made by him to the authorities concerned.	Explained
C/25/2011	Noise and odour nuisances caused by complainant's neighbour. No action taken by authorities concerned.	Pending
C/33/2011	Complainant not supplied with a medical report he requested in respect of treatment received by him at hospital.	Pending
C/48/2011	Overtime allowances not paid to Charge Nurses and Nursing Officers.	Rectified
C/113/2011	Sanitary nuisance due to stagnation of water. No action taken by authority concerned.	Pending
C/136/2011	Illegal bull rearing – smell and other nuisances.	Rectified
C/150/2011	Health hazard posed by poultry in residential area.	Pending
C/151/2011	Complainant contests the Ministry's request that he should refund retention allowance paid to him.	Pending
C/163/2011	Complainant not required to undergo supervised training as spelt out in letter of appointment.	Explained
C/175/2011	Accumulated acting allowances not paid to complainant since 21 months.	Pending
C//176/2011	Complainant not examined on the day of his appointment at the hospital as his file was not to be found. Requests our intervention.	Rectified
C/181/2011	Wastewater problem caused by complainant's neighbour. No action taken yet.	Pending
C/182/2011	Doctor not allowed to resume his post as Medical and Health Officer. Decision contested.	Not justified
C/191/2011	Blocked drain on complainant's neighbour's land. Odour nuisance. No action taken yet.	Pending

No.	Subject of Complaint	Result
HEALTH AND QUALITY OF LIFE		
C/200/2011	Increments denied to complainant.	Pending
C/230/2011	Pollution caused by black smoke emanating from hospital.	Pending
C/237/2011	Claim amounting to four million rupees not settled yet by Ministry.	Pending
C/254/2011	Request by complainant, a doctor, for a transfer nearer to his residence not acceded to – has to travel almost 2½ hours daily to attend working place.	Pending
C/259/2011	Nuisance caused by rearing of pigs. No action taken yet by authorities concerned after one year.	Pending
C/260/2011	Application for leave without pay not granted.	Pending
HOUSING AND LANDS		
C/105/2006	Request for regularization of occupation of plot of State land on which complainant has been living since last 34 years not yet acceded to.	Rectified
C/148/2007	Encroachment/squatting on State land leased to complainant who now claims compensation from Ministry.	Rectified
C/59/2008	Some thirty families living in extreme poverty.	Rectified
C/138/2009	Complainant's land compulsorily acquired ten years back. No compensation paid yet.	Rectified
C/25/2010	Compensation not yet paid to complainant whose land was compulsorily acquired by government since three years.	Rectified
C/142/2010	Complainant not agreeable to the compensation offered by Government for compulsory acquisition of his plot of land more than ten years ago.	Pending
C/144/2010	Complainant avers he is not granted lease of State land on communal grounds.	Explained
C/157/2010	No reply to application for lease of State land.	Discontinued
C/185/2010	Delay in processing complainant's request for transfer of lease.	Discontinued
C/207/2010	Delay in renewing and transferring lease of State land from complainant's father's name onto his own name.	Rectified

No.	Subject of Complaint	Result
HOUSING AND LANDS		
C/229/2010	Application for a Land Surveyor's Commission in order to operate as Land Surveyor not attended to since more than four months.	Explained
C/247/2010	Delay in signing deed of sale of "C.H.A." land causing prejudice to complainant.	Rectified
C/250/2010	Delay in signing deed of sale in respect of State land.	Discontinued
C/255/2010	Interdicted public officer whose case has been dismissed not yet re-instated.	Rectified
C/263/2010	Agreed amount of compensation for compulsory acquisition of land not yet paid to its owners.	Discontinued
C/6/2011	Wrongful action taken by an individual in respect of a plot of State land occupied by complainant. No action taken so far in her favour.	Explained
C/13/2011	Delay in issuing lease agreement to complainant.	Rectified
C/14/2011	No reply to complainant's letter addressed to Ministry.	Explained
C/34/2011	Complainant has been occupying a plot of State land since 24 years. Occupation not yet regularized.	Rectified
C/35/2011	Complainant avers that his exemption from payment of campement site tax has been cancelled.	Explained
C/39/2011	Occupation of plot of State land not regularized after 20 years of occupation.	Rectified
C/54/2011	Complainant still awaiting a decision in respect of his application for a renewal of his lease of State land.	Explained
C/67/2011	Complainant avers that notice from Ministry to destroy his wall is unfair.	Pending
C/73/2011	No compensation yet paid to complainant for compulsory acquisition by the Ministry of a portion of land belonging to him.	Explained
C/83/2011	Request for right of way over State land not yet considered after nine months.	Rectified
C/122/2011	No reply to letter from complainant to Ministry regarding grant of " <i>droit de surélévation</i> " to complainant's son.	Rectified

No.	Subject of Complaint	Result
HOUSING AND LANDS		
C/125/2011	No reply to complainant's two letters asking for information from the Ministry.	Rectified
C/133/2011	Complainant awaiting for his State land lease since six years.	Rectified
C/170/2011	Request for Low Cost house made since several years not considered.	Pending
C/173/2011	Terms and conditions of lease illegally amended.	Explained
C/183/2011	Application by complainant to buy land on which stands his house not yet considered after one and a half years.	Pending
C/190/2011	Delay by Ministry to finalize complainant's project.	Pending
C/192/2011	Application for delay to complete notarial formalities in respect of request for a " <i>droit de surélévation</i> " not considered since two months.	Rectified
C/202/2011	Rent refused in respect of land leased to complainant by Ministry without any reason being given.	Explained
C/232/2011	Heirs to a plot of State land awaiting for the Ministry to divide the said plot amongst beneficiaries.	Pending
C/241/2011	Application for housing unit made since a year not yet considered.	Pending
C/249/2011	Delay in considering complainant's application for lease of State land - having problems with neighbour on account of such delay.	Pending
C/257/2011	Complainants encountering problems in respect of their project to construct prototype residential units.	Pending
JUDICIAL		
C/55/2011	Application for copy of judgment in respect of a case in which complainant was a party not entertained.	Rectified
C/154/2011	Deposit effected on behalf of detainee not returned after trial.	Rectified
C/236/2011	Refund of deposit made by complainant in court case not effected although case heard and determined.	Rectified

No.	Subject of Complaint	Result
LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT		
C/245/2009	Delay by Ministry to take action against complainant's former employer for non-payment of salary and end of year bonus.	Rectified
C/254/2010	Dues still unpaid to complainant after his reinstatement following dismissal of charge against him.	Rectified
C/9/2011	No further action by Ministry following report by complainant of non-payment of wages by employer.	Pending
C/123/2011	Over-crowded dormitories for migrant workers. No action taken by authorities concerned.	Pending
C/126/2011	Complaint made to Ministry not attended to. Complainant avers that the stand of the Ministry is "tainted".	Not justified
LOCAL AUTHORITIES		
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.	Rectified
LA/C/47/2008	Obstruction on the road. No action taken by authority concerned.	Pending
LA/C/58/2008	Foul smell from canal affecting health of complainant and his family.	Pending
LA/C/3/2009	Road in a deplorable and dangerous state	Pending
LA/C/15/2009	Complainant's neighbour not leaving statutory distance from boundary line. No action taken yet by Council.	Explained
LA/C/30/2009	Exit road from complainant's land only half asphalted by the municipal authority contrary to complainant's request to asphalt the whole road.	Explained
LA/C/42/2009	Illegal construction put up next to complainant's house. No action taken by authority concerned.	Pending
LA/C/58/2009	Complainant's property gets flooded whenever it rains due to absence of drain. No action taken notwithstanding application to various authorities.	Discontinued
LA/C/59/2009	Deplorable state of road is the source of various nuisances caused to neighbourhood.	Rectified
LA/C/11/2010	Complaint regarding a stream which often gets flooded and thus represents a health hazard not heeded.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES		
LA/C/12/2010	Road in deplorable state at Camp Carol Village.	Rectified
LA/C/17/2010	Request for construction of drain made since more than five years not entertained. Complainant encounters problems of filthy water in his yard.	Rectified
LA/C/25/2010	Illegal building put up by complainant's neighbour. Court judgment in favour of complainant. Building not yet pulled down more than a year after judgment. No action taken by Council.	Pending
LA/C/26/2010	No action taken in respect of report by complainant regarding an illegal construction next to his property.	Discontinued
LA/C/28/2010	Application for subdivision of land delayed at Council's level.	Explained
LA/C/30/2010	Noise and dust pollution caused by workshop. No action taken by authorities concerned.	Explained
LA/C/31/2010	Illegal construction of boundary wall. No action taken by Council.	Explained
LA/C/32/2010	Encroachment by complainant's neighbour reported to Council. Concrete action awaited.	Pending
LA/C/36/2010	Complaints and protests in respect of illegal operation of place of worship not attended to.	Pending
LA/C/37/2010	Complaints and protests against illegal operation of place of worship not attended to.	Pending
LA/C/38/2010	Canal in insalubrious condition left unattended for several years. Inhabitants getting impatient.	Pending
LA/C/39/2010	Complaints against complainant's neighbour not entertained by Council.	Rectified
LA/C/40/2010	Burial structure in village in poor conditions. No action taken by Council.	Explained
LA/C/41/2010	Potentially hazardous conditions within building where complainants live reported to Council. No action taken yet.	Rectified
LA/C/42/2010	Report of illegal construction not attended to by Council.	Explained
LA/C/43/2010	Report of illegal construction not attended to.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES		
LA/C/44/2010	No reply to complaint made nearly a year ago to District Council.	Explained
LA/C/45/2010	Delay in replying to complainant's letter causes prejudice to him and his family.	Discontinued
LA/C/1/2011	Absence of drain causes lane to be flooded. Problem to users.	Discontinued
LA/C/2/2011	Failure by Council to take action in respect of an illegal construction by complainant's neighbour.	Pending
LA/C/3/2011	No action taken by authorities concerned in respect of complaint made regarding flooding of complainant's house.	Explained
LA/C/4/2011	Request for breakdown of sums paid to complainant upon retirement not entertained.	Rectified
LA/C/5/2011	Objection against application for Building and Land Use Permit not considered.	Pending
LA/C/6/2011	Noise pollution by complainant's neighbour. No action taken following report.	Explained
LA/C/7/2011	Illegal building put up by complainant's neighbour. No action taken by authority concerned.	Pending
LA/C/8/2011	Application for Outline Planning Permission wrongly rejected.	Not investigated
LA/C/9/2011	Illegal building being put up by complainant's neighbour. No action taken by the Council in spite of complaints made thereto.	Pending
LA/C/10/2011	Illegal construction put up by complainant's neighbour. Matter reported to the Council. No action taken.	Explained
LA/C/11/2011	Request to have a small lane declared a public road unfairly rejected.	Pending
LA/C/12/2011	Polluted drain.	Rectified
LA/C/13/2011	No action taken by Council in respect of offending building.	Pending
LA/C/14/2011	Request by complainant to cause a tree to be cut down not entertained.	Rectified
LA/C/15/2011	Nuisances caused by spice factory. No action taken by Council although complaint made since two years.	Rectified

No.	Subject of Complaint	Result
LOCAL AUTHORITIES		
LA/C/16/2011	Metallic strapping installed over drain is a source of nuisance.	Rectified
LA/C/17/2011	Handrail of pavement removed to allow construction but not replaced - represents danger to pedestrians.	Rectified
LA/C/18/2011	Absence of drain, lighting etc. causes a lot of problems to inhabitants.	Explained
LA/C/19/2011	Obstruction of common road. No action taken by authorities concerned.	Explained
LA/C/20/2011	Accumulation of rain water along the road near complainant's house poses problem.	Explained
LA/C/21/2011	Absence of slab on pavement represents danger to pedestrians.	Rectified
LA/C/22/2011	Drain, asphaltting of road and street lighting claimed by inhabitants.	Explained
LA/C/23/2011	Crematorium and cemetery in deplorable state.	Explained
LA/C/24/2011	Illegal construction put up by complainant's neighbour. No action taken by Council.	Pending
LA/C/25/2011	Complainants wrongly claimed General Rate by Council.	Rectified
LA/C/26/2011	Request by complainant for construction of an absorption drain ignored by Council.	Rectified
LA/C/27/2011	Several complaints made to the Council regarding illegal building next to complainant's plot not heeded.	Pending
LA/C/28/2011	Illegal makeshift snack is the source of nuisance for pedestrians.	Pending
LA/C/29/2011	Request to declare frequently used road as a public road ignored.	Pending
LA/C/30/2011	Application for building permit in respect of a residential building – unreasonable conditions imposed by Council.	Discontinued
LA/C/31/2011	Complainant's objection against illegal construction not heeded by Council.	Pending
LA/C/32/2011	Smell nuisance caused by illegal poultry.	Discontinued
LA/C/33/2011	No action taken in respect of report of illegal construction made by complainant against his neighbour.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES		
LA/C/34/2011	Illegal construction reported at District Council. No action taken.	Pending
LA/C/35/2011	Illegal printing factory operating near complainant's premises – source of great inconvenience.	Rectified
LA/C/36/2011	No action taken yet by Council following report of illegal construction by complainant's neighbour.	Pending
LA/C/37/2011	Noise pollution and other disturbances caused by complainant's neighbour. No concrete action taken by the authorities concerned.	Rectified
LA/C/38/2011	Illegal activity carried out by complainant's neighbour is a source of great inconvenience. No action taken.	Discontinued
LA/C/39/2011	Objection by complainant to the issue of a trade licence to operate in a residential area not heeded.	Pending
LA/C/40/2011	Obstruction of road. No action taken by authorities concerned.	Pending
LA/C/41/2011	Illegal development causing great inconvenience to complainant's family.	Pending
LA/C/42/2011	No action taken by authorities concerned in respect of complaint of noise pollution in a residential area.	Pending
LA/C/43/2011	Complainant objects to Council's plan to construct a drain on his property.	Pending
LA/C/44/2011	Children playground located in residential area is a source of noise nuisance.	Pending
LA/C/45/2011	Delay by Council in taking action in respect of report by complainant.	Pending
LA/C/46/2011	Delay in issuing building permit.	Pending
LA/C/47/2011	No action taken following report of illegal construction put up by complainant's neighbour.	Pending

No.	Subject of Complaint	Result
LOCAL GOVERNMENT AND OUTER ISLANDS		
C/238/2010	Anomalous practice resorted to for promotion exercise.	Not investigated
C/88/2011	Abandoned boat on beach an eyesore.	Rectified
POLICE		
C/53/2009	Length of service not properly computed.	Discontinued
C/89/2009	Report of theft by complainant to the Police who hesitate to take action against culprit(s).	Rectified
C/243/2009	Complainant victim of theft by hackers. Case reported to the Police but complainant not yet contacted by Police after more than two months.	Explained
C/267/2009	Article seized by Police during search not returned to complainant after trial of his case.	Explained
C/65/2010	Complainant's neighbour operating illegal store which represents a nuisance.	Explained
C/73/2010	Money secured from complainant upon her arrest, whose case has already been heard and determined, not returned to her.	Explained
C/138/2010	Complainants detained since more than two years without trial.	Pending
C/168/2010	No action taken by Police following several declarations made.	Explained
C/169/2010	Complainants aver improper conduct by Police Officer. Request that action be taken against him.	Discontinued
C/170/2010	No action taken by the Police following two declarations made at Brisée Verdière Police Station.	Rectified
C/189/2010	Application by Senior Counsel for documents and information regarding road accident not entertained after more than three weeks.	Explained
C/214/2010	Non-approval of application made by Police Constable for urgent local leave. He alleges persecution by higher officers.	Explained
C/224/2010	No action taken following reports made by complainant.	Not justified
C/235/2010	Complainant, whose car was reported lost and later found by the Police, claims to have his vehicle back.	Pending

No.	Subject of Complaint	Result
POLICE		
C/243/2010	Foreigner still detained by Police although case of conspiracy against her has been struck out.	Pending
C/251/2010	Complainant wishes to know the outcome of a formal declaration he made to the Police.	Explained
C/260/2010	Senior Counsel receives no reply to his application for particulars and documents regarding accident in which his client was involved.	Rectified
C/261/2010	Senior Counsel receives no reply to his application for particulars and documents regarding accident in which his client was involved.	Rectified
C/262/2010	Particulars and documents applied for by Senior Counsel not furnished since one month.	Rectified
C/271/2010	No action taken following report to Police in a case of dispute between families who are also neighbours.	Discontinued
C/272/2010	Complainant detained since nine months without trial. Bail refused by court.	Explained
C/273/2010	Complainant on remand since nearly three years without trial.	Rectified
C/7/2011	Documents and information applied for by Senior Counsel in respect of road accident not supplied.	Rectified
C/17/2011	Complainant alleges that the Police refused to record a statement from him in connection with a case of assault against him.	Explained
C/21/2011	No action taken by the Police following declaration made.	Not justified
C/22/2011	Complainant avers verbal brutality by Police Officer.	Explained
C/29/2011	Complainant not satisfied with Police action in respect of report made against a Police Sergeant.	Pending
C/30/2011	Complainant's car damaged while it was in possession of the Police.	Discontinued
C/37/2011	Complainant not afforded adequate Police protection against aggression and theft.	Pending
C/49/2011	Detainee unsuccessful in his attempt to contact the "Central Intelligence Division".	Rectified

No.	Subject of Complaint	Result
POLICE		
C/50/2011	Documents and information applied for by Senior Counsel in respect of fatal road accident not supplied by Police.	Rectified
C/56/2011	Mobile phone secured from complainant upon his arrest not returned to him.	Rectified
C/59/2011	Complainant's personal belongings not returned to him by Police.	Rectified
C/60/2011	No positive outcome following a declaration of harassment made by complainant's wife.	Discontinued
C/62/2011	No protection provided by the Police to old lady who fears for her security.	Pending
C/63/2011	No action taken against detainee's assailant, a Prison Officer, though case reported to the Police since more than three years.	Pending
C/64/2011	Problems of noise pollution by three institutions still not yet solved.	Explained
C/75/2011	Driving School and Instructor's licence not issued to complainant.	Rectified
C/79/2011	Complainant avers that a Police Officer borrowed a sum of Rs500/- from him when he was arrested and has not returned his money.	Explained
C/85/2011	Lodging of cases against untried detainee unduly delayed.	Explained
C/87/2011	Alleged police brutality. Delay by police to complete inquiry.	Discontinued
C/92/2011	No action taken by Police in respect of declarations made.	Not justified
C/101/2011	Complainant not satisfied with inquiry conducted by Police in a case of larceny reported by him and which case has been struck out.	Explained
C/107/2011	Complainant on remand since almost six months. Not formally charged yet although enquiry completed.	Rectified
C/119/2011	Complainant's identity card not returned to him by the Police who arrested him three years ago.	Explained
C/120/2011	Documents applied for by Senior Counsel in connection with road accident case not received.	Rectified

No.	Subject of Complaint	Result
POLICE		
C/130/2011	Declaration by complainant not recorded by Police.	Explained
C/138/2011	Illegal fishing activity reported by complainants but no action taken.	Discontinued
C/139/2011	Detainee on remand since nearly two years.	Rectified
C/142/2011	Complainant avers he is being detained since 16 months without trial for a simple case of larceny.	Rectified
C/145/2011	No action taken regarding declaration made to the Police some 14 months before.	Explained
C/155/2011	Detainee avers he is on remand since six months and still awaiting trial for a simple case of larceny.	Explained
C/158/2011	Case of harassment reported to the Police on three occasions but no action taken.	Pending
C/159/2011	Complainant's passport which had been secured by the Police not returned to him some 6 years after his reinstatement following his interdiction from duty.	Rectified
C/161/2011	Detainee in a case of larceny complains about delay in having his case heard.	Rectified
C/162/2011	Complainant's car lent to a third party and seized by the Police not returned to him.	Pending
C/205/2011	Delay in obtaining certificate of morality.	Explained
C/208/2011	Complainant detained since nearly four years in drug-related case. No trial yet.	Explained
C/212/2011	Complainant detained since nearly four years in drug-related case. No trial yet.	Explained
C/213/2011	Convicted detainee claims the return of his private property as the case against him has been heard and determined.	Explained
C/219/2011	Nothing done by the Police in respect of reported theft case committed since one month.	Pending
C/224/2011	Complainant avers she is being detained since more than 18 months without trial.	Pending

No.	Subject of Complaint	Result
POLICE		
C/226/2011	No action taken following report of assault made by complainant's old and ailing mother.	Rectified
C/231/2011	No action taken by Police following several declarations made.	Pending
C/234/2011	No reply to letters addressed to Police by Attorney-at-Law requesting document in connection with road accident.	Pending
C/235/2011	Detainee in custody since 21 months without trial.	Pending
C/248/2011	Detainee unable to obtain a copy of his statement to the Police regarding the case against him.	Pending
C/252/2011	Documents seized from complainant, who is a detainee, not returned to him after dismissal of case against him.	Pending
PRIME MINISTER'S OFFICE		
C/199/2011	No refund of election deposit by Electoral Commissioner's Office.	Not justified
C/218/2011	Request for payment of monthly car allowance in lieu of official car, etc. turned down.	Pending
PRISONS		
C/106/2010	Retired Prisons Officer's letter addressed to Commissioner of Prisons regarding his retiring benefits remains without reply.	Rectified
C/219/2010	Detainee claims refund of money deposited by him on behalf of another person whose case has been heard and determined.	Rectified
C/244/2010	1° Items purchased by detainee not remitted to him. 2° Not receiving proper medical attention.	Explained
C/266/2010	Convicted detainee's letter of application for legal aid in order to appeal against his conviction not transmitted by Prison Administration.	Explained
C/268/2010	Detainee's weekly earning cancelled upon his transfer to high-security prison.	Rectified
C/269/2010	Detainee not allowed to be visited by a particular friend.	Explained
C/270/2010	No action taken in respect of female detainee's application for visits by male detainee whom she plans to marry in future.	Explained

No.	Subject of Complaint	Result
PRISONS		
C/3/2011	Diet food prescribed by doctor not given to complainant.	Not justified
C/15/2011	Detainee avers he is prevented from having his vitamin injections done.	Explained
C/19/2011	Detainee denied visit by wife etc.	Discontinued
C/20/2011	Detainee not receiving appropriate medical attention etc.	Explained
C/24/2011	Anomaly in detainee's Deposit Card and Earnings Account.	Explained
C/27/2011	Detainee avers he is not receiving adequate medical treatment etc.	Not justified
C/28/2011	Detainee not receiving appropriate medicine and treatment.	Explained
C/32/2011	Right to visit co-detainee denied.	Rectified
C/36/2011	Detainee's application for transfer from one prison to another on account of his medical condition not entertained.	Explained
C/38/2011	Facilities for slopping out not enough.	Explained
C/51/2011	Complaints galore: absence of gas lighters to light cigarettes, additional mattress taken back from detainee, etc.	Explained
C/57/2011	Letters written by detainee not posted.	Rectified
C/58/2011	Detainee not given special diet food as recommended by doctor.	Rectified
C/78/2011	Problems concerning detainee's mattress and earnings.	Explained
C/82/2011	Request by detainee's wife to transfer her husband to another section of the prison on account of various problems.	Explained
C/84/2011	Detainee not receiving appropriate medical attention.	Explained
C/86/2011	Detainee's request for official receipts in respect of money transfers into his account not entertained.	Explained
C/98/2011	(1) Parcel posted by detainee's relative not collected by Prison department. (2) Mattress issued to him not appropriate.	Explained
C/99/2011	Detainee avers he is harassed by some Prison Officers.	Not justified

No.	Subject of Complaint	Result
PRISONS		
C/100/2011	Detainee avers he is being harassed by Prison Officers.	Not justified
C/102/2011	Detainee avers he is not receiving adequate medical attention in respect of his vertebral column.	Explained
C/105/2011	No reply to letters addressed by detainee to Commissioner of Prisons.	Explained
C/106/2011	Detainee avers he is not receiving appropriate medical treatment.	Not justified
C/114/2011	Detainee requests that he be maintained where he is presently incarcerated for security reasons.	Explained
C/115/2011	Detainee not allowed to write to the Attorney General.	Rectified
C/131/2011	Detainee not being served high-protein food, etc.	Explained
C/132/2011	Detainee, an Indian National, not yet transferred to his country although many others like him have been so transferred.	Pending
C/135/2011	Detainee denied the right to do extra-remission work and not receiving adequate medical care.	Explained
C/144/2011	Detainee's personal belongings missing.	Pending
C/157/2011	Prison Officer using foul language towards detainee etc.	Not justified
C/160/2011	Detainee denied access to telephone booth although he was in possession of a regular phone card.	Rectified
C/164/2011	Detainee has problems in respect of monies on his account, etc.	Explained
C/165/2011	Request for transfer by detainee for security reasons not heeded etc.	Pending
C/166/2011	Detainee denied earnings for three months, then earnings down-graded, etc.	Explained
C/167/2011	Detainee, a foreign national, not allowed to receive money through postal orders.	Explained
C/168/2011	Detainee avers that he has been wrongly accused of using a mobile phone to commit an offence. Sequestered since two days.	Explained
C/174/2011	Request by detainee to be transferred to another prison on account of his fears for his personal security.	Explained

No.	Subject of Complaint	Result
PRISONS		
C/178/2011	Detainee requests not to be transferred to another unit for security reasons.	Explained
C/179/2011	Detainee denied appropriate medical care.	Explained
C/180/2011	Detainee who has medical problems not allowed to purchase certain items although same are not available at the prison canteen.	Pending
C/185/2011	Detainee avers he is not receiving adequate medical treatment.	Explained
C/196/2011	Detainee avers being persecuted by a high-ranking Prison Officer.	Not justified
C/197/2011	Postal money order not remitted to detainee undergoing life sentence.	Rectified
C/198/2011	Request by detainee to be visited by the Police for an urgent declaration. Letter written to Commissioner of Prisons but no reply received.	Rectified
C/203/2011	Various attempts by detainee to meet the Commissioner of Prisons concerning his problems in prison unsuccessful.	Pending
C/207/2011	Detainee's request to be seen by the Commissioner of Prisons or any other high-ranking Officer ignored.	Rectified
C/211/2011	Detainee's health problems not solved in prison. Requests that he be treated by hospital specialist or private medical practitioner.	Pending
C/215/2011	Detainee avers his cell is too small, etc.	Explained
C/220/2011	Detainee not provided with adequate medical care.	Pending
C/222/2011	Detainee not referred back to hospital for further treatment.	Pending
C/223/2011	Detainee not getting appropriate medical treatment, etc.	Pending
C/233/2011	Detainee avers he is not getting appropriate treatment for his ailment, etc.	Pending
C/244/2011	Complainant who is on remand claims social aid on behalf of his two children as his wife does not work.	Pending
C/245/2011	Unsanitary and insecure conditions of detention averred by detainee - claims it is mental torture.	Pending

No.	Subject of Complaint	Result
PRISONS		
C/246/2011	Detainee complaining about unlocking and locking up times which he avers are not according to rules.	Pending
C/247/2011	Detainee allowed to receive only one postal order per month. Avers it is not sufficient to cover his monthly expenses.	Pending
C/251/2011	Remand detainee not allowed to receive more than one postal order per month etc.	Pending
PUBLIC INFRASTRUCTURE AND LAND TRANSPORT		
C/143/2004	Bus stop constitutes traffic hazard.	Rectified
C/106/2007	Absence of drains causes great inconvenience to complainant.	Rectified
C/185/2007	Bus stop dangerously situated.	Pending
C/130/2009	Bus stop located in a dangerous place.	Pending
C/221/2009	Deplorable state of bridge at Bel Air-Rivière Sèche represents danger to the public at large.	Pending
C/256/2009	Dangerous road bend, absence of lighting, etc. causing frequent accidents.	Explained
PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING		
C/188/2010	Problem of stagnant water – apathy of authorities frustrates inhabitants.	Rectified
C/223/2010	Water accumulation poses dangerous risks to the lives of inhabitants.	Explained
C/249/2010	Problems arising after construction of drain. Complainant awaiting for action.	Rectified
C/253/2010	Application for transfer of bus stop which poses serious problems and risks of accident.	Rectified
C/40/2011	Width of road does not allow proper flow of two-way traffic.	Pending
C/112/2011	Request by inhabitants for bus-stops and pedestrian crossing not considered.	Pending
C/149/2011	Bus operator not receiving any compensation for operating on additional route, etc.	Explained

No.	Subject of Complaint	Result
PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING		
C/153/2011	Payment not received by bus operator for free transport scheme.	Rectified
C/228/2011	Structural instability of footbridge. Source of danger to users.	Pending
REGISTRAR GENERAL		
C/97/2011	Request for refund of campement site tax which has been wrongly claimed.	Not justified
C/195/2011	Complainant not allowed to object to Notice of claim from Registrar General after expiry of delay through no fault of hers.	Pending
RODRIGUES		
ROD/C/6/2006	No reply to claim of compensation for damages caused to complainant's private land.	Pending
ROD/C/14/2009	Commercial lease not yet finalized although complainant has been paying rental since nearly two years.	Discontinued
ROD/C/21/2009	No consideration given to complainant's request for materials to put up a decent living place.	Pending
ROD/C/22/2009	Request for building materials to put up a decent living place.	Explained
ROD/C/31/2009	No reply to application for a house under the Trust Fund for the Social Integration of Vulnerable Groups.	Rectified
ROD/C/1/2010	Complainant and her daughter living in dire conditions. Request for social assistance not acceded to.	Rectified
ROD/C/3/2010	No re-styling of post done after PRB Report 2008.	Explained
ROD/C/4/2010	Anomaly in salary.	Pending
ROD/C/7/2010	Anomaly in salary.	Explained
ROD/C/8/2010	Overtime performed by complainant not paid.	Rectified
ROD/C/10/2010	Anomaly in refund of social security.	Rectified
ROD/C/11/2010	Request for a house made since two years still unattended to.	Not justified
ROD/C/15/2010	Request for materials to put a house not heeded.	Rectified
ROD/C/17/2010	Assistance sought since nine years by complainants for materials to put up a house of their own not yet considered.	Rectified

No.	Subject of Complaint	Result
RODRIGUES		
ROD/C/18/2010	Responsibility allowance for performing extra duties not paid.	Rectified
ROD/C/20/2010	Request by complainant for housing unit as she is living in dire conditions with her handicapped 5 year-old son in one room at her parents' place.	Pending
ROD/C/24/2010	Request for assistance to put up a house.	Rectified
ROD/C/28/2010	Request for social aid by destitute mother of two very young children.	Explained
ROD/C/29/2010	Arrears of salary not paid to complainant.	Rectified
ROD/C/30/2010	No reply to letter regarding length of service.	Rectified
ROD/C/33/2010	Complainant who was on pre-retirement leave has had to postpone his retirement date as he is awaiting a promotion which is still not forthcoming.	Pending
ROD/C/34/2010	Non-payment of responsibility allowance.	Pending
ROD/C/37/2010	Working conditions on small island not appropriate.	Rectified
ROD/C/38/2010	No allowance paid to public officer who performed additional duties before his retirement.	Discontinued
ROD/C/40/2010	Application for housing and social aid by complainant who is mother of two very young children who have been temporarily accommodated by another family.	Pending
ROD/C/41/2010	Complainant, an unmarried mother of a young child, lives in dire conditions at mother's place. Request for social aid.	Explained
ROD/C/43/2010	Allowance for performing additional duties unpaid.	Rectified
ROD/C/44/2010	Social aid paid to complainant on behalf of child attending school suddenly stopped.	Rectified
ROD/C/45/2010	Application for refund of expenses incurred by family for funeral of family member not yet considered.	Pending
ROD/C/46/2010	Complainant avers that his lump sum paid on retirement has been wrongly computed.	Not justified
ROD/C/47/2010	Widow of deceased public officer not paid last salary etc. of late husband.	Rectified

No.	Subject of Complaint	Result
RODRIGUES		
ROD/C/1/2011	Complainant awaiting since more than four years for a reply to his application for lease of State land.	Explained
ROD/C/2/2011	Application made for a Trust Fund house since a long time not yet considered.	Rectified
ROD/C/3/2011	Application for lease of State land on ground of financial difficulty.	Rectified
ROD/C/4/2011	Application for assistance to put up a house not heeded.	Pending
ROD/C/5/2011	Request by complainant for building materials to put up her own house – she is separated from her husband and has two children to bring up.	Pending
ROD/C/6/2011	Complainant avers that she has three children and is destitute. Pension payable to her deceased husband no longer paid to her.	Not justified
ROD/C/7/2011	Widow's pension denied to complainant when she reached the age of 60.	Rectified
ROD/C/8/2011	Compensation due to complainant whose husband disappeared at sea since five years not yet paid.	Explained
ROD/C/9/2011	No allowance paid to complainant for driving heavy vehicle	Not justified
ROD/C/10/2011	Request for building materials to put up a decent living place.	Explained
ROD/C/11/2011	Special Duty Allowance not paid to complainant.	Not justified
ROD/C/12/2011	Benefits due to complainant short-paid	Explained
ROD/C/13/2011	Application for land lease not considered after several years.	Rectified
ROD/C/14/2011	Request for re-deployment in the public sector denied.	Explained
ROD/C/15/2011	Request for re-deployment in the public sector denied.	Explained
ROD/C/16/2011	Midwives allege discrimination against them as compared to their colleagues in Mauritius.	Pending
ROD/C/17/2011	Length of service not properly computed.	Explained
ROD/C/18/2011	Access road blocked by complainant's neighbour. No action taken by authority concerned.	Pending
ROD/C/19/2011	Length of service wrongly computed.	Not justified

No.	Subject of Complaint	Result
RODRIGUES		
ROD/C/20/2011	Passage benefits not paid to complainant after his retirement from the service.	Not justified
ROD/C/21/2011	Length of service not properly computed.	Not justified
ROD/C/22/2011	Overtime not paid.	Explained
ROD/C/23/2011	Passage benefits not paid to retired officer.	Not justified
ROD/C/24/2011	Application for extension of residential lease not yet considered after seven months.	Rectified
ROD/C/25/2011	Application for social aid not granted.	Rectified
ROD/C/26/2011	No remedial action taken in respect of absence of toilets at Catering Unit of hospital.	Pending
ROD/C/27/2011	Benefits not paid to complainant after her husband's death.	Rectified
ROD/C/28/2011	Application for Unemployment Hardship Relief Allowance not yet considered.	Pending
ROD/C/29/2011	Request by complainant for a shelter for himself and his family.	Pending
ROD/C/30/2011	Application for plot of State land not considered.	Pending
ROD/C/31/2011	Request by Nursing Officer for transfer from Rodrigues to Mauritius where her husband and nineteen-month old son live turned down.	Pending
ROD/C/32/2011	Application for unemployment hardship relief not considered.	Pending
ROD/C/33/2011	Request by complainant for continued financial assistance as she is suffering from various ailments.	Pending
ROD/C/34/2011	Benefits not yet paid to complainant.	Pending
ROD/C/35/2011	Payment of responsibility allowance stopped since 10 months.	Pending
ROD/C/36/2011	Application for transfer of lease not granted.	Pending
ROD/C/37/2011	Death gratuity wrongly computed.	Pending

No.	Subject of Complaint	Result
RODRIGUES		
ROD/C/38/2011	Basic retirement pension not paid to complainant ever since she reached the age of 60.	Pending
ROD/C/39/2011	Request by complainant for revision of his length of service.	Pending
ROD/C/40/2011	Request by 71-year old complainant to obtain a house as he is being sheltered from day to day by relatives.	Pending
ROD/C/41/2011	Non-promotion of complainants at the level of Sprayerman.	Pending
ROD/C/42/2011	Delay in processing application for social aid.	Pending
ROD/C/43/2011	No action taken by the authorities concerned following report by complainant of obstruction of access road.	Pending
ROD/C/44/2011	Anomaly in salary.	Pending
ROD/C/45/2011	Complainant's application for sponsorship to pursue distance learning unjustly rejected.	Pending
SOCIAL INTEGRATION AND ECONOMIC EMPOWERMENT		
C/140/2011	No action taken in respect of complainant's application for building materials to construct their own house.	Pending
C/152/2011	Complainant's request for assistance to put up her own house unheeded – she has been abandoned by her concubine and has two children under her charge.	Pending
C/184/2011	Delay in dealing with complainant's application for building materials.	Pending
C/187/2011	Delay in processing complainant's application for building materials.	Pending
C/216/2011	No refund effected to complainant in respect of works carried out by her.	Pending
C/240/2011	Request by complainant for building materials to put up a house.	Pending
C/256/2011	Request by complainant for building materials in order to repair her old house.	Pending

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS		
C/155/2008	Invalidity pension of handicapped person stopped.	Pending
C/251/2008	Complainant denied basic invalidity pension.	Pending
C/4/2010	Invalidity pension of complainant's son wrongly computed and denied income support benefit.	Rectified
C/18/2010	Complainant's widow's pension stopped without notice.	Explained
C/130/2010	75-year old lady who is bed-ridden still awaiting doctor's visit and financial assistance.	Discontinued
C/150/2010	Old age pension not paid to complainant for a period of five months.	Rectified
C/206/2010	Application for Basic Retirement Pension wrongly refused.	Explained
C/236/2010	Social aid reduced.	Explained
C/274/2010	Payment of social aid to complainant suddenly stopped.	Explained
C/18/2011	Social aid payable to complainant discontinued.	Rectified
C/47/2011	Contributory retirement pension short paid.	Explained
C/68/2011	Complainant denied social aid for her three grandchildren under her care – both parents have left their children.	Discontinued
C/69/2011	Complainant avers she has received social aid for one month only whereas she has no means to send her 2 daughters to school.	Rectified
C/70/2011	Payment of social aid stopped since more than six months, etc.	Pending
C/71/2011	Complainant carer's allowance stopped.	Explained
C/72/2011	No revision of complainant's social aid.	Rectified
C/76/2011	Application for "Carer's Allowance" disallowed.	Not justified
C/77/2011	Carer's allowance denied to complainant's mentally handicapped child.	Explained
C/81/2011	Social aid application not processed satisfactorily.	Explained
C/89/2011	Pension of complainant's mentally retarded son stopped.	Rectified
C/91/2011	Social aid denied to complainant's son, an asthma patient.	Explained

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS		
C/93/2011	Complainant contests the manner in which his change in posting has been done.	Rectified
C/94/2011	Social aid refused to complainant with four children whose father has abandoned.	Rectified
C/95/2011	Complainant, mother of three children, avers being completely destitute. Children cannot attend school. Request for assistance.	Explained
C/96/2011	Social aid received by complainant not sufficient to bring up her two children.	Explained
C/109/2011	Non-payment of old age pension for unknown reason. No reply to letter asking for explanation.	Rectified
C/110/2011	Payment of Basic Retirement Pension delayed every month.	Rectified
C/124/2011	Payment of social aid unjustly stopped.	Explained
C/128/2011	Complainant not paid industrial injury allowance.	Pending
C/134/2011	Non-payment of basic retirement pension.	Pending
C/137/2011	Payment of social aid stopped.	Pending
C/141/2011	Social aid refused to complainant.	Pending
C/143/2011	Complainant claims that her family is destitute and seeks financial assistance.	Explained
C/146/2011	Social aid denied to complainant.	Explained
C/148/2011	Complainant refused social aid.	Explained
C/156/2011	Social aid paid to complainant's 10-year old child discontinued.	Pending
C/169/2011	Application for widow's pension rejected.	Not investigated
C/171/2011	Basic Invalidity Pension and Social Aid refused to complainant.	Pending
C/172/2011	Deductions wrongly effected from complainant's salary etc.	Explained
C/177/2011	No reply to application for social aid.	Pending
C/186/2011	Social Aid refused to complainant.	Pending
C/188/2011	Application for additional basic invalidity pension turned down.	Explained

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS		
C/206/2011	Social aid refused to complainant in respect of her two minor children.	Explained
C/210/2011	Complainant claims she is entitled to a carer's allowance as her husband is physically handicapped.	Pending
C/214/2011	Complainant not paid his lump sum nor his contributory retirement pension since five years.	Pending
C/221/2011	Request by complainant for social aid on behalf of her eight-year old child so that latter can attend school- child's father passed away 6 years ago.	Pending
C/225/2011	Request by complainant for social aid in respect of her two minor daughters in order that they may pursue their schooling.	Pending
C/227/2011	Delay in dealing with application by complainant for financial assistance.	Pending
C/229/2011	Wrongful deduction from social benefits paid to complainant.	Pending
C/239/2011	Social aid/carers allowance on behalf of complainant's sick child denied.	Pending
C/255/2011	Social aid denied to complainant for her three minor children whose father has abandoned them.	Pending
C/258/2011	Complainant's application for Basic Invalidity Pension denied – she is undergoing psychiatric treatment.	Pending
TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY		
C/242/2011	No reply to request for information concerning a degree recognition issue.	Pending
C/250/2011	Complainant not paid her end of year bonus and salary.	Pending

No.	Subject of Complaint	Result
TOURISM AND LEISURE		
C/79/2010	Application for Tourist Enterprise Licence not entertained.	Rectified
C/2/2011	Complainant still awaiting reply to his application for the reinstatement of his Boarding House Permit.	Rectified
C/4/2011	Complainant company avers that it is being asked to pay two contributions (instead of one) to the Tourism Fund for its tourism-related project.	Explained
C/253/2011	Navigation permit refused to complainant.	Pending
YOUTH AND SPORTS		
C/217/2011	Claims for acting as Animator for “Icafe Computer Project” not met by Ministry.	Pending

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