



Republic of Mauritius

# **39<sup>th</sup> Annual Report**

**of the**

# **OMBUDSMAN**

January - December 2012



39<sup>th</sup> Annual Report  
of the  
Ombudsman



January – December 2012

## OFFICE OF THE OMBUDSMAN

OMB 13/04 VOL. XXXIX

19 April 2013

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

Your Excellency,

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

In accordance with such provisions therefore, I have the honour, pleasure and privilege to present to you the 39<sup>th</sup> Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2012.

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 2012

## Year under review

This is the 39<sup>th</sup> Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2012 in the course of which we registered a total of 338 new cases as detailed below.

## Statistics for 2012

### Case intake

Ministries/departments	...	...	...	257
Local authorities	...	...	...	54
Rodrigues Regional Assembly	...	...	...	27
<b>Total</b>	...	...	...	<b>338</b>

### Cases dealt with

#### Ministries/Departments

Rectified	...	...	...	...	108
Not Justified	...	...	...	...	18
Explained	...	...	...	...	152
Discontinued	...	...	...	...	23
Not Investigated	...	...	...	...	1
Not Entertained	...	...	...	...	1
Pending	...	...	...	...	67
<b>Total</b>	...	...	...	...	<b>370</b>

#### Local Authorities

Rectified	...	...	...	...	29
Explained	...	...	...	...	29
Discontinued	...	...	...	...	3
Pending	...	...	...	...	27
<b>Total</b>	...	...	...	...	<b>88</b>

#### Rodrigues Regional Assembly

Rectified	...	...	...	...	13
Not Justified	...	...	...	...	3
Explained	...	...	...	...	32
Discontinued	...	...	...	...	2
Pending	...	...	...	...	8
<b>Total</b>	...	...	...	...	<b>58</b>

On the whole therefore our statistics for 2012 are as follows –

Cases pending as at 31 December 2011	...	178
Case intake in 2012	...	338
Cases dealt with in 2012	...	516
Cases rectified...	...	150
Cases not justified	...	21
Cases explained	...	213
Cases discontinued	...	28
Cases not investigated...	...	1
Cases not entertained	...	1
Cases pending as at 31 December 2012	...	102

Therefore, the percentage of rectified cases during the year has been close to thirty per cent.

Furthermore we have been able to considerably reduce the number of cases pending as at the end of the year from 178 in 2011 to 106 in 2012.

Otherwise our Office also received 252 “miscellaneous” complaints against numerous bodies and organs that fall outside our jurisdiction. As a matter of principle such cases are referred to the concerned authority and the writer accordingly informed or in certain cases we went the extra mile and made a special effort to help to the best of our ability.

We also received 36 copies of complaints against parastatal bodies and 125 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 we could only effect one working trip to Rodrigues from 10 to 14 July.

Forty-five persons called on us on that occasion either to submit their written complaints or to be informed of developments in cases already opened by our Office.

Sixteen complainants were specifically summoned by our Office to appear before us for further discussions and follow up.

Several other persons also came with verbal complaints and they were explained the procedure to be followed for lodging their complaints to our Office.

We also summoned the Departmental Heads of certain Commissions who had received queries from our Office following complaints received against those Commissions. Discussions were held and wherever possible we endeavoured to finalize certain of those cases there and then.

The number of files opened during the year amounted to twenty-seven.



## **The Ombudsman Act amended**

The year 2012 saw certain amendments brought to the Ombudsman Act of 1969 by Section 19 of the Economic and Financial Measures (Miscellaneous Provisions) Act 2012 (Act No. 27 of 2012). The amendments were voted by Parliament on 18 December 2012 and came into force on 22 December 2012.

It is worthy to note that the Ombudsman Act has withstood the test of time for a period of more than 40 years. However, the present amendments have been made in line with government's policy and determination to improve and speed up service delivery to our citizens. The need for a complainant to simply communicate a copy of his complaint to a member of the National Assembly has been done away with.

The salient features of the amendments require all complainants to first make written representations to the relevant department or authority against which they have a complaint to make before submitting their complaint to the Ombudsman. Once such a complaint is made to the department or authority concerned and the complainant does not, within five working days, receive either a written substantive reply or a written reply wherein the department or authority informs the complainant of action being taken and of the date by which a substantive reply would be made, being not more than forty-five days of the date of receipt of the written representation, then only can the complainant seize the Ombudsman.

The complainant can also seize the Ombudsman if he is not satisfied with the reply of the department or authority.

In order for the Ombudsman to entertain a complaint the complainant must first of all show sufficient interest in the subject-matter of the complaint. He must also specify the nature of his complaint and what kind of redress he is seeking. In case the complainant has in his possession any document or other information relevant to his complaint he must submit same along with his complaint.

Upon receipt of a written complaint, the Ombudsman will, within five working days of the date of receipt, make a written reply to the complainant informing the latter of action that is being taken.

Where the department or authority concerned has failed to comply with the legal delay as per above, the Ombudsman may order that department or authority to make a substantive reply to the complainant within a delay of seven working days. In such a case the department or authority must comply with the order made by the Ombudsman and it must also forward to the Ombudsman a copy of the reply.

Where a letter is written to the Ombudsman by a person who is in legal custody or who is an inmate of a mental hospital or other similar institution, the person in charge of the place where the writer of the letter is detained or is an inmate shall immediately forward the letter, unopened, by registered post to the Ombudsman.

Under Section 97 of the Constitution the bodies/officers which fall under the scrutiny of the Ombudsman are as follows –

- (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.

However, the following authorities are ousted from the jurisdiction of the Ombudsman –

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

By virtue of Section 101(2) of the Constitution the Ombudsman however retains the power to act in accordance with his own discretion in determining whether to initiate, to continue or discontinue an investigation.

Furthermore the Ombudsman is not required to conduct an investigation where it appears to him that –

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

## Acknowledgements

Once again credit to the staff of my Office for their invaluable contribution in the preparation of this Annual Report working sometimes under difficult conditions, without forgetting their unflinching effort, commitment and dedication to work throughout the year and for the good spirit prevalent at the Office.

## 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 Environment and National Development Unit and Ministry of Environment and Sustainable Development. 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.

19 April 2013



(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 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) Every complaint made to the Ombudsman shall be in writing .

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

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

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

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

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

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

(b) The department or authority shall –

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

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

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

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

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

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

#### **5. Privilege of communication**

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

#### **5A. Annual Report**

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

#### **6. Offences**

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

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

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

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

## **7. Expenses and allowances**

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

## **8. Administrative expenses**

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

## **9. Regulations**

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

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



**SELECTED COMPLAINTS**  
**MINISTRIES/DEPARTMENTS**  
**EDUCATION AND HUMAN RESOURCES**

*C/111/2011*

**Mentor paid further incremental credit for additional qualification**

The gist of O.G.'s complaint was "non-payment of incremental credit after completion of in-service course"

O.G., a Mentor, had indeed completed two in-service courses at the Mauritius Institute of Education (M.I.E.): 1. Diploma in Educational Management (DEM), for which he was granted one incremental credit and 2. Teacher's Diploma (Primary) (TDP), for which he received no incremental credit and which was the subject-matter of his complaint.

He further averred that he called at the appropriate department at the Ministry of Education & Human Resources on several occasions but each time he was told that his case had been forwarded to the Ministry of Civil Service & Administrative Reforms for further consideration.

The Ministry's version was that in similar cases the Mentors had been paid increment for completing the DEM with effect from 05 July 2010 but indeed no increment was granted for TDP for which results were published at a later date on 23 July 2010.

So the Ministry sought the approval of the Ministry of Civil Service & Administrative Reforms as to whether it would be in order to grant increment for TDP with effect from 23 July 2010 although the Mentors had already received an increment for DEM as from 05 July 2010.

Finally advice was received from the Ministry of Civil Service & Administrative Reforms and necessary arrangement was made for payment of another incremental credit for O.G.'s TDP.

O.G. confirmed having received payment and heartily thanked us for our intervention.

*C/204/2011*

**Deputy Head Master paid arrears of "ZEP Allowance"**

The complainant, a Deputy Head Master, averred that for several years there has been a discrepancy in respect of his "ZEP Allowance" payable to him.

Notwithstanding several requests for settlement made by him at the Finance Section of his Ministry nothing was done. He therefore sought our intervention to obtain what was due to him.

Our intervention at the Ministry proved fruitful as, after careful scrutiny, it became clear that the complaint was justified as there was indeed a shortfall in respect of payment of the "ZEP Allowance" payable to the complainant. The final amount to be refunded was being worked out and the complainant would be informed accordingly.

Indeed a few weeks later the complainant informed us that the outstanding balance had been settled and payment of arrears effected.

## HEALTH AND QUALITY OF LIFE

*C/200/2011*

### **Officer gets an additional increment for long service**

This is a complaint made in October 2011 by a Radiographic Assistant who averred that she had been occupying that grade since 1978 without any promotion but has been denied two increments according to PRB Reports 2003 and 2008, whereas all her colleagues including junior ones have benefitted from those two increments.

The version of the Ministry of Health and Quality of Life was that the complainant had already been granted additional increments as follows:

- (a) one increment with effect from 01 July 2003 in accordance with paragraph 1.33 (v) of the 2003 PRB Report, and
- (b) one increment with effect from 01 July 2007 in accordance with paragraph 1.33 (vii) of the 2003 PRB Report.

That Ministry had however referred the whole matter to the Ministry of Civil Service and Administrative Reforms on the correct interpretation of the relevant recommendation of the said PRB Report.

As the Ministry of Health and Quality of Life was in February 2012 still awaiting a reply from the Ministry of Civil Service & Administrative Reforms, I had to press for the matter to be treated urgently.

Finally, in the same month, the Ministry of Civil Service & Administrative Reforms advised that the complainant be granted an additional increment for long service with effect from 01 April 2010 and arrangements were made for the adjustment of the complainant's salary accordingly.

On being so informed the complainant did not make any further complaint.

*C/2/2012*

### **Nuisance abated**

An anonymous letter was received at our Office early in January 2012 and purported to emanate from certain residents of Cité La Cure and contained a complaint about an illegal rearing of cattle near their residences giving rise to an unbearable smell.

According to that letter complaints have been made to the Municipal Council of Port Louis and to the Ministry of Environment but no action had been taken.

I requested the Ministry of Health and Quality of Life to look into the matter and indeed their Port Louis Health Office reported acute smell emanating from a wooden building covered with corrugated iron sheets which was being used to rear cattle. Climatic conditions and winds had a tendency of worsening further the situation.

The person responsible for the cattle rearing was readily identified and granted a delay of five days to cease his activities there.

A follow-up visit effected at the end of January 2012 revealed that the building had been evacuated and no further breeding activity carried out on site. The smell nuisance had thus been completely abated much to the relief of the neighbours.

C/14/2012

### **Application for two-year study leave without pay approved**

“Discrimination against my person”: this was the complaint dated 22 January 2012 filed by one Z. N., a Medical Laboratory Technician, averring that his application for study leave without pay with effect from 10 January 2012 in order to read for a sponsored PhD Programme at the University of Mauritius had not been approved, whereas colleagues of his who had applied for similar leave in the past had their applications approved.

The version of the Ministry was that Z.N.’s application which was for a three-year period was not recommended by the Consultant-in-Charge (Pathology Services) due to shortage of staff.

However, after my taking up the matter with the Ministry, it was revealed that Z.N. had made a fresh application for a two-year study leave with effect from 11 June 2012 and that same had now been recommended by the said Consultant-in-Charge inasmuch as three Student Medical Laboratory Technicians would be completing their Diploma in Biomedical Sciences in August 2012 and would be recommended for appointment as Medical Laboratory Technicians.

The Ministry therefore approved Z. N.’s fresh application

C/54/2012

### **Restaurant licence suspended following nuisance caused to neighbourhood**

The complaint in this case was made by “The Inhabitants of Morcellement Raffray”, Pointe-aux-Canonnières. It was about the noise caused at a restaurant in a highly residential area. It was averred in the letter of complaint that the premises had been granted a “Restaurant with entertainment permit” by the Ministry of Tourism and that it operated as a night club in the open around a swimming pool. During week-ends loud music was being played there day and night. Numerous written complaints made to the authorities concerned had remained fruitless. In the meantime the families concerned had to put up with a great deal of suffering and they appealed for a restoration of their rights to live peacefully.

We immediately requested the Ministry of Health and Quality of Life, as the enforcing agency, to look into the matter and to report to our Office.

Despite noise monitoring and in view of persistent noise complaints, the Tourism Authority was requested to initiate action against the said restaurant. As no action was forthcoming from the Tourism Authority, I seized its Director directly about the matter and requested a reply within fourteen days. Five days before the expiry of the delay the Director submitted his report informing us that both the Commissioner of Police and the Ministry of Health and Quality of Life had been asked to submit the record of convictions established against the licensee “for necessary action to be taken by the Tourism Authority”.

Although it turned out that only one contravention had been established against the licensee for noise level above permissible limits, the Tourism Authority all the same suspended the licence of the restaurant.

One month later we received a letter of thanks from the complainants in which they concluded as follows “We would like to thank the Ombudsman’s Office on behalf of the inhabitants of Morcellement Raffray for its deep concern for our health due to the nuisance caused by the ... Restaurant”.

**Senior Officer with serious health problems transferred to work at hospital following the Ombudsman's intervention**

On 12 October 2012 we received a letter from one Mrs. H, a resident of Forest Side, informing us that she has been working at the Ministry of Health & Quality of Life in Port Louis for the past nineteen years but recently her health had deteriorated due to a problem with her immunity system. To support her statement she filed her medical certificate issued by the Central Health Laboratory and the results of her blood and bone marrow tests.

As her condition continued to deteriorate she requested a transfer on 14 May 2012 to a hospital nearer her place of residence as she had to do regular monitoring of her blood and that in case of any emergency she had to attend hospital immediately as per the treating doctor's advice.

She further averred that it had become very hard for her to attend her place of work in Port Louis, which required hours of travel in the morning and afternoon, as well as having to walk for about 20 to 30 minutes.

As her request for transfer had remained unattended for close to five months she requested our intervention as the situation had become unbearable due to her weak health condition.

After I had taken up the matter with the Senior Chief Executive of the Ministry I received an encouraging response as follows: "The Ministry is sympathetic to the case of Mrs. H, Senior Officer who, as pointed out in your abovementioned letter, appears to be a deserving one."

The Senior Chief Executive also informed me that they had informed Mrs. H that her request for a change in posting to either J. Nehru or Victoria Hospital had been noted and that consideration would be given to her posting in one of these two hospitals at the first available opportunity as soon as a vacancy occurred.

Being of the view that, in the circumstances, it would be wrong to wait for a vacancy to occur, which may take a long time, I urged the Senior Chief Executive to find ways and means of posting Mrs. H either at J. Nehru or Victoria Hospital without having to wait for the opportunity of a vacancy to arise.

Before receiving any reply from the Senior Chief Executive I received another letter dated 17 December 2012 from Mrs. H informing me that she had been transferred to the Central Health Laboratory, Victoria Hospital, as from the same day.

She concluded as follows: "I thank you for your immense support and help."

## **HOUSING AND LANDS**

**Complainant gets housing unit less than one month after lodging his complaint**

Mr. M. B. C. averred in his complaint dated 25 November 2011 that he was being subjected to discriminatory treatment at the National Housing Development Corporation Ltd. (NHDC).

According to him he made an application for a NHDC housing unit at La Tour Koenig in 2010 and was called for an interview in February 2011. As he received no reply until June 2011 he called at the Office of the NHDC and was informed that his file had been put aside as he had no repayment capacity.

He stated that he was prepared to make a deposit of Rs. 75000/- at the time of application when he was earning an average of Rs. 8500/- monthly as a mechanic.

The NHDC Officer informed him that if he could make a higher deposit and if his income were higher than Rs. 8500/- he would then stand the chance of obtaining his housing unit.

Some time later he decided to find more clients as a mechanic and thereafter his monthly income increased to around Rs. 11000/-. Furthermore, both he and his wife signed an undertaking at the NHDC supported by an affidavit to the effect that they were agreeable to make a deposit of Rs. 100000/- and pay their monthly instalments regularly. Nonetheless Mr. M.B.C. received no reply to his application.

He therefore enlisted my help to investigate why he was being ignored, as it were. He further informed me that he was living in a rented house and had been asked to vacate by the owner. To top it all, his wife had just given birth to a child and was living under stress.

No sooner had I taken up the matter with the Ministry of Housing and Lands than a new assessment of M. B. C.'s case was carried out and he was found to be eligible.

Finally, on 22 December 2011 a housing unit was allocated to Mr. M. B. C. at La Tour Koenig.

## **POLICE**

*C/162/2011*

### **Seized car returned to owner**

On 07 March 2010 Mr. V. lent his car to his friend "for a regular trip with his family". Unfortunately the next day the friend was arrested by the Police on a charge of possession of gandia and thereafter released on bail. The car was seized.

In connection with the arrest, Mr. V. collaborated fully with the Police and he gave a statement to explain what happened. He claimed that the Police informed him that his vehicle would be temporarily kept pending the completion of the inquiry, whereupon his car would be returned to him.

After some months, when he inquired about the return of his car, Mr. V. was told that he should write to the Commissioner of Police and to the Director of Public Prosecutions, which he did but received no reply. So on 25 August 2011 he lodged a complaint before me claiming the return of his car.

My inquiry into the matter revealed that the court case against the accused party had been heard and determined ever since October 2010 and, in March 2011, advice was sought by the Police for the return of the car which was lying in the compound of the Black River C.I.D.

Finally, after being pressed by me, the Commissioner of Police again sought and obtained advice from the Office of the Director of Public Prosecutions and returned the car to its rightful owner, Mr. V. on 02 December 2011.

*C/235/2011*

### **Foreign detainee released and repatriated**

Detainee M. J. R., a Philippines national, was arrested by the Police in February 2010 on a charge of murder and had been detained in prison ever since without trial.

He wrote to our Office in December 2011 claiming he was innocent and pleading for an early trial "to prove his innocence."

When the matter was taken up with the Commissioner of Police he informed our Office that police enquiry into the matter had been referred to the Office of the Director of Public Prosecutions since eight months.

I decided to have more information about the matter from the Director of Public Prosecutions himself. So I wrote to him and two months later he informed me that his Office had advised no further action due to lack of evidence.

When I went back to the Commissioner of Police to know his final stand in the matter he informed me that M.J.R. had already been repatriated.

We did not hear from M.J.R. anymore.

*C/70/2012*

### **Convicted foreigner transferred to Israel to serve the rest of his sentence**

Mr. N., a foreign national who claimed dual nationality (Australian/Israeli) and who was convicted by the Supreme Court to undergo ten years penal servitude on 17 January 2008 on a charge of importation of drugs, wrote to our Office in March 2012 averring that he had written to several authorities in Mauritius for his transfer to the State of Israel where he would spend the rest of his sentence, but without any success.

Initially I took up the matter with the Commissioner of Police who informed me that there were several Mauritian accused parties involved in the case and the case against one of them had not yet been disposed of. Indeed the Commissioner explained that advice from the Office of the Director of Public Prosecutions was still being awaited concerning that Mauritian accused party. In the event the latter were to be prosecuted, Mr. N. would be required to give evidence.

All along Mr. N. was kept informed of the situation by our Office.

Finally, in September 2012, seeing nothing coming from the Commissioner of Police, I wrote to the Director of Public Prosecutions directly and asked to be informed of his decision in the matter. A couple of weeks later I received the Director's reply to the effect that Mr. N. would no longer be required in any further criminal prosecution and that both the Prime Minister's Office and the Australian High Commission had been advised accordingly. The Director of Public Prosecutions even submitted copies of letters to that effect.

When so informed the Commissioner of Police replied that there was no objection to the transfer of Mr. N. to his "native country".

Then I took up the matter further with the Commissioner of Prisons who, after completing the transfer procedure with the Australian High Commission, informed me that Mr. N. had, on 29 November 2012, been transferred to his "country of origin Israel" to serve the rest of his sentence.

It is apt to recall that such a transfer was effected under the Transfer of Prisoners Act 2001.

*C/133/2012*

### **Police Constable transferred from Rodrigues to Mauritius on account of wife's pregnancy**

Mrs. M.B. married Police Constable N.B. on 12 December 2010 and lived together in Rodrigues where the husband had been transferred shortly after their marriage.



During their stay in Rodrigues she fell pregnant and life on that island started becoming difficult. They wrote a joint letter to the Commissioner of Police for a transfer of the husband to Mauritius but same was rejected. M.B. therefore travelled alone to Mauritius but, according to her, due to the sudden separation and a difficult pregnancy, she had a miscarriage.

On 18 June 2012 M.B. informed me that she was pregnant again and delivery was due in less than two months. Again the husband applied for a transfer to Mauritius as his presence by his wife was of paramount importance to them. At the time of writing to our Office no reply had been received from the Commissioner of Police.

It so happened that one day after I had taken up the matter with the Commissioner of Police the husband himself wrote to me to the same effect.

Both of them requested my intervention whilst stating that they were convinced that we would do our utmost to find a solution to their despair and save their family.

Fifteen days after I had raised the issue with the Commissioner of Police I was informed that the Police Constable had been transferred to Mauritius on 04 July 2012.

I am thankful to the Commissioner of Police for his humanitarian approach to this problem.

*C/163/2012*

### **Application for legal aid : delay in processing**

Mrs. B.L. made an application at the beginning of April 2012 for legal aid at the District Court of Rose Hill in order to sue her estranged husband for alimony.

A few weeks later a Police Officer from Quatre Bornes Police Station phoned her and interviewed her on the phone. She answered all the questions put to her voluntarily.

As she received no reply either from the District Court or from the Police she repaired to the District Court where she was told that the Police report was still being awaited. When she went to the Police Station she was told that the application had been sent to the Court since 24 May 2012. She was thus made to run from pillar to post until she decided to lodge a complaint before us.

We first queried the Police and were informed that the enquiry had already been completed and their findings forwarded to the District Clerk by way of letter dated 30 April 2012, a copy of which was filed.

When I questioned the District Clerk about the matter he replied on the next day that indeed the application had been processed and that Counsel and Attorney had already been appointed to proceed with the case of alimony on behalf of Mrs. B.L.

## **PRIME MINISTER'S OFFICE**

*C/218/2011*

### **Public Officer obtains satisfaction after Ombudsman's intervention**

A high-ranking public officer made a complaint to our Office about the manner in which his request for the payment of a monthly car allowance in lieu of the official car, together with driver's and fuel allowances had been treated at the level of the High Powered Committee (HPC).

After writing to our Office he made certain further representations to the HPC directly, whereupon we informed him that it would be premature for us to intervene and that it would be better to await the outcome of his representations. He was subsequently informed that his application could not be entertained.

The complainant came back to us and averred that the decision of the HPC was unfair and discriminatory.

After careful consideration and being convinced that the complainant had a good case I made a recommendation to the HPC to look into the request anew. I was informed by the Prime Minister's Office (P.M.O.) that the matter would be re-examined by the HPC at its next meeting.

Finally the complainant favoured me with a copy of a letter from the P.M.O. to the effect that his request had finally been approved, which letter was accompanied by his own letter to our Office in which he stated the following – "I wish to place on record the continuous effort put in by your Office and the dedication with which this issue was presented to the HPC for deliberation. I take the opportunity to express my deepest gratitude to you, in as much as I consider that this issue would not have been treated favourably, had it not been the intervention of your Office."

All is well that ends well.

## **PRISONS**

*C/180/2011*

### **Specific items made available at prison's canteen**

A detainee at Central Prison in Beau-Bassin who had a few health problems partly due to his weight (196 kg) wished to buy certain specific items of food which were not available at the prison's canteen. When he made a request for same to be considered he was completely ignored.

I requested the Commissioner of Prisons to look into the matter and a Committee was set up to deal with the issue, with particular regard to the items required by the detainee.

Finally, some time later, I was informed that the items mentioned by the detainee in his complaint were now included in the prison's canteen list.

*C/150/2012*

### **Female detainee's lost jewellery found**

A female detainee of South African nationality reported to our Office that her jewellery, which she brought with her upon admission to jail and which was kept under the care of the Prison Administration, had been stolen. When she reported the matter to the Officers they told her that they would replace her jewellery with other jewellery, offer which she refused inasmuch as her jewellery was, according to her, given to her on her wedding day.

She further added that it came to her knowledge that she apparently owed an amount of some three thousand rupees to the Prison Canteen, which of course she denied.

I immediately requested the Commissioner of Prisons to attend to these matters personally and promptly.

A verification of all the personal belongings of all the detainees incarcerated at the Women Prison was carried out and finally the missing jewellery was found to be mingled with the belongings of other detainees. The jewellery was positively identified by the complainant and returned to her.

As for the money which she allegedly owed, it was reported by the Commissioner of Prisons that there was an arithmetical mistake on the detainee's account and that in fact she owed nothing and was accordingly informed.

*C/229/2012*

#### **Detainee provided with adequate mattress**

The complaint of detainee M.N.K. was to the effect that his request for a new mattress had been turned down by the Prison Administration.

He informed me that he had a skin problem as well as a nasal problem and that his respiratory system was affected due to the dirty state of his mattress.

Following my intervention I was favoured with a signed statement from the detainee a week later in which he informed me that he had been provided with another mattress which was in good condition and that he was satisfied.

### **PUBLIC INFRASTRUCTURE, LAND TRANSPORT AND SHIPPING**

*C/185/2007*

#### **Bus-stop relocated as it was dangerously situated**

According to a Press article a bus-stop located at Bain Boeuf represented a danger to users thereof especially school children as it was too close to the road edge because of a wall next to the bus-stop. In other words the waiting space for people standing at the bus stop was too narrow and this represented a road safety hazard.

The Ministry of Public Infrastructure, Land Transport and Shipping was seized about the matter by our Office and the matter was referred to the National Transport Authority (NTA) and the Transport Management and Road Safety Unit (TMRSU) for consideration.

A joint survey by these two bodies concluded that the wall under contention was an existing blockwall which had a set back of 1.2 metres from the road edge which was clad with a layer of cut stone which further reduced the distance of the wall from the road edge.

The Ministry of Public Infrastructure, Land Transport and Shipping reported to the Chief Executive of the Pamplemousses-Riviere du Rempart District Council that the construction of the said wall had not been done according to the plan thus resulting in the reduction of the size of pedestrian refuge. The Chief Executive was therefore requested to take action in the matter.

More than a year later the District Council responded by saying that a Stop Notice had been issued to the developer concerning the construction of the boundary wall and that legal advice was being sought regarding proposed action against the developer.

Months later I was informed by the Chief Executive of the Council directly that the Permits and Business Monitoring Committee had decided to apply to the Supreme Court for an injunction.

Finally I was informed by the National Transport Authority, which is responsible for the administration of bus stops and bus shelters, that they had approved the relocation of the bus-stop.

As the plot of land identified for relocating the bus stop was privately owned it needed to be compulsorily acquired.

At long last it was in May 2012 that relocation works were completed and a new bus-stop set up.

## **REGISTRAR GENERAL**

*C/195/2011*

### **Complainant granted further delay to object to a claim for payment of additional tax**

Following the sale of her plot of land, Mrs. B.S.D. received a claim from the Department of the Registrar General dated 23 August 2011 for additional land transfer tax to the tune of Rs. 12000/- to be paid within 28 days of the date of the notice or to send an objection letter instead within that delay.

It so happened that Mrs. B.S.D. was no more residing at the address where the claim was sent. Indeed the house was unoccupied and closed. But when her husband visited the house on 25 September 2011 he came across a card from the Parcel Post Office dropped inside the house. Mrs. B.S.D. repaired to that Office to collect the letter on the next day i.e. 26 September 2011. By that time the delay of 28 days had already expired but all the same she addressed a letter to the Registrar General's Department on 05 October 2011 to explain the reason of her delay in submitting her objection and requested a further delay to submit a proper objection. Mrs. B.S.D. was informed that she would be contacted later.

On 18 October 2011 the Registrar General's Department informed her over the phone that her request for an extension of delay had not been acceded to and that the amount of Rs. 12000/- should be paid by 24 October 2011.

Thereupon Mrs. B.S.D. made an appeal to our Office for an intervention in her favour so that she be given sufficient time to object to the claim.

Being satisfied that this situation had arisen through no fault of the lady, we pleaded her case with the Registrar General personally. After receiving advice from the State Law Office, the Registrar General informed us that Mrs. B.S.D. had been allowed further time to object as they were satisfied that she had shown reasonable cause for the delay in objecting within the initial prescribed delay.

Mrs. B.S.D. was made aware of the decision obtained in her favour but we did not hear from her again. It is assumed that she obtained satisfaction.

## **SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS**

*C/177/2011*

### **Financial assistance amounting to Rs. 10000/- granted to complainant facing hardship**

Mrs. S.R. wrote to our Office on 26 September 2011 to complain about the fact that her application for social aid to pay for her daughter's university fees remained without any reply.

She admitted that she was working in a textile factory with a monthly salary of Rs. 7000/- but as her husband had suddenly lost his job and as they had another two children to bring up, she found it very difficult to run the household.

The Social Enquiry Report from the Ministry confirmed that she was earning Rs. 7000/- per month whilst her husband had no fixed employment but was still earning around Rs. 3000/- monthly. Accordingly, in view of their total income, social aid was not payable.

However, Mrs. S.R. was advised to apply for financial assistance to the National Solidarity Fund where the Social Enquiry Report had been forwarded.

Indeed on 28 October 2011 Mrs. S.R. submitted an application for financial assistance and on 16 December 2011 she submitted the required documents obtained from the University.

On 27 January 2012 the case was examined by the Board of the National Solidarity Fund and a recommendation was made by the Board for financial assistance amounting to Rs. 10000/-.

Later on Mrs. S.R. herself informed me that she had received a letter of approval from the National Solidarity Fund Board together with a cheque of Rs. 10000/-.

Mrs. S.R. was very thankful for our intervention in her case.

*C/214/2011*

### **Complainant paid his dues after several years**

In November 2011 Mr. B.M. complained about non-payment of his lump sum nor of his contributory retirement pension by the National Pensions Fund of the Ministry of Social Security, National Solidarity and Reform Institutions.

B.M. had joined the public service as labourer in 1970 and had been working up to the age of 60 when he was pensioned off on 23 February 2004. He was paid his lump sum and other benefits by the appropriate Ministry.

However, whilst he was still working in the public service, he took up employment as night watchman in a private company outside his normal working hours as it was “very difficult to make both ends meet with the little salary that I was drawing as a Labourer”.

When he reached the age of 60 he applied for payment of lump sum and contributory retirement pension by the National Pensions Fund. Nothing was done although he kept knocking at the door of the Social Security Office for the last five years or so.

B.M.’s case was taken up with the Ministry of Social Security, National Solidarity and Reform Institutions and the matter had to be referred to the Ministry of Civil Service and Administrative Reforms which eventually decided to waive the authorization required to perform private work whilst in the public service.

B.M. was therefore paid his dues accordingly.

*C/258/2011*

### **Social aid granted to complainant**

Complainant M.B.J. averred that her “application” for invalid’s basic pension has been ignored since four months although she had submitted the necessary medical certificate.

Inquiry revealed that the complainant was suffering from depression, diabetes mellitus and hypertension. She was not working either.

Although the complaint was received at our Office at the end of the year 2011, it turned out that it was in January 2012 that she in fact made a proper application for invalid's basic pension. A couple of months later she was medically boarded and found not to be at least 60% disabled.

However, as she had been abandoned by her partner and had to cater for two children aged 5 and 2 years she was granted social aid at the rate of Rs. 2673 monthly.

We did not hear from her again.

## **SOCIAL INTEGRATION AND ECONOMIC EMPOWERMENT**

*C/187/2011*

### **Widow receives building materials after Ombudsman's intervention**

This was a complaint made by an old widow in October 2011 about the delay in the treatment of her demand for building materials made to the National Empowerment Foundation (NEF).

When the matter was taken up with the NEF several visits were carried out at the house of the widow and they revealed that indeed her house was in a very bad condition. She was therefore called upon to submit appropriate documents which she immediately did.

At the beginning of April 2012 I was informed that her file was being processed and that by the end of the month she would obtain the required materials.

Some time later the widow obtained the necessary materials and started the construction of her own house. She did not come back to us again.

## **TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY**

*C/242/2011*

### **Information supplied to complainant within three days**

On 31 October 2011 one Miss K.R. filed a complaint to the effect that for the past four months she had been seeking information regarding the recognition and international accreditation of her MSc Software Engineering degree from the University of Technology, Mauritius, but to no avail.

We requested her to address her complaint to the Permanent Secretary, Ministry of Tertiary Education, Science, Research and Technology which she did but again after another one month she had still received no reply.

We therefore took up the matter with that Ministry on 16 December 2011 and three days later Miss K.R. received the information she requested and informed us that she was satisfied with the intervention of our Office.

*C/250/2011*

### **Public Officer paid end of year salary and other benefits exceptionally by cheque**

Mrs. L.N. assumed duty as Higher Executive Officer on 07 December 2011 at the Tertiary Education Commission.

According to her, she was informed by phone on 20 December 2011 that she would not be paid her salary and bonus for December as the salaries of staff at the said Commission had already been processed and were on the payroll system. She was also told that there was no possibility of paying her by cheque and therefore would be paid her dues in January 2012.

As she had financial commitments regarding loans she sought our intervention on the same day and requested to be paid at the earliest convenient.

The matter was immediately taken up by me with the Permanent Secretary, Ministry of Tertiary Education, Science, Research and Technology with a request that Mrs. L.N. be paid before the end of 2011.

I was informed that due to a discrepancy in the lady's basic salary processing got delayed, whilst in the meantime the payroll of other employees had already been processed. Nor could she be paid by cheque as it had never been the practice to effect payment of salary in such a manner.

However, following our intervention, the Commission exceptionally agreed to pay her by cheque and same was done on 23 December 2011, i.e. 3 days after we received her letter of complaint.

## **LOCAL AUTHORITIES**

### **BLACK RIVER DISTRICT COUNCIL**

*LA/C/40/2012*

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

A Press article which appeared on 5 October 2012 under the caption "Who cares?" attracted my attention. It spoke about a "quartier" of Flic-en-Flac which had been left in complete darkness for the last five months notwithstanding various appeals made to the District Council.

On the same day we took up the matter with the Chief Executive of the District Council with a request to attend to the matter within the shortest possible delay and to report to our Office.

Six days later we received the Chief Executive's reply which was to the effect that there was a loose connection in the lamp illuminating the "quartier" and that it only came to the Council's knowledge recently. The lamp was immediately repaired.

### **MOKA-FLACQ DISTRICT COUNCIL**

*LA/C/15/2012*

#### **Drain reconstructed to alleviate problem of flooding**

The subject-matter of this complaint dated 18 May 2012 by one L.N. was the "appalling laxity and inaction of the Moka Flacq District Council" in handling a problem caused by the "awful quality of works carried out by C.W.A." which caused a main canal-cum-drain to be completely clogged thus causing water accumulation and flooding, endangering the life and health of the inhabitants in the vicinity.

According to L.N. a complaint had been registered at the Council some nine months before he wrote to our Office but nothing had yet been done to alleviate the problem.

After taking up the matter with the Chief Executive I was first informed that the Council had decided to reconstruct the offending drain and that works were expected to start by the third week of June 2012. At the end of July 2012 I was informed that the works were still in progress and were

expected to be completed around mid-August. Finally, in mid-September 2012 I received the Chief Executive's letter to the effect that the cross drain had already been constructed.

What a big relief it was for the families affected by this problem!

## **MUNICIPAL COUNCIL OF PORT LOUIS**

*LA/C/38/2010*

### **We Care**

Our Office picked up an article which appeared in a daily newspaper on 26 October 2010 the title of which was "Les oubliés du Canal Mamzel" with the following as sub-title "Depuis des années un canal pourrait littéralement la vies des habitants d'un quartier de Sainte-Croix. Ils commencent à perdre patience."

We immediately drew the Council's Chief Executive to this state of affairs as described in the article and requested that remedial measures be taken promptly.

As a preliminary measure the drain-cleaning team of the Sanitation Section of the Council effected regular cleaning works along Canal Mamzel. However, due to the absence of an outlet at Latanier River there was stagnation of water along Canal Mamzel.

It however surfaced that this problem was somewhat linked to another problem regarding which a case had been entered before the Supreme Court by the Council's Attorney against a private individual to obtain access for the construction of a drain.

In the meantime, whilst negotiations were under way to reach an agreement in the court case, normal cleaning works were carried out by the Council as well as pumping out of stagnant water. By then we had reached the end of July 2011 and I was informed that the court case might be settled in mid-August. Finally an agreement was ratified by both parties and the case was set aside on 26 March 2012.

Immediately after, works for the construction of a drain started and were completed in July 2012 by the Works Department of the Council.

Although this problem took some time to be solved because of the court case, yet this brought a big relief to the inhabitants in the vicinity of Canal Mamzel.

*LA/C/19/2012*

### **Urgent measures taken to provide clean place of work**

In a letter received at our Office on 11 June 2012 one S.S. complained about inaction by all the authorities where he had made certain representations concerning his problem and informed us that our Office was his last resort.

The problem was that, as a food seller in a food court belonging to the Municipal Council, he was encountering enormous problems due to dust, smell, stagnant water, etc. caused by a neighbouring building under construction. This had been continuing for more than a year and had a negative impact on his business. No authority had dared to do anything.

By the time we took up the matter with the Chief Executive of the Council we received another letter dated 19 June 2012 from S.S. in which he threatened to commit suicide if nothing was done by 29 June 2012.



Fortunately, before the deadline for suicide as it were, the unhygienic conditions prevailing at the place where S.S. was working had been dealt with. The following are some of the measures that were taken by the Council which indeed speak volumes about the problems prevailing at that place –

- (a) food court completely enclosed to avoid any contamination by dust, flies, rodents, cockroaches and other insects;
- (b) doors of the food court equipped with automatic self-closing door device and fly-proof windows and doors, and
- (c) discharge pipes of the wash basin repaired.

On 28 June 2012 S.S. was informed by our Office of the steps taken by the Council. We did not hear from S.S. again nor of any attempted suicide!

## **PAMPLEMOUSSES – RIVIERE DU REMPART DISTRICT COUNCIL**

*LA/C/46/2011*

### **Building and Land Use Permit promptly issued after Ombudsman's intervention**

K.S.'s complaint dated 12 December 2011 was to the effect that he had made an application for a "resident" permit at the District Council Office situated at Mapou on 28 October 2011 but had not heard from the Council since, although he was told by someone at the Office that approval would only take two weeks.

Enquiry revealed that in fact it was one Mrs. W.B.S. who had made an application for a Building and Land Use permit (BLUP) after having been authorized by her son, complainant K.S. to construct a residential building onto an existing ground floor building.

After we had taken up the matter with the Chief Executive of the Council on 13 December 2011 our Office was informed that ten days later i.e. on 23 December 2011 a BLUP was issued on the name of K.S.'s mother.

Both mother and son must have been satisfied as we did not hear from either of them again.

*LA/C/5/2012*

### **Illegal construction removed following Ombudsman's intervention**

K.B.'s complaint dated 03 February 2012 was to the effect that on several occasions he reported a case of illegal construction against his neighbour (using boundary wall to build a kitchen) at the District Council of his locality but no action had been taken.

Upon our intervention the Council caused a First Notice to be served on the offender and the Chief Executive assured me that in case of non-compliance a Notice of Intended Prosecution (NIP) would follow.

The case was followed up with the Chief Executive of the Council and in mid-July 2012 he informed our Office that the offender had removed the illegal construction made up of iron sheets.

K.B. wrote to us a few days later to confirm the information received from the Chief Executive and he did not fail to thank our Office for our intervention.

### **Building permit delivered to complainant**

Eleven months after making an application for a building permit and during which period complainant I.B. called at the Council's Office three times and submitted his survey plan at the request of the Council on three different occasions, costing him a considerable amount of money, I.B. had still not yet received the said permit. He therefore solicited our intervention.

After seizing the Chief Executive of the Council of the matter in May 2012 and two reminders in June and July 2012, we finally received his reply on 26 July 2012 to the effect that I.B.'s application had been approved at the Executive Committee meeting held on 06 July 2012.

In a further letter one week later I.B. confirmed having received his building permit and was very thankful for our fruitful intervention in his case.

## **RODRIGUES REGIONAL ASSEMBLY CHIEF COMMISSIONER'S OFFICE**

ROD/C/34/2010

### **Responsibility allowance (Rs. 67,381.68) paid to complainant**

Mr. J.M.A. complained about non-payment of responsibility allowance which, according to him, was due to him for performing higher duties as Senior Pharmacy Dispenser on different occasions at La Ferme Health Centre and the Pharmacy at Queen Elizabeth Hospital.

The matter was taken up with the Island Chief Executive who in turn sought the views of the Departmental Head responsible for the Health Sector. It was then that it was discovered that J.M.A. had been performing higher duties without the approval of the Chief Commissioner's Office. The Departmental Head however recommended payment of an allowance to J.M.A.

The Island Chief Executive then addressed an explanatory letter to the Ministry of Civil Service and Administrative Reforms and two months later he informed me that he was still awaiting a reply.

I immediately requested the Senior Chief Executive, Ministry of Civil Service and Administrative Reforms to inform me whether a decision had been taken in the matter. I was informed through the Island Chief Executive that the Ministry of Civil Service & Administrative Reforms had conveyed approval for the payment of an ad hoc allowance to J.M.A.

Some time later J.M.A. himself confirmed having received the sum of Rs. 67,381.68 representing allowance due to him. He expressed his satisfaction with the intervention of our Office.

ROD/C/15/2012

### **Reinstated Public Officer paid his dues withheld during his interdiction**

Mr. G., a Public Officer (General Worker), had been interdicted from duty on 21 June 2006 following a case of arson in which he was involved but was reinstated in his post and resumed duty on 23 December 2010 as a result of the dismissal of the case against him. In his letter dated 30 April 2012 addressed to our Office he averred that he had not yet been paid whatever was due to him upon his reinstatement. So he enlisted our assistance to make him obtain his dues.

The Island Chief Executive informed our Office that in fact ever since 2006 approval had been obtained for the payment of additional increments to Mr. G. but as he was under interdiction same was withheld.

Following our intervention and in line with established procedures the approval of the Ministry of Civil Service & Administrative Reforms was obtained for the payment of arrears due to Mr. G. who was finally paid the sum of Rs 28900/- along with his June salary and arrears of Rs 49022/- credited to his bank account on 04 July 2012.

Mr. G. was requested to confirm having received the said amounts but he made no reply. It is assumed that he was satisfied.

ROD/C/23/2012

### **Retiring benefits paid to complainant**

Mr. L.K. joined the public service as Tradesman Assistant on 17 March 1975. He was appointed to the Permanent and Pensionable Establishment on 17 March 1977 and promoted as Cabinet Maker on 12 November 1979.

He proceeded on leave without pay with effect from 1 June 1991 to take up employment as Training Officer at the Mauritius Institute of Training and Development (MITD) and was permanently transferred to the MITD as from 14 September 1992.

In his letter dated 14 July 2012 Mr. L.K. claimed that he had not received any lump sum nor any pension in respect of period 17 March 1975 to 31 May 1991.

The matter was immediately taken up with the Island Chief Executive and on 08 August 2012 the latter submitted to the Accountant General all relevant documents for payment of retiring benefits to Mr. L.K. for the period in question.

Some two months later I was informed that a total amount of Rs. 48652.23 comprising gratuity and pension had been credited to the bank account of Mr. L.K.

As we did not hear from Mr. L.K. again it can be safely assumed that he was satisfied.

## **COMMISSION FOR HEALTH AND SPORTS**

ROD/C/35/2011

### **Officer gets paid 13 months' arrears of responsibility allowance**

Mr. N. S-P averred in his letter of complaint dated 07 December 2011 that he had received an official letter requesting him to replace a Hospital Servant who was going on pre-retirement leave against payment of a responsibility allowance in accordance with the appropriate PRB Report. He therefore assumed the duties entrusted to him and was in continuous receipt of his responsibility allowance until some ten months before he wrote to me.

The Departmental Head of the Commission for Health, etc. was queried about this lapse. He simply informed me that further to my letter to him he was waiting for appropriate approval for payment of allowance. Indeed some time later he informed me that a sum of Rs. 10500/- representing responsibility allowance for performing higher duties in the grade of Hospital Care Attendant for period 1 March 2011 to 30 April 2012 had been paid to Mr. N. S-P who would continue to assume the

said duties up to 31 December 2012.

During our visit in Rodrigues in July 2012 the complainant called on us at our request and confirmed having received his money.

## **COMMISSION FOR INFRASTRUCTURE, UTILITIES, HOUSING, TRANSPORT AND WATER RESOURCES**

*ROD/C/7/2012*

### **Overtime due since three years paid to complainant**

O.M.'s complaint was to the effect that, notwithstanding the agreement of his Supervising Officer to pay him for supplementary hours on duty during the years 2009, 2010 and 2011, he had not yet been paid any remuneration for same.

Although the Rodrigues branch of his Union had taken all necessary steps to get him paid the problem remained the same. O.M. therefore contacted our Office in January 2012.

When I took up his case with the Departmental Head of the Commission concerned the latter replied that, as the new Departmental Head of the Commission, he was stunned to learn about this complaint of non-payment of overtime since 2009. It would appear that O.M. did submit the relevant papers to an Officer of the Finance Section as confirmed by his Gangman but there was no trace of same.

The Departmental Head therefore ensured that fresh relevant papers be submitted anew and assured me that O.M. would be paid his dues partly in March 2012 and the balance in April 2012.

On 31 May 2012 O.M. wrote back to say that he had received his entire overtime payment and expressed his thanks for our intervention.

## **COMMISSION FOR SOCIAL SECURITY, EMPLOYMENT, LABOUR & INDUSTRIAL RELATIONS, CONSUMER PROTECTION AND TRADE, COMMERCE & LICENSING**

*ROD/C/38/2011*

### **Twenty months arrears of Basic Retirement Pension paid to complainant and her case regularized**

On 7 December 2011 Mrs. M.G.J. wrote to our Office claiming that she had reached the age of 60 since April 2010 but had never received any old age pension from the Social Security department.

The matter was enquired into with the appropriate Departmental Head and, without further ado, the decision was taken to award to the complainant the Basic Retirement Pension (BRP) with effect from the date she attained the age of 60 i.e April 2010, as averred by her.

Therefore in December 2011 she was paid the sum of Rs. 6292 representing BRP for December 2011 plus bonus for 2011. Then in January 2012 she was paid Rs. 3350 as BRP and arrears of BRP amounting to Rs. 71,378/- for period April 2010 to November 2011.

Moreover her case was finalized for payment each month as from March 2012 onwards.

What a big relief it was for Mrs. M.G.J.!

**Basic Retirement Pension/Severely Handicapped renewed with retrospective effect**

This is a complaint made by Mrs. E. in January 2012 on behalf of her 88-year old mother who is severely handicapped and whose carer's allowance of Rs. 1800 monthly had been interrupted since nearly a year.

An investigation was carried out and it was indeed found that arrears were due to the mother since February 2011. Therefore the Basic Retirement Pension/Severely Handicapped was immediately renewed with retrospective effect, that is from February 2011 and arrears amounting to Rs. 25897/- were paid to her in February 2012. As from March 2012 she was paid Basic Retirement Pension /Severely Handicapped at the rate of Rs. 3350 and Rs. 2113 respectively i.e. a total of Rs. 5463 monthly.

What a relief it was for Mrs. E. who was the only child of her mother and who was taking care of her day and night.

**Complainant's various allowances restored and arrears of Rs. 34360/- paid**

In her letter dated 26 March 2012, Mrs. M. averred that the social aid she had been benefitting from had been discontinued as her file had been mislaid, according to what she was told.

Inquiry revealed that Mrs. M. had been benefitting from Basic Invalid Pension (BIP) since January 2011 and same had expired in December of the same year. However, according to available records, she had applied for additional BIP (Carer's allowance) on 21 October 2011 and was medically boarded on 23 November 2011. She qualified for additional BIP and her case was worked out for extension of BIP/Child Allowance and award of carer's allowance up to September 2016 i.e for a period of five years. Furthermore an amount of Rs. 34360/- representing arrears was passed for payment in the month of May 2012.

## STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Accountant General	-	-	1	-	-	-	1	2
Agro-Industry, Food Production and Security	-	-	1	-	-	-	-	1
Civil Service and Administrative Reforms	-	-	1	1	-	-	3	5
Education & Human Resources	5	2	9	1	-	-	5	22
Environment and National Development Unit	2	-	2	-	-	-	-	4
Environment and Sustainable Development	3	-	-	-	-	-	1	4
Finance & Economic Empowerment	-	-	1	-	-	-	-	1
Finance & Economic Development	1	1	2	1	-	-	1	6
Foreign Affairs, Regional Integration & International Trade	-	-	-	-	-	-	1	1
Gender Equality, Child Development and Family Welfare	-	-	1	-	-	-	-	1
Carried forward	11	3	18	3	-	-	12	47

# STATISTICAL SUMMARY OF COMPLAINTS – continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	11	3	18	3	-	-	12	47
Government Printing Office	1	-	-	-	-	-	-	1
Health and Quality of Life	9	1	11	3	-	-	6	30
Housing and Lands	8	-	10	2	-	-	6	26
Industry, Commerce & Consumer Protection	-	-	-	-	-	-	2	2
Information & Communication Technology	-	1	-	-	-	-	-	1
Labour, Industrial Relations and Employment	5	1	3	-	-	-	2	11
Local Authorities	29	-	29	3	-	-	27	88
Local Government and Outer Islands	-	-	1	-	-	-	-	1
Police	21	1	36	4	1	1	14	78
Prime Minister's Office	1	-	1	-	-	-	-	2
Prime Minister's Office (Civil Status Division)	1	-	-	-	-	-	-	1
Carried forward	86	7	109	15	1	1	69	288

# STATISTICAL SUMMARY OF COMPLAINTS – continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	86	7	109	15	1	1	69	288
Prisons	13	9	53	2	-	-	10	87
Public Infrastructure and Land Transport	3	-	-	-	-	-	-	3
Public Infrastructure, National Development Unit, Land Transport and Shipping	4	1	1	-	-	-	3	9
Registrar General	1	-	-	-	-	-	-	1
Rodrigues	13	3	32	2	-	-	8	58
Social Integration and Economic Empowerment	3	-	4	1	-	-	-	8
Social Security, National Solidarity and Reform Institutions	23	1	13	7	-	-	12	56
Tertiary Education, Science, Research and Technology	3	-	-	1	-	-	-	4
Tourism and Leisure	-	-	1	-	-	-	-	1
Youth and Sports	1	-	-	-	-	-	-	1
<b>TOTAL</b>	<b>150</b>	<b>21</b>	<b>213</b>	<b>28</b>	<b>1</b>	<b>1</b>	<b>102</b>	<b>516</b>



No.	Subject of Complaint	Result
<b>ACCOUNTANT GENERAL</b>		
C/80/2011	Additional pension not paid since 3 years.	Explained
C/256/2012	Interest wrongly charged on car loan.	Pending
<b>AGRO INDUSTRY, FOOD PRODUCTION AND SECURITY</b>		
C/226/2010	No action taken in respect of complaint of odour nuisance caused by poultry.	Explained
<b>CIVIL SERVICE AND ADMINISTRATIVE REFORMS</b>		
C/243/2011	Complainants employed on daily basis for three years have not benefitted from any form of leave or other compensation.	Pending
C/17/2012	Complainant, a retired public officer, denied one additional increment.	Explained
C/103/2012	Complainant avers that she never applied for leave without pay and yet she is being penalized financially.	Discontinued
C/241/2012	Application for additional increment turned down.	Pending
C/255/2012	Complainant considers as arbitrary and prejudicial the decision of the Ministry to deprive him of the benefit of casual leave.	Pending
<b>EDUCATION AND HUMAN RESOURCES</b>		
C/26/2011	Request to regularize situation of ICT Teachers made since almost three years not yet considered.	Explained
C/111/2011	Non-payment of incremental credit after completion of in-service course.	Rectified
C/118/2011	Anomaly in salary.	Explained
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.	Explained
C/204/2011	Arrears not paid to complainant.	Rectified
C/209/2011	Senior Officer avers she has been arbitrarily transferred from one School Zone to another more distant Zone from her residence.	Explained
C/8/2012	Educator's approved transfer from one school to another suddenly cancelled for no reason.	Explained
C/15/2012	Complainant avers unjustified transfer from one school to another.	Discontinued

No.	Subject of Complaint	Result
C/21/2012	Complainant, an Educator, feels victimized by transfer order.	Rectified
C/22/2012	Unfair transfer from one school to another alleged by complainant, a teacher.	Rectified
C/26/2012	Complainant's daughter not allowed to follow subject of her choice at school.	Explained
C/29/2012	Anomaly in calculation of refund of bus fares.	Rectified
C/33/2012	Application for early retirement from the Public Service unreasonably delayed.	Explained
C/73/2012	Complainant, an Educator, avers that his transfer from one school to another, is punitive.	Explained
C/75/2012	Student who has been awarded a scholarship not paid his stipend and other fees.	Not Justified
C/98/2012	Application for study leave turned down.	Explained
C/105/2012	Non-payment of salary to complainant who holds an "Eligibility Certificate to teach".	Pending
C/123/2012	Demand for incremental credits for additional qualification turned down.	Not Justified
C/152/2012	Increments not paid to complainant following publication of PRB Report 2008.	Pending
C/193/2012	Anomalous salary conversion.	Pending
C/221/2012	Non-payment of incremental credit.	Pending
C/245/2012	Request for transfer on humanitarian grounds by complainant, a primary school educator, not entertained.	Pending

#### ENVIRONMENT AND NATIONAL DEVELOPMENT UNIT

C/169/2006	Numerous problems encountered by inhabitants of Congomah due to flooding of bridge when it rains.	Rectified
C/168/2007	Risk of landslide represents danger to inhabitants.	Explained
C/199/2009	Flooding problems caused to inhabitants of housing estate each time it rains. No action by authorities concerned.	Explained
C/219/2009	Bridge in dangerous state. Can collapse at any time.	Rectified

No.	Subject of Complaint	Result
<b>ENVIRONMENT AND SUSTAINABLE DEVELOPMENT</b>		
C/127/2011	Problems galore (absence of drain, road resurfacing and street lighting) – inhabitants request action by authorities.	Rectified
C/30/2012	Electronic waste in complainant's neighbour's yard. No action taken yet.	Rectified
C/121/2012	Dust and other nuisances reported by complainant. No action taken.	Rectified
C/223/2012	No action taken to stop noise nuisance.	Pending
<b>FINANCE AND ECONOMIC EMPOWERMENT</b>		
C/150/2009	No reply to various representations made by complainant regarding accrued dues and benefits owed to him after his reinstatement following interdiction.	Explained
<b>FINANCE AND ECONOMIC DEVELOPMENT</b>		
C/238/2011	Complainant avers that the Police Department's request for him to make good the bonding agreement entered into by him as unreasonable.	Explained
C/31/2012	Objection by Customs Department in case before the Supreme Court wrongly taken.	Not justified
C/34/2012	Delay in approving complainant's application for one year leave without pay.	Discontinued
C/139/2012	Complainant's old mother's widow's pension not processed as she has been required to produce an affidavit which is not a legal requirement.	Rectified
C/171/2012	No reply to application for refund in respect of purchase of house.	Explained
C/212/2012	Complainant avers harassment at workplace – application for vacation leave wrongly rejected.	Pending
<b>FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE</b>		
C/247/2012	Delay by Ministry in issuing an eligibility certificate for admission to a foreign university resulting in loss of one year for complainant's daughter.	Pending
<b>GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE</b>		
C/208/2012	No reply to complainant's request for information.	Explained
<b>GOVERNMENT PRINTING OFFICE</b>		
C/43/2011	Complainant not satisfied with his retirement benefits.	Rectified

No.	Subject of Complaint	Result
<b>HEALTH AND QUALITY OF LIFE</b>		
C/148/2009	No reply to complainant's representations concerning his salary.	Discontinued
C/25/2011	Noise and odour nuisances caused by complainant's neighbour. No action taken by authorities concerned.	Discontinued
C/33/2011	Complainant not supplied with a medical report he requested in respect of treatment received by him at hospital.	Discontinued
C/113/2011	Sanitary nuisance due to stagnation of water. No action taken by authority concerned.	Rectified
C/150/2011	Health hazard posed by poultry in residential area.	Explained
C/151/2011	Complainant contests the Ministry's request that he should refund retention allowance paid to him.	Not justified
C/175/2011	Accumulated acting allowances not paid to complainant since 21 months.	Pending
C/181/2011	Wastewater problem caused by complainant's neighbour. No action taken yet.	Explained
C/191/2011	Blocked drain on complainant's neighbour's land. Odour nuisance. No action taken yet.	Explained
C/200/2011	Increments denied to complainant.	Rectified
C/230/2011	Pollution caused by black smoke emanating from hospital.	Explained
C/237/2011	Claim amounting to four million rupees not settled yet by Ministry.	Explained
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.	Explained
C/259/2011	Nuisance caused by rearing of pigs. No action taken yet by authorities concerned after one year.	Rectified
C/260/2011	Application for leave without pay not granted.	Explained
C/2/2012	Nuisances caused by illegal cattle breeding.	Rectified
C/3/2012	Great inconvenience caused by manufacture of food items.	Explained
C/14/2012	Complainant avers discrimination toward his person as his application for study leave has not been approved.	Rectified
C/28/2012	Request for transfer on ground of insecurity at work following serious incident there not heeded.	Pending

No.	Subject of Complaint	Result
C/44/2012	Delay in granting health clearance in respect of dormitory for foreign workers.	Rectified
C/50/2012	Medical negligence averred by complainant in respect of the death of her sister in hospital.	Explained
C/54/2012	Noise nuisance caused by restaurant in highly residential area.	Rectified
C/55/2012	Non-payment of responsibility allowance.	Pending
C/61/2012	Noise pollution by complainant's neighbour. No action taken by authority concerned.	Rectified
C/77/2012	Request by complainant, a Charge Nurse, for permanent transfer from Mauritius to Rodrigues not favourably considered.	Explained
C/134/2012	Request for transfer made by complainant on serious medical grounds not considered.	Pending
C/153/2012	Complainant's name removed from payroll without his being informed.	Explained
C/200/2012	Request for change of posting on medical grounds not attended to since nearly 5 months.	Rectified
C/234/2012	Complainant, a Community Health Care Officer, avers that her transfer is a case of victimization.	Pending
C/246/2012	No action taken concerning odour & noise nuisances reported to Ministry.	Pending

#### HOUSING AND LANDS

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.	Explained
C/67/2011	Complainant avers that notice from Ministry to destroy his wall is unfair.	Explained
C/170/2011	Request for Low Cost house made since several years not considered.	Explained
C/183/2011	Application by complainant to buy land on which stands his house not yet considered after one and a half years.	Rectified
C/190/2011	Delay by Ministry to finalize complainant's project.	Rectified
C/232/2011	Heirs to a plot of State land awaiting for the Ministry to divide the said plot amongst beneficiaries.	Explained
C/241/2011	Application for housing unit made since a year not yet considered.	Rectified

No.	Subject of Complaint	Result
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.	Discontinued
C/11/2012	Request for deed witnessing sale of housing unit to complainant and her husband.	Rectified
C/12/2012	Undue delay in granting lease of State land to complainant.	Rectified
C/37/2012	Complainant avers that his application for lease of State land has been "deliberately" blocked.	Explained
C/38/2012	Delay in transferring plot of State land onto complainant's name.	Rectified
C/65/2012	No compensation yet paid to complainant some eight years after the acquisition of his land by Government.	Pending
C/93/2012	Application for housing unit turned down.	Explained
C/107/2012	Application for State land for residential purpose delayed.	Explained
C/112/2012	Request for Ministry to divide plot of State land equally between heirs not entertained.	Explained
C/114/2012	Application for housing unit turned down.	Explained
C/117/2012	Request for low-cost house by complainant who has three young children under her charge.	Pending
C/124/2012	No reply to query by complainant since more than 6 months regarding a building site leased to him.	Explained
C/146/2012	Complainant wrongly claimed rent by Ministry.	Rectified
C/159/2012	Wrongful claim for land rent sent to complainant.	Rectified
C/172/2012	No reply to application for lease agreement.	Pending
C/177/2012	Application for plot of State land unduly dragging.	Discontinued
C/235/2012	Delay in delivering development permit.	Pending
C/243/2012	Application for housing unit unduly delayed.	Pending
<b>INDUSTRY, COMMERCE AND CONSUMER PROTECTION</b>		
C/232/2012	Non-payment of mileage allowance.	Pending
C/244/2012	No action taken by Ministry regarding complaint made.	Pending

No.	Subject of Complaint	Result
<b>INFORMATION AND COMMUNICATION TECHNOLOGY</b>		
C/215/2012	Complainant avers that his change in posting is of a punitive nature.	Not Justified
<b>LABOUR, INDUSTRIAL RELATIONS &amp; EMPLOYMENT</b>		
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.	Rectified
C/18/2012	Complainant not satisfied with action taken by Ministry following his dismissal from work.	Rectified
C/20/2012	Report of harassment at work made to Ministry. No action taken.	Explained
C/71/2012	No action taken by Ministry after report of “demotion” since nearly three months.	Rectified
C/89/2012	No reply from Ministry to request for information by Senior Counsel in respect of fatal accident on ship.	Rectified
C/104/2012	Case of termination of employment reported to Ministry but no action has been taken regarding request for the issue of a certificate of employment.	Explained
C/131/2012	Complainant avers injustice caused to him that might affect his seniority in the service.	Not Justified
C/198/2012	No further action taken by Labour Office following declaration made by complainant.	Pending
C/219/2012	Application for refund of security deposit in respect of an expatriate not entertained.	Rectified
C/242/2012	Leave without pay not approved.	Explained
<b>LOCAL AUTHORITIES</b>		
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.	Rectified
LA/C/3/2009	Road in a deplorable and dangerous state.	Explained
LA/C/42/2009	Illegal construction put up next to complainant’s house. No action taken by authority concerned.	Explained
LA/C/11/2010	Complaint regarding a stream which often gets flooded and thus represents a health hazard not heeded.	Rectified

No.	Subject of Complaint	Result
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.	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.	Explained
LA/C/37/2010	Complaints and protests against illegal operation of place of worship not attended to.	Explained
LA/C/38/2010	Canal in insalubrious condition left unattended for several years. Inhabitants getting impatient.	Rectified
LA/C/43/2010	Report of illegal construction not attended to.	Rectified
LA/C/2/2011	Failure by Council to take action in respect of an illegal construction by complainant's neighbour.	Explained
LA/C/5/2011	Objection against application for Building and Land Use Permit not considered.	Pending
LA/C/7/2011	Illegal building put up by complainant's neighbour. No action taken by authority concerned.	Rectified
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/11/2011	Request to have a small lane declared a public road unfairly rejected.	Explained
LA/C/13/2011	No action taken by Council in respect of offending building.	Explained
LA/C/24/2011	Illegal construction put up by complainant's neighbour. No action taken by Council.	Pending
LA/C/27/2011	Several complaints made to the Council regarding illegal building next to complainant's plot not heeded.	Rectified
LA/C/28/2011	Illegal makeshift snack is the source of nuisance for pedestrians.	Rectified
LA/C/29/2011	Request to declare frequently used road as a public road ignored.	Rectified
LA/C/31/2011	Complainant's objection against illegal construction not heeded by Council.	Rectified
LA/C/33/2011	No action taken in respect of report of illegal construction made by complainant against his neighbour.	Pending
LA/C/34/2011	Illegal construction reported at District Council. No action taken.	Pending



No.	Subject of Complaint	Result
LA/C/36/2011	No action taken yet by Council following report of illegal construction by complainant's neighbour.	Explained
LA/C/39/2011	Objection by complainant to the issue of a trade licence to operate in a residential area not heeded.	Explained
LA/C/40/2011	Obstruction of road. No action taken by authorities concerned.	Explained
LA/C/41/2011	Illegal development causing great inconvenience to complainant's family.	Rectified
LA/C/42/2011	No action taken by authorities concerned in respect of complaint of noise pollution in a residential area.	Explained
LA/C/43/2011	Complainant objects to Council's plan to construct a drain on his property.	Explained
LA/C/44/2011	Children playground located in residential area is a source of noise nuisance.	Explained
LA/C/45/2011	Delay by Council in taking action in respect of report by complainant.	Rectified
LA/C/46/2011	Delay in issuing building permit.	Rectified
LA/C/47/2011	No action taken following report of illegal construction put up by complainant's neighbour.	Explained
LA/C/1/2012	Trespass by complainant's neighbours onto her property. No action taken by authority concerned.	Discontinued
LA/C/2/2012	Rainwater causing inconvenience to complainant. No reply to letter addressed to Chief Executive.	Discontinued
LA/C/3/2012	Bare land opposite complainant's house is a source of nuisance for him. No action taken by authorities concerned.	Rectified
LA/C/4/2012	Illegal construction put up by complainant's neighbour.	Discontinued
LA/C/5/2012	Illegal building put up by complainant's neighbour. No action taken notwithstanding report to the Council.	Rectified
LA/C/6/2012	Road in deplorable condition. No action taken notwithstanding complaints made.	Explained
LA/C/7/2012	Building not in conformity with agreement reached between complainant and neighbour. No action taken by authority concerned.	Rectified
LA/C/8/2012	Illegal construction put up by complainant's neighbour. No action taken by Council.	Pending
LA/C/9/2012	Noise pollution caused by buses at odd hours, etc.	Explained

No.	Subject of Complaint	Result
LA/C/10/2012	Complainants deprived of their right of access to existing lane. No action taken by Council.	Pending
LA/C/11/2012	Request for resurfacing of road not heeded by Council.	Explained
LA/C/12/2012	Illegal wall being put up by complainant's neighbour. No action taken by authority concerned.	Explained
LA/C/13/2012	Delay in delivering permit to put up a wall by complainant.	Rectified
LA/C/14/2012	No action taken for the eviction of illegal traders in front of complainant's commercial premises.	Explained
LA/C/15/2012	Clogged drain causing accumulation of water and flooding thus endangering life. No action taken by Council.	Rectified
LA/C/16/2012	Damaged road poses great inconvenience to inhabitants.	Explained
LA/C/17/2012	Illegal operation of metal workshop. No action taken by authorities concerned.	Rectified
LA/C/18/2012	Report of illegal construction not attended to.	Pending
LA/C/19/2012	Dust problem and lack of hygienic conditions for complainant to operate his business. No action taken.	Rectified
LA/C/20/2012	Complainant's neighbour not respecting the statutory distance when installing septic tank.	Explained
LA/C/21/2012	Illegal structure put up by complainant's neighbour. Letters of complaint addressed to Council ignored.	Pending
LA/C/22/2012	No action taken against illegal operator of plastic industry.	Explained
LA/C/23/2012	Absence of absorption drain causes great inconvenience to complainant. No action taken by Council.	Pending
LA/C/24/2012	Abandoned house is a source of nuisance to neighbouring inhabitants. No action taken by authorities concerned.	Rectified
LA/C/25/2012	Complainant's neighbour's construction does not respect the statutory distance. No action taken by Council.	Rectified
LA/C/26/2012	Noise nuisance – inconvenience to neighbours.	Rectified
LA/C/27/2012	Illegal building put up by complainant's neighbour. No action taken by authorities concerned.	Pending
LA/C/28/2012	No response to application for conversion of a common road into a public road.	Rectified

No.	Subject of Complaint	Result
LA/C/29/2012	Delay in granting application for building permit.	Explained
LA/C/30/2012	Construction without permit reported by complainant. No action taken by authority concerned.	Pending
LA/C/31/2012	Several potholes at taxi-stand.	Pending
LA/C/32/2012	Illegal construction put up by complainant's neighbour. No action taken by Council since nearly a year.	Rectified
LA/C/33/2012	Blocked drains causing flooding. No action taken by authorities concerned.	Pending
LA/C/34/2012	Large abandoned yard causes great inconvenience to local inhabitants. Request for necessary action to be taken.	Rectified
LA/C/35/2012	Deplorable state of road having occasioned several motorcycle accidents.	Explained
LA/C/36/2012	No action taken in respect of complaint of an illegal building reported by complainant.	Pending
LA/C/37/2012	Complaint regarding an illegal construction not attended to.	Rectified
LA/C/38/2012	Housing estate turned into dumping ground. No action taken by authorities concerned.	Rectified
LA/C/39/2012	Road in deplorable state and frequent darkness.	Explained
LA/C/40/2012	Whole region in darkness since five months. No action taken by Council.	Rectified
LA/C/41/2012	Bad odour caused by stagnant debris in river.	Pending
LA/C/42/2012	Height of wall put up by complainant's neighbour not according to law. Complainant disputes stand taken by Council.	Explained
LA/C/43/2012	Noise nuisance caused by operation of a garage by complainant's neighbour. No action taken by authorities concerned.	Pending
LA/C/44/2012	Hygienic and health problems posed by dormitory for foreign workers.	Pending
LA/C/45/2012	Illegal construction put up by complainant's neighbour. Matter reported to Council six months ago. No action taken yet.	Pending
LA/C/46/2012	No action taken by Council in respect of complaint of illegal sale of alcoholic drinks etc.	Explained
LA/C/47/2012	No reply to letter from complainant contesting an undated claim by Council.	Rectified

No.	Subject of Complaint	Result
LA/C/48/2012	No consideration given to complaint in respect of illegal construction by neighbour.	Pending
LA/C/49/2012	No action taken by Council following illegal constructions put up by neighbours.	Pending
LA/C/50/2012	Complaint of illegal building being put up by complainant's neighbour not heeded.	Explained
LA/C/51/2012	Private road repaired by Council without the authorization of the residents thereof.	Pending
LA/C/52/2012	Illegal activities carried out by complainant's neighbour but no action taken by authorities concerned.	Pending
LA/C/53/2012	No action taken by Council following a report by complainant of an illegal construction by his neighbour.	Pending
LA/C/54/2012	Illegal gate put up by complainant's neighbour causing inconvenience.	Pending
<b>LOCAL GOVERNMENT AND OUTER ISLANDS</b>		
C/224/2012	Overseas training opportunity denied to complainant without explanation.	Explained
<b>POLICE</b>		
C/138/2010	Complainants detained since more than two years without trial.	Explained
C/235/2010	Complainant, whose car was reported lost and later found by the Police, claims to have his vehicle back.	Pending
C/243/2010	Foreigner still detained by Police although case of conspiracy against her has been struck out.	Explained
C/29/2011	Complainant not satisfied with Police action in respect of report made against a Police Sergeant.	Explained
C/37/2011	Complainant not afforded adequate Police protection against aggression and theft.	Pending
C/62/2011	No protection provided by the Police to old lady who fears for her security.	Discontinued
C/63/2011	No action taken against detainee's assailant, a Prison Officer, though case reported to the Police since more than three years.	Rectified
C/158/2011	Case of harassment reported to the Police on three occasions but no action taken.	Explained

No.	Subject of Complaint	Result
C/162/2011	Complainant's car lent to a third party and seized by the Police not returned to him.	Rectified
C/219/2011	Nothing done by the Police in respect of reported theft case committed since one month.	Explained
C/224/2011	Complainant avers she is being detained since more than 18 months without trial.	Explained
C/231/2011	No action taken by Police following several declarations made.	Not justified
C/234/2011	No reply to letters addressed to Police by Attorney-at-Law requesting document in connection with road accident.	Rectified
C/235/2011	Detainee in custody since 21 months without trial.	Rectified
C/248/2011	Detainee unable to obtain a copy of his statement to the Police regarding the case against him.	Rectified
C/252/2011	Documents seized from complainant, who is a detainee, not returned to him after dismissal of case against him.	Explained
C/1/2012	Neighbours of complainant causing a lot of trouble. Request for police assistance to put an end to this situation.	Explained
C/5/2012	No action taken by Police to find stolen articles as reported by complainant.	Rectified
C/6/2012	Documents relating to complainant's motor-cycle not returned to him.	Discontinued
C/9/2012	Senior Counsel's request for particulars regarding road accident not yet acceded to.	Rectified
C/10/2012	Detainee on remand since 5 months and case against him not yet sent for trial.	Rectified
C/16/2012	Request for air tickets for two children of Rodriguan Police Officer posted in Mauritius not approved.	Pending
C/25/2012	Detainee awaiting trial after spending 13 months on remand in larceny case.	Explained
C/27/2012	No action taken by the Police following reports by complainant of damage to her property and harassment.	Discontinued
C/36/2012	Detainee's request to give a statement to the Police not attended to.	Rectified
C/40/2012	Illegal parking causes a lot of inconvenience to complainant. No action taken by Police.	Explained

No.	Subject of Complaint	Result
C/42/2012	Detainee's application for a detailed list of his various travels in and out of the country turned down.	Explained
C/51/2012	Complainant detained since five months without trial.	Explained
C/52/2012	Detainee awaiting since two years for case against him to be lodged.	Rectified
C/53/2012	Detainee awaiting trial of his case since more than six months.	Explained
C/56/2012	Remand detainee not satisfied with police enquiry in case of attempt at larceny against him.	Explained
C/57/2012	Remand detainee seeks lift of freezing order imposed on his bank account.	Not entertained
C/58/2012	No reply received to letter addressed to the Commissioner of Police by complainant, allegedly victim of aggressive behaviour.	Explained
C/60/2012	Application by Senior Counsel for details regarding fatal road accident not acceded to after four years.	Rectified
C/62/2012	Detainee awaiting trial since three years.	Explained
C/66/2012	Detainee awaiting trial since more than eight months.	Explained
C/68/2012	Detainee on remand since 18 months without trial.	Rectified
C/70/2012	Foreign detainee's request to be transferred to his country not yet heeded since four months.	Rectified
C/72/2012	Detainee refused copy of his statement given by him in respect of the case for which he is being detained.	Rectified
C/74/2012	Detainee arrested since more than five months. No development in his case.	Explained
C/78/2012	No action taken in alleged swindling case reported to the Police.	Explained
C/81/2012	Violation of privacy caused by illegal installation of camera by complainant's neighbour.	Pending
C/82/2012	No reply in respect of case reported to the Police.	Explained
C/85/2012	No reply to complainant, a Senior Counsel, regarding a request for information about a fatal accident.	Explained
C/92/2012	Complainant arrested since eight months and still kept on remand.	Explained
C/95/2012	Complainant not informed about declaration she gave to the Police.	Explained
C/97/2012	Complainant summoned to appear in court but case never called.	Explained

No.	Subject of Complaint	Result
C/102/2012	Request by ex-Police Officers to waive the amount remaining on the bonds they signed, on ground of financial hardship.	Explained
C/111/2012	Request for copies of statements and other documents in respect of court case not acceded to.	Explained
C/115/2012	Complainant not made aware of outcome of declarations made to the Police.	Explained
C/119/2012	Anomaly in medical file of Police Officer who has been without salary since 5 months.	Explained
C/120/2012	Recording of detainee's statement in connection with a case of embezzlement in which detainee is the declarant not completed by Police.	Pending
C/127/2012	Detainee on remand since more than a year without trial.	Explained
C/133/2012	Request by Police Constable for transfer back to Mauritius in view of wife's pregnancy etc. rejected.	Rectified
C/137/2012	Complainant's request for a copy of his statement to the Police not acceded to.	Not Investigated
C/141/2012	Mobile phone seized from detainee not returned to him after disposal of case against him.	Rectified
C/142/2012	Delay in prosecuting complainant who is on remand and whose statement has been recorded since nine months in a simple case of larceny.	Rectified
C/158/2012	Reply to Application for "Trainer's Licence" unduly delayed.	Explained
C/161/2012	Money seized from detainee upon her arrest not returned to her after disposal of case.	Pending
C/162/2012	Detainee on remand since more than one and a half years in case of murder but no preliminary enquiry held as yet.	Explained
C/163/2012	Delay in respect of application by complainant for legal aid.	Rectified
C/164/2012	Information and documents required by Senior Counsel in relation to road accident not supplied.	Rectified
C/167/2012	Detainee not satisfied with Police action in respect of declaration made by him.	Pending
C/170/2012	Delay in lodging case against complainant who is being detained since 5 months in connection with a case of larceny.	Explained

No.	Subject of Complaint	Result
C/176/2012	Foreign national on remand since more than one and a half years awaiting trial.	Explained
C/180/2012	Report applied for by Barrister-at-Law since one year not received yet.	Explained
C/182/2012	Application by detainee for a copy of his statement to the Police not yet acceded to.	Rectified
C/190/2012	No statement recorded from complainant, a detainee, following a declaration made by him.	Pending
C/191/2012	Request for information and documents by Senior Counsel since eight months not yet attended to.	Discontinued
C/196/2012	Noise nuisance reported to Police. No action taken.	Pending
C/201/2012	Detainee's belongings (watch, small sum of money, purse, identity card and nail cutter) not returned to him despite written request made to the Commissioner of Police.	Rectified
C/207/2012	No statement recorded from detainee into his allegation of police brutality.	Pending
C/213/2012	Detainee avers that he is still being kept in prison although the case against him has been struck out.	Explained
C/231/2012	Detainee on remand for almost one and a half years without trial.	Pending
C/233/2012	No action taken by the authorities in respect of a report of nuisance caused by bees.	Pending
C/237/2012	Detainee's property secured by Police not returned to him despite his request.	Explained
C/248/2012	Rearing of cattle by complainant's neighbour represents nuisance and danger to inhabitants.	Pending
C/252/2012	Averment by detainee that Police Officers abusively forced the door to have access to his private premises.	Pending
<b>PRIME MINISTER'S OFFICE</b>		
C/218/2011	Request for payment of monthly car allowance in lieu of official car, etc. turned down.	Rectified
C/205/2012	Application for registration as a citizen of Mauritius rejected without explanation.	Explained



No.	Subject of Complaint	Result
<b>PRIME MINISTER'S OFFICE (CIVIL STATUS DIVISION)</b>		
C/125/2012	Complainant issued with civil status certificates with her name wrongly written.	Rectified
<b>PRISONS</b>		
C/132/2011	Detainee, an Indian National, not yet transferred to his country although many others like him have been so transferred.	Pending
C/144/2011	Detainee's personal belongings missing.	Pending
C/165/2011	Request for transfer by detainee for security reasons not heeded etc.	Explained
C/180/2011	Detainee who has medical problems not allowed to purchase certain items although same are not available at the prison canteen.	Rectified
C/203/2011	Various attempts by detainee to meet the Commissioner of Prisons concerning his problems in prison unsuccessful.	Discontinued
C/211/2011	Detainee's health problems not solved in prison. Requests that he be treated by hospital specialist or private medical practitioner.	Rectified
C/220/2011	Detainee not provided with adequate medical care.	Rectified
C/222/2011	Detainee not referred back to hospital for further treatment.	Explained
C/223/2011	Detainee not getting appropriate medical treatment, etc.	Explained
C/233/2011	Detainee avers he is not getting appropriate treatment for his ailment, etc.	Explained
C/244/2011	Complainant who is on remand claims social aid on behalf of his two children as his wife does not work.	Discontinued
C/245/2011	Unsanitary and insecure conditions of detention averred by detainee - claims it is mental torture.	Explained
C/246/2011	Detainee complains about unlocking and locking up times which he avers are not according to rules.	Explained
C/247/2011	Detainee allowed to receive only one postal order per month. Avers it is not sufficient to cover his monthly expenses.	Explained
C/251/2011	Remand detainee not allowed to receive more than one postal order per month etc.	Explained
C/4/2012	Detainee's wife denied visit, etc.	Not justified
C/19/2012	Detainee avers he is not receiving appropriate medical treatment.	Rectified

No.	Subject of Complaint	Result
C/23/2012	Detainee does not agree with the length of his detention.	Explained
C/24/2012	Not allowed extra remission work	Explained
C/35/2012	Detainee avers he is being segregated for unknown reasons. Attempt to meet Superior Officer unsuccessful.	Explained
C/39/2012	Detainee transferred to punishment block without reason.	Explained
C/41/2012	Letter addressed to Commissioner of Prisons by detainee not transmitted, etc.	Explained
C/46/2012	Money sent to detainee by his friend not remitted to him.	Rectified
C/47/2012	Various attempts by detainee to obtain copies of his letters unsuccessful.	Rectified
C/48/2012	Letter written by detainee not posted.	Explained
C/49/2012	Detainee's belonging disappears from his cell.	Explained
C/67/2012	Detainee requests a transfer to high- security prison for the sake of his security.	Rectified
C/69/2012	Complainant's medical appointment not respected by Prison Administration, etc.	Explained
C/76/2012	Detainee contests the length of sentence he has to serve.	Not Justified
C/79/2012	Detainee avers that his money on his personal account has been wrongly calculated.	Explained
C/80/2012	Detainee not allowed to purchase certain items from the prison canteen.	Explained
C/84/2012	Non-prohibited items secured from detainee's cell not returned to him.	Explained
C/86/2012	Irregularities concerning detainee's earnings and private account etc.	Explained
C/87/2012	Detainee avers he has been abused by Prison Officer.	Not Justified
C/88/2012	Detainee denied special diet prescribed by doctor.	Rectified
C/91/2012	Detainee fears for his security in prison in case he is transferred from one Block to another.	Not Justified
C/106/2012	Letter and photos sent by post by detainee's wife not remitted to the detainee.	Not Justified
C/108/2012	Detainee's wish to undergo minor operation not acceded to, etc.	Explained

No.	Subject of Complaint	Result
C/109/2012	Detainee resents being removed from the cell he has been occupying for a long time to another one which he has to share with other detainees, etc.	Rectified
C/110/2012	Handicapped detainee refused access to rehabilitation centre.	Not Justified
C/113/2012	Detainee not satisfied with medical treatment received and not provided special diet as prescribed by the doctor.	Explained
C/116/2012	Detainee's request for transfer to another prison not acceded to.	Explained
C/118/2012	Detainee avers that he has been informed by a Prison Officer that his private property was lost. Requests the return thereof.	Explained
C/122/2012	Posting of detainee's letters to his relatives delayed for too long, etc.	Explained
C/128/2012	Detainee fears for his security as he has been threatened by other detainees. No action taken by administration.	Explained
C/135/2012	Articles seized from detainee during search not returned to him after four months.	Explained
C/136/2012	Detainee fears for his security and is against his transfer as he has "enemies" in the association yard etc.	Explained
C/138/2012	Detainee fears for his security as he has many "enemies" among other detainees. Requests that his security be ensured.	Explained
C/149/2012	Detainee not receiving appropriate treatment. Requests to be examined by a specialist.	Explained
C/150/2012	Jewelry belonging to female detainee "lost".	Rectified
C/151/2012	Detainees denied offerings during religious month of Ramadan.	Explained
C/154/2012	Detainee denied "Methadone" treatment although he qualifies for same.	Explained
C/155/2012	Complaints galore – request for transfer to open prison refused, no job allocation, time spent on remand not considered, etc.	Explained
C/156/2012	Detainee denied methadone treatment although he qualifies for same.	Explained
C/157/2012	Detainee denied visit by his aunt etc.	Explained
C/165/2012	Letter written by detainee not posted, etc.	Explained
C/169/2012	Detainee's request to stay at the Day Care Centre not heeded.	Explained
C/173/2012	Detainee avers that he has been "expelled" from the Day Care Centre where he was following methadone substitution therapy.	Explained

No.	Subject of Complaint	Result
C/174/2012	Detainee avers that he had been “expelled” from the Day Care Centre where he was following methadone substitution therapy.	Explained
C/175/2012	Detainee’s request to remain at the Day Care Centre where he was following Methadone Substitution Therapy not acceded to.	Explained
C/178/2012	Postal Order on detainee’s name signed and used by another person. No action taken by Prison Administration.	Not Justified
C/179/2012	Detainee fears for his security following threats upon his person. Requests for a transfer to a safer prison.	Rectified
C/181/2012	Detainee contests the fact that there is no money on his personal account as averred by the Administration.	Pending
C/183/2012	Detainee removed from outside - prison duty for no reason.	Explained
C/184/2012	Detainee contests the duration of his detention.	Explained.
C/186/2012	Letter from complainant not posted.	Explained
C/188/2012	Detainee not receiving extra food as per doctor’s advice.	Not Justified
C/194/2012	Detainee not served his food etc.	Pending
C/195/2012	Detainee avers he is not receiving appropriate medical treatment. Requests to be seen by a Specialist.	Rectified
C/197/2012	Detainee contests the fact that there is no money on his Earnings account.	Explained
C/199/2012	Detainee avers that his private cash account is not exact. No action taken by the Prison Administration.	Explained
C/202/2012	Detainee avers he is not getting appropriate medical attention.	Pending
C/203/2012	Detainee not satisfied with sentence inflicted by adjudicating panel for indiscipline.	Explained
C/204/2012	Detainee denies that any knife was found in his cell during a search.	Not Justified
C/209/2012	Detainee denied diet food as prescribed by the doctor.	Pending
C/211/2012	Detainee, a foreign national, denied visit by family members who travelled to Mauritius to meet him.	Explained
C/216/2012	Detainee requests proper escort and protection whenever he appears in court as his security is at stake.	Explained
C/226/2012	Detainee complains about non- availability of certain tropical fruits for purchase.	Explained

No.	Subject of Complaint	Result
C/227/2012	Religious rights denied to detainee.	Explained
C/229/2012	Request by detainee for a new mattress on medical ground refused.	Rectified
C/230/2012	Request by detainee for methadone treatment turned down.	Explained
C/236/2012	Detainee's wife denied right to visit him, etc.	Explained
C/238/2012	Detainee not receiving appropriate medical treatment for his eye problem.	Pending
C/239/2012	Request by detainee to do work earning extra-remission not granted.	Explained
C/251/2012	Detainee not satisfied with medical care he is receiving etc.	Pending
C/253/2012	Application by detainee to do extra-remission work in order to enable him to attend his daughter's wedding turned down.	Pending
C/254/2012	Failure by Prison Administration to provide detainee with (i) medication prescribed by doctor and (ii) copy of his statement.	Pending
<b>PUBLIC INFRASTRUCTURE AND LAND TRANSPORT</b>		
C/185/2007	Bus-stop dangerously situated.	Rectified
C/130/2009	Bus-stop located in a dangerous place.	Rectified
C/221/2009	Deplorable state of bridge at Bel Air - Rivière Sèche represents danger to the public at large.	Rectified
<b>PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING</b>		
C/40/2011	Width of road does not allow proper flow of two-way traffic.	Rectified
C/112/2011	Request by inhabitants for bus-stops and pedestrian crossing not considered.	Rectified
C/228/2011	Structural instability of footbridge. Source of danger to users.	Pending
C/90/2012	Risky access to pavement. No action taken by authorities concerned.	Explained
C/160/2012	Request for transfer for health reasons not heeded.	Pending
C/166/2012	Double yellow lines in front of complainant's premises have faded. Vehicles parked there block his entrance. Request for remarking the road delayed.	Rectified
C/222/2012	No response to "Notice" sent by complainant who is a detainee.	Rectified
C/240/2012	Complainant contests the decision of the National Transport Authority revoking his Public Service Vehicle Licence.	Not Justified

No.	Subject of Complaint	Result
C/250/2012	Petitions addressed to concerned authorities regarding poor state of roads not attended to.	Pending
<b>REGISTRAR GENERAL</b>		
C/195/2011	Complainant not allowed to object to Notice of claim from Registrar General after expiry of delay through no fault of hers.	Rectified
<b>RODRIGUES</b>		
ROD/C/6/2006	No reply to claim of compensation for damages caused to complainant's private land.	Rectified
ROD/C/21/2009	No consideration given to complainant's request for materials to put up a decent living place.	Explained
ROD/C/4/2010	Anomaly in salary.	Not justified
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.	Explained
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.	Rectified
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.	Rectified
ROD/C/45/2010	Application for refund of expenses incurred by family for funeral of family member not yet considered.	Discontinued
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.	Explained
ROD/C/16/2011	Midwives allege discrimination against them as compared to their colleagues in Mauritius.	Explained
ROD/C/18/2011	Access road blocked by complainant's neighbour. No action taken by authority concerned.	Pending
ROD/C/26/2011	No remedial action taken in respect of absence of toilets at Catering Unit of hospital.	Explained
ROD/C/28/2011	Application for Unemployment Hardship Relief Allowance not yet considered.	Rectified

No.	Subject of Complaint	Result
ROD/C/29/2011	Request by complainant for a shelter for himself and his family.	Not justified
ROD/C/30/2011	Application for plot of State Land not considered.	Explained
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.	Explained
ROD/C/32/2011	Application for unemployment hardship relief not considered.	Rectified
ROD/C/33/2011	Request by complainant for continued financial assistance as she is suffering from various ailments.	Explained
ROD/C/34/2011	Benefits not yet paid to complainant.	Explained
ROD/C/35/2011	Payment of responsibility allowance stopped since 10 months.	Rectified
ROD/C/36/2011	Application for transfer of lease not granted.	Explained
ROD/C/37/2011	Death gratuity wrongly computed.	Explained
ROD/C/38/2011	Basic retirement pension not paid to complainant ever since she reached the age of 60.	Rectified
ROD/C/39/2011	Request by complainant for revision of his length of service.	Explained
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.	Explained
ROD/C/41/2011	Non-promotion of complainants at the level of Sprayerman.	Explained
ROD/C/42/2011	Delay in processing application for social aid.	Rectified
ROD/C/43/2011	No action taken by the authorities concerned following report by complainant of obstruction of access road.	Explained
ROD/C/44/2011	Anomaly in salary.	Explained
ROD/C/45/2011	Complainant's application for sponsorship to pursue distance learning unjustly rejected.	Explained
ROD/C/1/2012	Complainant, with one two-year old child living in dire conditions at her mother's place, requests a small house for herself.	Explained
ROD/C/2/2012	Request by complainant for building materials to put up a small house.	Explained
ROD/C/3/2012	No reply to application for unemployment hardship relief.	Explained
ROD/C/4/2012	Officer not appointed in a substantive capacity after nearly 10 years – no incremental credits, no pension rights and insufficient leave.	Explained

No.	Subject of Complaint	Result
ROD/C/5/2012	Complainant with a 10-year old child under her charge and separated from her husband. Applies for a housing unit.	Explained
ROD/C/6/2012	Payment of social aid stopped.	Rectified
ROD/C/7/2012	Overtime not paid.	Rectified
ROD/C/8/2012	Application by complainant's husband for temporary transfer from Rodrigues to Mauritius turned down. Complainant avers hardship will be caused to her in Mauritius.	Explained
ROD/C/9/2012	No increment in salary in spite of additional qualification obtained by complainant.	Discontinued
ROD/C/10/2012	Social aid discontinued.	Rectified
ROD/C/11/2012	Complainant avers that he has been denied an ad hoc allowance.	Pending
ROD/C/12/2012	Anomaly in salary.	Not Justified
ROD/C/13/2012	Use of force by the Special Mobile Force whilst effecting the transfer of a prisoner to Mauritius. Tear gas used caused great inconvenience to detainees.	Explained
ROD/C/14/2012	Anomaly in salary	Explained
ROD/C/15/2012	Salary of complainant not adjusted after his reinstatement in Office following his earlier interdiction.	Rectified
ROD/C/16/2012	Complainant avers he is the victim of arbitrary, abusive and punitive transfers.	Explained
ROD/C/17/2012	Lump sum paid to retired public officer not properly computed.	Explained
ROD/C/18/2012	Request for housing unit on ground of poverty.	Explained
ROD/C/19/2012	Complainant, mother of three children and unemployed, living in extreme poverty conditions awaiting for housing unit since long.	Explained
ROD/C/20/2012	Anomaly in salary	Pending
ROD/C/21/2012	Post of Assistant Financial Operations Officer not phased out as recommended by PRB 2008. Complainants feel victimized.	Explained
ROD/C/22/2012	Complainants aver that they are being required to perform duties which fall outside their Scheme of Service.	Explained
ROD/C/23/2012	Retirement benefits not paid to complainant since more than 3 months.	Rectified



No.	Subject of Complaint	Result
ROD/C/24/2012	Complainant not satisfied with the computation of his length of service.	Explained
ROD/C/25/2012	Length of service not properly computed.	Pending
ROD/C/26/2012	Illegal occupation of private land by Rodrigues Regional Assembly without payment of any compensation.	Pending
ROD/C/27/2012	Non-payment of incremental credits	Pending
<b>SOCIAL INTEGRATION AND ECONOMIC EMPOWERMENT</b>		
C/140/2011	No action taken in respect of complainants' application for building materials to construct their own house.	Explained
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.	Explained
C/184/2011	Delay in dealing with complainant's application for building materials.	Rectified
C/187/2011	Delay in processing complainant's application for building materials.	Rectified
C/216/2011	No refund effected to complainant in respect of works carried out by her.	Rectified
C/240/2011	Request by complainant for building materials to put up a house.	Explained
C/256/2011	Request by complainant for building materials in order to repair her old house.	Discontinued
C/99/2012	Complainant denied social assistance promised to her.	Explained
<b>SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS</b>		
C/155/2008	Invalidity pension of handicapped person stopped.	Explained
C/251/2008	Complainant denied basic invalidity pension.	Explained
C/70/2011	Payment of social aid stopped since more than six months, etc.	Explained
C/128/2011	Complainant not paid industrial injury allowance.	Rectified
C/134/2011	Non-payment of basic retirement pension.	Rectified
C/137/2011	Payment of social aid stopped.	Explained
C/141/2011	Social aid refused to complainant.	Discontinued
C/156/2011	Social aid paid to complainant's 10-year old child discontinued.	Rectified
C/171/2011	Basic Invalidity Pension and Social Aid refused to complainant.	Discontinued

No.	Subject of Complaint	Result
C/177/2011	No reply to application for social aid.	Rectified
C/186/2011	Social Aid refused to complainant.	Rectified
C/210/2011	Complainant claims she is entitled to a carer's allowance as her husband is physically handicapped.	Rectified
C/214/2011	Complainant not paid his lump sum nor his contributory retirement pension since five years.	Rectified
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.	Explained
C/225/2011	Request by complainant for social aid in respect of her two minor daughters in order that they may pursue their schooling.	Rectified
C/227/2011	Delay in dealing with application by complainant for financial assistance.	Rectified
C/229/2011	Wrongful deduction from social benefits paid to complainant.	Explained
C/239/2011	Social aid/carers allowance on behalf of complainant's sick child denied.	Discontinued
C/255/2011	Social aid denied to complainant for her three minor children whose father has abandoned them.	Rectified
C/258/2011	Complainant's application for Basic Invalidity Pension denied – she is undergoing psychiatric treatment.	Rectified
C/7/2012	Application for refund of contribution disallowed.	Explained
C/13/2012	Social aid discontinued.	Explained
C/32/2012	Two months arrears of old age pension still unpaid to complainant.	Rectified
C/43/2012	Social aid for complainant's child discontinued.	Rectified
C/45/2012	Severely handicapped complainant not receiving any assistance from Ministry.	Rectified
C/59/2012	Complainant not satisfied with the amount she receives as social aid.	Rectified
C/63/2012	Social aid refused to complainant for her nine-year old child.	Explained
C/64/2012	Contributory Widow's Pension denied to complainant.	Rectified
C/83/2012	Abandoned mother of four children in extreme need of financial assistance.	Explained

No.	Subject of Complaint	Result
C/94/2012	Complainant not receiving social aid in respect of two of her four children.	Rectified
C/96/2012	Request for social aid turned down.	Discontinued
C/100/2012	Complainant not benefitting from social aid for two of her three children.	Pending
C/101/2012	Applications for Basic Invalidity Pension (BIP) rejected.	Discontinued
C/126/2012	Social aid refused to complainant.	Explained
C/129/2012	Social aid granted to complainant for her 13-year old daughter discontinued since 6 months.	Explained
C/130/2012	Social aid refused to complainant, mother of two small children, etc.	Discontinued
C/132/2012	Complainant has not received her social aid for past month.	Discontinued
C/140/2012	Request for financial assistance turned down.	Not Justified
C/143/2012	Social aid for complainant's two children discontinued.	Rectified
C/144/2012	Social aid denied to complainant.	Rectified
C/145/2012	No reply to letter addressed to Ministry by complainant in connection with the termination of his employment.	Rectified
C/147/2012	Request for social aid by complainant with four children on grounds of abandonment.	Rectified
C/168/2012	Non-refund of NPF contributions erroneously deducted.	Pending
C/185/2012	Handicapped person (loss of one hand) claims he is being told that he owes a large sum of money to Government due to overpayment of pension to him.	Pending
C/187/2012	Unpaid basic retirement pension.	Rectified
C/189/2012	Complainant not refunded for the supply of dentures for which he has paid.	Pending
C/192/2012	Pension unpaid.	Rectified
C/206/2012	Complainant avers that his handicapped child is not receiving appropriate pension.	Pending
C/210/2012	Doctor on sessional basis requested to stop working without written notice. Facing financial difficulties.	Explained
C/214/2012	Social aid refused to complainant & child.	Pending

No.	Subject of Complaint	Result
C/217/2012	Payment of social aid stopped since five months.	Pending
C/218/2012	Social aid discontinued since eight months	Pending
C/220/2012	Social aid refused to abandoned woman with two children.	Pending
C/225/2012	Refund of carer's allowance wrongly claimed.	Pending
C/249/2012	Application for lump sum from the National Savings Fund disallowed.	Pending
C/257/2012	Request for social aid and basic invalidity pension rejected.	Pending
<b>TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY</b>		
C/242/2011	No reply to request for information concerning a degree recognition issue.	Rectified
C/250/2011	Complainant not paid her end of year bonus and salary.	Rectified
C/148/2012	Non-payment of gratuity and other benefits.	Rectified
C/228/2012	Complainant's son denied opportunity to pursue his medical studies in South Africa.	Discontinued
<b>TOURISM AND LEISURE</b>		
C/253/2011	Navigation permit refused to complainant.	Explained
<b>YOUTH AND SPORTS</b>		
C/217/2011	Claims for acting as Animator for "Icafe Computer Project" not met by Ministry.	Rectified



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