

45th Annual Report

of the

OMBUDSMAN

January - December 2018

OFFICE OF THE OMBUDSMAN

OMB 13/04 VOL. XLV

21th June, 2019

His Excellency, Mr. Paramasivum Pillay Vyapoory, G.O.S.K
Acting President of the Republic of Mauritius
State House
Le Réduit

Your Excellency,

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

Therefore, in accordance with the above provisions, I have the singular privilege and honour to present to you the 45th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2018.

A copy of this Report is to be laid before the National Assembly.

Yours respectfully,



(Soleman M. HATTEEA)
Ombudsman

TABLE OF CONTENTS

	Page
1. Our mission	1
2. Our commitment	1
3. Year under Review	1
4. Statistics for 2018	2
5. Strategic Plan	8
6. General Remarks	12
7. Own Motion cases	13
8. Rodrigues Regional Assembly	18
9. Visitors from abroad	21
10. Acknowledgements	23
11. Appendices	25

APPENDICES

	Page
Appendix A	
Chapter IX of the Constitution – The Ombudsman	26
Appendix B	
The Ombudsman Act	34
Appendix C	
Summaries of Selected Complaints	38
<u><i>Ministries/Departments</i></u>	
Education and Human Resources, Tertiary Education and Scientific Research (4)	38
Electoral Commissioner’s Office (1)	42
Energy and Public Utilities (3)	43
Finance & Economic Development (1)	46
Health & Quality of Life (2)	47
Housing & Lands (1)	49
Labour, Industrial Relations, Employment & Training (1) ...	50
Police (3)	51
Prime Minister’s Office (1)	54
Public Infrastructure & Land Transport (1)	55
Social Security, National Solidarity and Environment and Sustainable Development (Social Security Division) (2) ...	56

Local Authorities

Municipal Council of Beau Bassin-Rose Hill (2)	...	...	58
Municipal City Council of Port Louis (2)	...	...	60
Municipal Council of Quatre Bornes (1)	...	...	62
Municipal Council of Vacoas-Phoenix (1)	...	...	63
Rodrigues Regional Assembly (1)	...	...	64

Appendix D

Statistical summary of complaints	65
-----------------------------------	-----	-----	----

Appendix E

Subject of complaints	71
-----------------------	-----	-----	----

Appendix F

Staffing Structure	105
--------------------	-----	-----	-----

Appendix G

Organisational Structure	106
--------------------------	-----	-----	-----

1. **O**UR MISSION

The mission of the Ombudsman is to serve the Mauritian community by addressing issues arising from maladministration in the public sector and redressing wrongs that may be found to have been committed.

2. **O**UR COMMITMENT

The Office of the Ombudsman is committed to providing to all citizens a quality service that upholds their rights to a just and equitable treatment in accordance with principles of good administration.

3. **Y**EAR UNDER REVIEW

This is the 45th Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2018 in the course of which we registered a total of 360 new cases as detailed below.

4. STATISTICS FOR 2018

CASE INTAKE

Ministries/Departments	234
Local Authorities	100
Rodrigues Regional Assembly	26
Total	360

Table 1 Case Intake

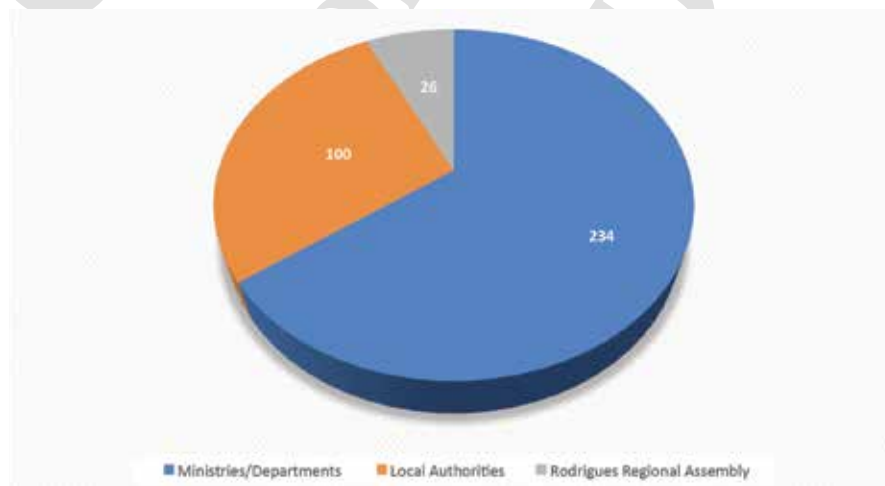


Figure 1 Case Intake

CASES DEALT WITH

Ministries/Departments

Decision	Number
Rectified	69
Explained	142
Discontinued	19
Not Investigated	8
Not Justified	6
Pending	89
Total	333

Table 2 Cases Dealt with Ministries/ Departments

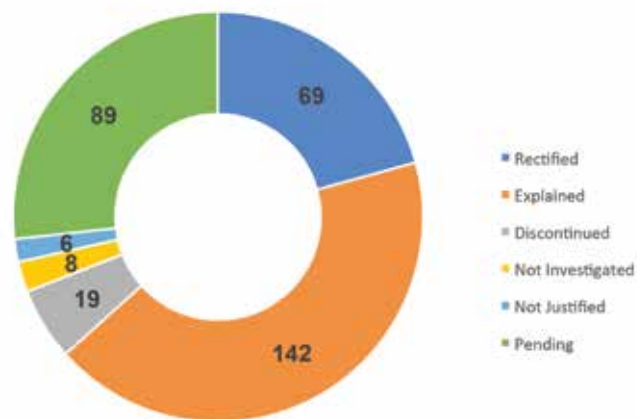


Figure 2 Cases Dealt with Ministries/ Departments

Local Authorities

Decision	Number
Rectified	61
Explained	51
Discontinued	5
Pending	26
Total	143

Table 3 Cases Dealt with Local Authorities

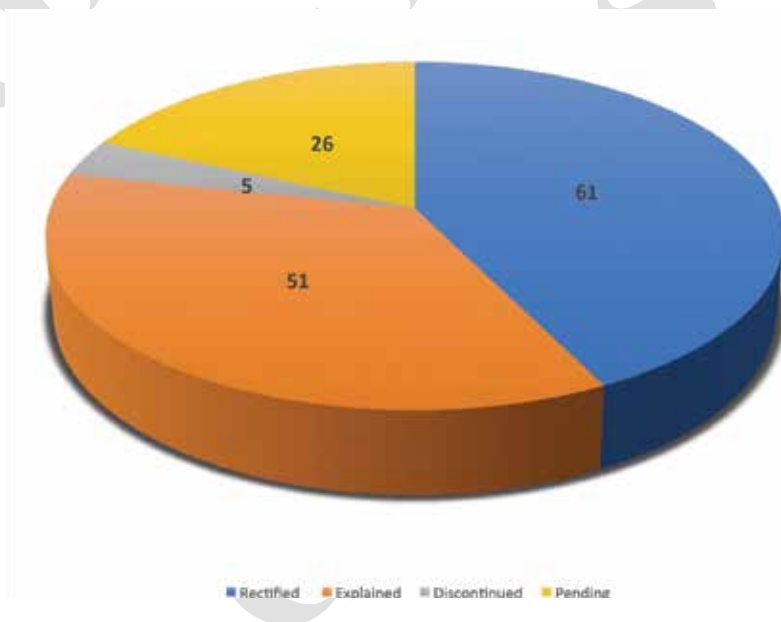


Table 3 Cases Dealt with Local Authorities

Rodrigues Regional Assembly

Decision	Number
Rectified	5
Explained	15
Not Investigated	1
Not Justified	1
Pending	17
Total	39

Table 4 Cases Dealt with Rodrigues Regional Assembly

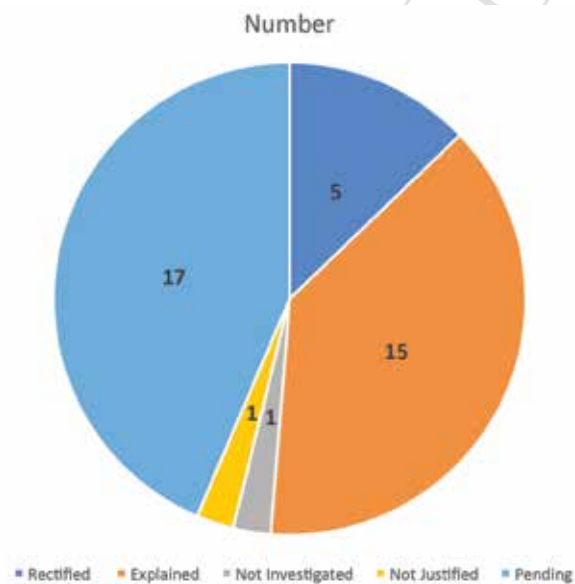


Figure 4 Cases Dealt with Rodrigues Regional Assembly

On the whole therefore our statistics for 2018 are as follows –

Cases pending as at 31 December 2017	155
Case intake	360
Cases dealt with	741 (including 360 new cases, 226 miscellaneous & copies of complaints and 155 cases pending as at 31.12.17)
Cases rectified	135
Cases explained	208
Cases discontinued	24
Cases not investigated	9
Cases not justified	7
Miscellaneous and copies of complaints	226
Cases pending as at 31 December 2018	132

Table 5 Statistics for 2018

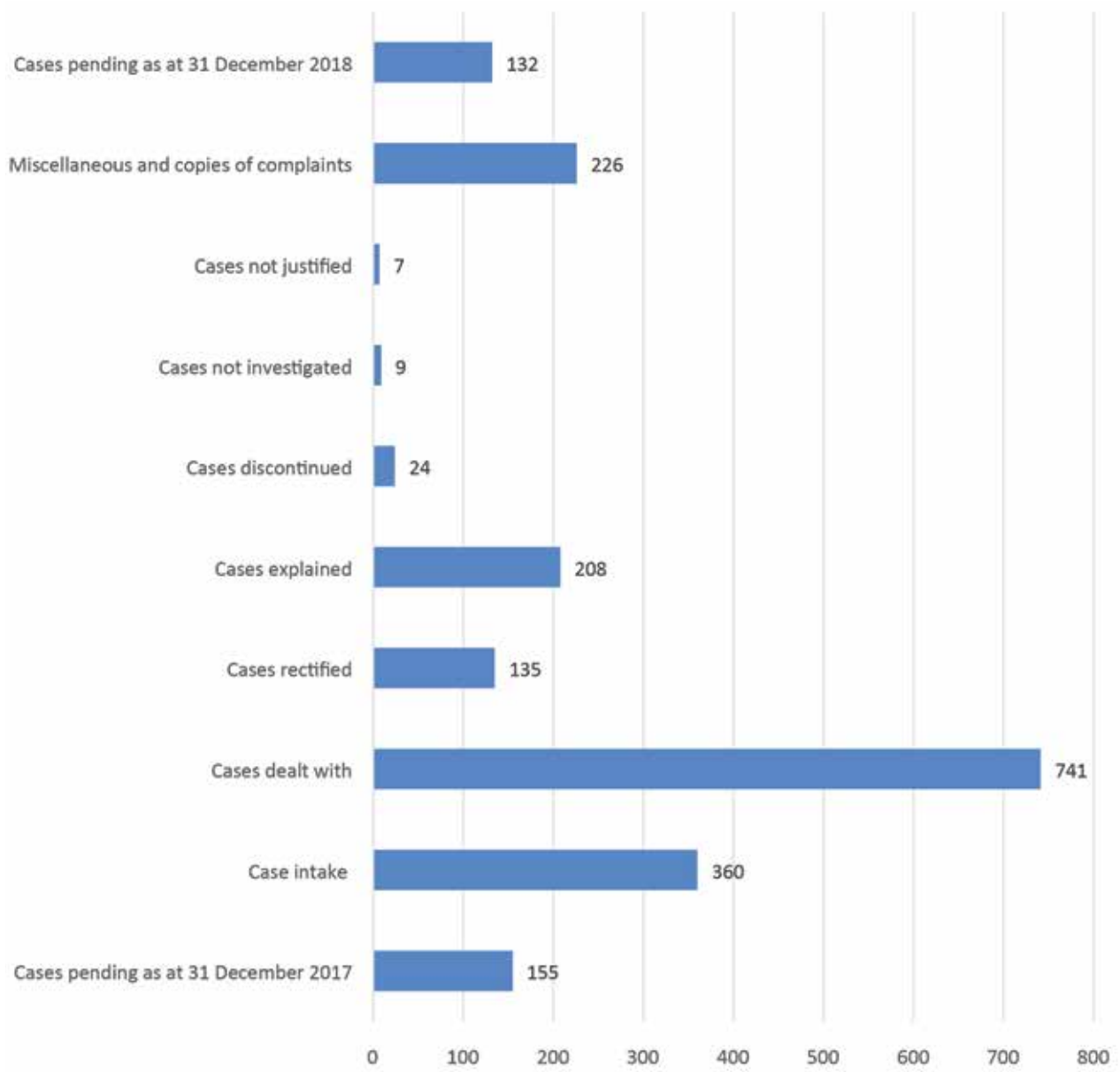


Figure 5 Statistics for 2018

5. OUR 3-YEAR STRATEGIC PLAN – 2018/19 TO 2020/21

2018 has been a year of reform for our Office whereby we have been successfully relocated to a new leased building after 48 years of service to the public and the new infrastructure provides adequate facilities to cater for safe and conducive environment for both our employees and customers. It is important to highlight that our new more spacious premises have enabled us to recruit six additional staff. In a bid to improve efficiency and effectiveness in service delivery, we have embarked on the Public Sector Business Transformation Strategy and we have developed and finalized our new Strategic Plan for the Period of 2018/19 to 2020/21 for which we are thankful to our staff who have been of tremendous help.

We identified five strategic aims which will focus to:



Figure 6 Strategic Aims

Our Strategic objectives, key performance indicators (KPI) and targets for next three years 2018/19 to 2020/21 are as follows:

KPIs	2018-2019	2019-2020	2020-2021
% of cases finalised within a period of 12 months.	70%	70%	75%
% of complaint letters addressed to the Ombudsman acknowledged within five working days.	90%	90%	90%
% of investigation monitored and followed up within 12 months.	100 %	100 %	100 %
% of complainants' satisfaction survey who provide an average of 'satisfied' or 'very satisfied' to our service	75%	75%	75%

Table 6 Key Performance Indicators (KPI)

In 2018 we dealt with 741 cases, 360 of which were against Ministries/Departments, Local Authorities & the Rodrigues Regional Assembly, 63 were miscellaneous i.e outside our jurisdiction, 155 were pending cases from previous years and the remainder were anonymous/copies of letters.

The Office investigated into 578 cases and 446 decisions (including 125 for pending cases as at 31 December 2017) were taken within 12 months. This represents 77% of cases finalized in 2018 and the remaining 23% are pending as at 31 December 2018.

Decisions Taken within the year 2018



Figure 7 Decisions Taken within the year 2018

DEMOGRAPHIC PROFILE OF COMPLAINANTS/VISITORS FOR THE YEAR 2018

Demographic Profile of Complainants for the Year 2018		
	Complainants	Visitors
Male	267	222
Female	120	73
Total	387	295

Table 7 Demographic Profile of Complainants/Visitors for the Year 2018

Demographic Profile of Complainants/Visitors for the year 2018

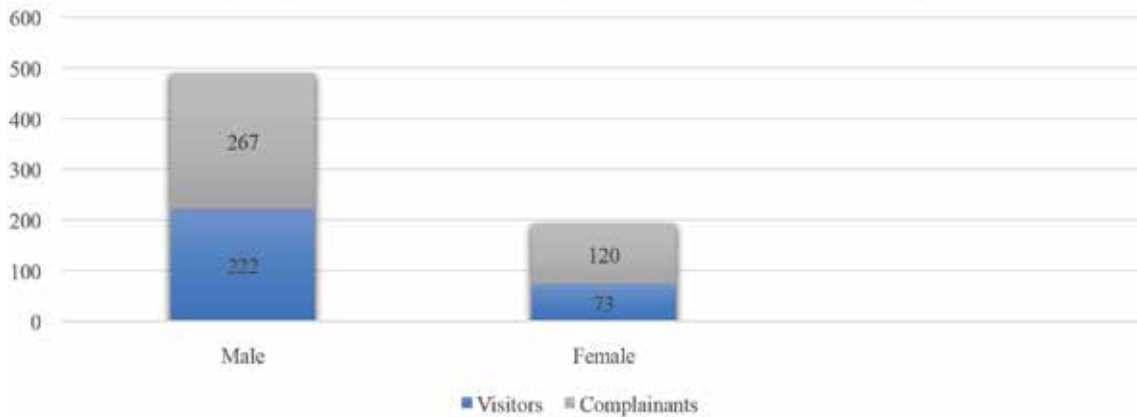


Figure 8 Demographic Profile of Complainants/Visitors for the Year 2018

ACKNOWLEDGEMENT OF COMPLAINTS RECEIVED FOR THE YEAR 2018

Acknowledgement of Complaints received for the Year 2018	
Acknowledgement	No of cases
Within 5 working days	285
Beyond 5 working days	76
Total	361

Table 8 Acknowledgement of Complaints received for the Year 2018

ACKNOWLEDGEMENT OF COMPLAINTS RECEIVED FOR THE YEAR 2018

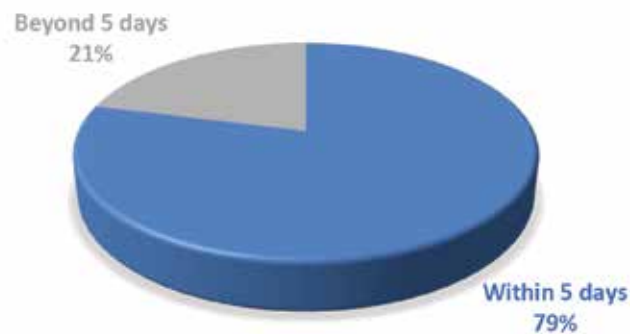


Figure 9 Acknowledgement of Complaints received for the Year 2018

As the full year performance data shows, we have made significant improvements this year. But we also know that we have more to do and we are ambitious in our desire to do so.

Throughout the year 2018 we have been working to transform our service through a series of undertakings such as the restructure of our organization, introduction of Complaint and Customer Feedback Forms, review of our Service Charter, re-design our working process and set up of an Electronic Complaint Record System.

In the coming year we will make better use of technology for our external activity and for our customers, including redesigning our website and promoting the use of our new online Complaints and Customer Feedback forms.

6. GENERAL REMARKS

One often hears of the expression “the voice of the voiceless” which is understood to mean that someone, acting on behalf of others, expresses his or her indignation about a situation whereby some prejudice, injustice or unfair treatment is being caused to another person or group of persons who do not themselves wish to complain to the authorities concerned, sometimes for obvious reasons. We would therefore encourage such people to lodge their complaint at our Office and not to adopt a “laissez aller” attitude.

Indeed as far as our Office is concerned every citizen has a voice and that voice should be heard and acted upon as far as possible. Indeed as an Ombudsman institution we have a unique role to play in cases whenever we form the opinion that a particular situation ought to be looked into and acted upon. We consider it to be a case of maladministration whenever any public body or authority fails to act in accordance with the legitimate expectations of the public in general.

I hasten to add that whenever we intervene in such matters we act in a neutral manner and indeed in a spirit of help to the so-called “voiceless”. I wish to add that we have always met with a positive attitude and a willingness to take corrective action from the concerned authorities in order to help resolving cases which indeed require their intervention. It would otherwise be unacceptable that any injustice be allowed to go without any remedy. We therefore encourage all public bodies/authorities to display even stronger understanding, integrity and independence to help our institution to bring about relief to the so-called “voiceless”. They must show that they are the bedrock of our society and, without fear or favour, show their loyalty to the people we all serve.

Although the Ombudsman does not have a magic wand to put everything right our Office will continue to be an independent and impartial advocate for administrative fairness and, to that end, we rely on Government’s continued support and commitment for fulfilling our mission.

7. OWN MOTION CASES

During the year under review our Office opened 59 cases on our own initiative. These cases concerned mostly the environment and the well-being of inhabitants whilst a couple of them had to do with public safety. Overall it can be said that it is the public interest which is our prime consideration.

Usually we carry out investigations as a result of complaints received at our Office whereby maladministration is averred resulting in prejudice or injustice to the persons who actually complain, whereas an own-motion investigation enables our Office to investigate into a particular case/situation in the absence of any specific complaint.

The power to conduct an own-motion investigation results from section 97(1)(c) of our Constitution which reads as follows –

(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)
- (b)
- (c) he considers it desirable to do so of his own motion.

And Section 97 (10) specifies that “action” includes a failure to act.

Such a power enables the Ombudsman to be more proactive in identifying faults and seek to have them remedied and thus preventing possible complaints. It also helps to shed light on issues affecting people who are unable or less likely to complain.

The most common source for an own-motion investigation is the written press. Indeed the great majority of our own-motion cases start when our attention is drawn by certain articles which show that the public good or a specific interest is adversely affected.

I however hasten to say that we also receive a few anonymous complaints wherefrom it is clear that the complainants do not wish to identify themselves for fear of reprisals or of being held to account.

Finally, let me say that an own-motion investigation is always in the public interest and certainly not that of the government or other public authorities. It is also a test of a country's democratic stance.

Hereunder are a few examples of own-motion cases which we opened during the year under review in a tabular form. It shows the nature of the problem dealt with, the authority that was called upon to address the problem and finally the action taken in each case.

CASE NO.	NATURE OF PROBLEM	AUTHORITY SIEZED	ACTION TAKEN
C/17/2018	Lawn of School frequented by some 200 pupils in deplorable state.	Ministry of Education and Human Resources, Tertiary Education and Scientific Research	(i) Existing outdoor equipment removed. (ii) New outdoor equipment purchased and fixed at school on the porch in front of the Pre-Primary Unit. (iii) Synthetic grass fixed on the porch. (iv) Works at the Pre-Primary Unit completed. (v) Building repaired.
C/27/2018	Public beach littered with various kinds of rubbish.	Ministry of Social Security, National Solidarity and Environment & Sustainable Development	Beach cleaned by maintenance team of Pointe aux Sables Fisheries Post and maintenance carried out on a regular basis.
C/107/2018	Inclined electrical pole represents a danger to passers-by.	Ministry of Energy and Public Utilities	Pole replaced by the Central Electricity Board.

C/137/2018	Breakdown of pump causes great inconvenience due to fetid smell.	Ministry of Energy and Public Utilities	Necessary repairs done and accumulated wastewater pumped away.
LA/C/2/2018	Public beach littered with all types of wastes.	Municipal Council of Port Louis	Wastes carted away by scavenging contractor – relevant photos submitted.
LA/C/3/2018	Huge banyan tree next to house represents a danger to life and property.	Municipal Council of Port Louis	Lopping of branches carried out.
LA/C/4/2018	Bus Stop in deplorable state.	District Council of Flacq	Missing iron sheets reinstated and shelter repaired by the Road Development Authority.
LA/C/11/2018	Old car abandoned by roadside since a year. No action taken.	District Council of Grand Port	Wrecked vehicle removed.
LA/C/17/2018	Accumulation of wastes near houses giving rise to odour nuisance.	District Council of Grand Port	Wastes removed over a period of three days.
LA/C/30/2018	Road in a deplorable state – almost unusable.	District Council of Savanne	Asphalting works carried out and fresh road markings done.
LA/C/40/2018	Loads of waste materials on sea-front.	District Council of Flacq	Site cleared by Council in two days.

LA/C/44/2018	Illegal dumping near factories – an eyesore.	District Council of Black River	All waste removed by company responsible for same and latter given appropriate warning.
LA/C/46/2018	Illegal dumping in “morcellement”.	District Council of Pamplemousses	Illegal dumping carted away and appropriate bin to be fixed thereat.
LA/C/55/2018	Large cave full of rubbish.	District Council of Rivière du Rempart	Rubbish removed and handrail fixed to prevent access to private lorries.
LA/C/59/2018	Road full of potholes. Serious problems caused.	District Council of Pamplemousses	Patching works carried out.
LA/C/61/2018	Various unused materials dumped by roadside.	District Council of Flacq	All dumped materials carted away in one day entailing payment of overtime.
LA/C/62/2018	All types of waste materials dumped by roadside.	District Council of Savanne	All wastes collected and carted away on two days. Inhabitants of locality sensitized.
LA/C/66/2018	Abandoned bus by roadside since ages – an eyesore.	District Council of Grand Port	Wrecked vehicle removed and site cleaned.
LA/C/67/2018	Illegal dumping of waste materials opposite block of apartments.	Municipal Council of Port Louis	Refrigerators collected and removed by private contractor. Regular patrol carried out by Police deL’Environnement.
LA/C/74/2018	Overgrown vegetation and litter on public beach.	District Council of Black River	Cleaning of site organised by Council in collaboration with Beach Authority and other stakeholders.

LA/C/79/2018	Solid waste dumped on abandoned land causes environmental problems.	District Council of Rivière du Rempart	Sixty plastic bags of waste collected and carted away.
LA/C/81/2018	Illegal dumping at entrance of village.	District Council of Grand Port	Three trips required to clean up the place on two days.
LA/C/90/2018	Waste materials dumped at street corner.	District Council of Flacq	Action taken by Council to clean up the place.

OFFICE OF THE OMBUDSMAN

8. RODRIGUES REGIONAL ASSEMBLY

During the year under review we effected a visit to Rodrigues from 8 to 11 August.

The public in general was made aware of our visit by means of a communiqué dated 23 July 2018 and in which they were informed of the purpose of our visit and of the meeting place which was the Conference Room of the Electoral Commissioner's Office in Port Mathurin.

Well before our delegation left Mauritius, letters of convocation were issued to complainants who were requested to call on us in order to be informed of progress or decision taken in their respective cases.

We also convened the Island Chief Executive and two Departmental Heads in order to be briefed on ongoing cases. We were satisfied with the replies received from the said Officers.

Altogether the number of persons, including new complainants, who called on us during our mission was 50. On the spot we opened 10 new cases whereas 11 persons stated that they would write to our Office after having been explained of our powers of investigation and the limits of our jurisdiction.

By the end of the year a total of 26 new complaints were received.

WORKING SESSION IN RODRIGUES

Site visit carried out at Citron Donis Rodrigues in connection with request for alternative access road by land-locked family.



Working session with officer from the Rodrigues Regional Assembly



Working session with complainant on progress of investigation.



9. VISITORS FROM ABROAD

On 20 July 2018, we received the visit of a five-member delegation from the Complaint Reception Office, Shanghai Municipal Government, the People's Republic of China, headed by Mr. WANG Jian Hua, Director of the Complaint Reception Office. The delegation consisted of the following members:

- (a) Mr. ZHANG Fan, Director, Shanghai Municipal Commission of Health and Family Planning (Division of letters and calls),
- (b) Mr. LV XUE Cheng, Director, Complaint Reception Office of Shanghai Pudong New Area Government,
- (c) Mr. KE QI, Director, Complaint Reception Office of Shanghai Jingan District Municipal Government,
- (d) Mr. WENYAO Yang, Division Chief, General Office of the CPC Shanghai Municipal Committee and
- (e) Mr. FANG Min, Division Chief, Complaint Reception Office of Shanghai Municipal Government.

The visit lasted for about half a day and topics of common interest were discussed, such as best practices, human rights in daily work and ombudsman's roles, functions, jurisdiction, limitation and procedures as provided in their respective laws.

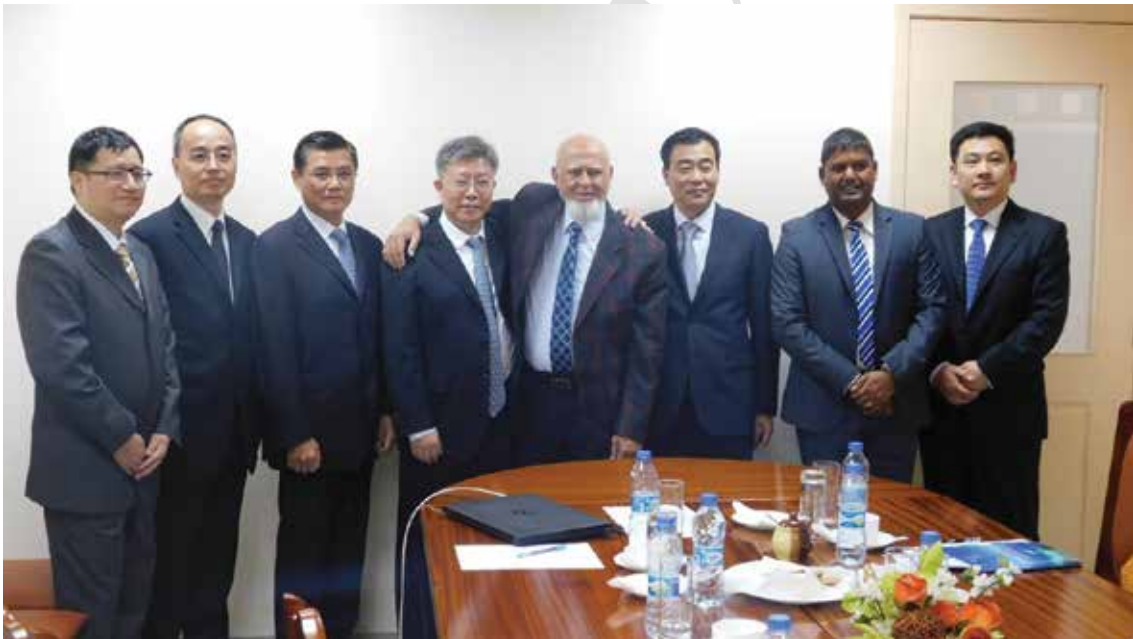


Address by Mr. S.M. Hatteea, Ombudsman

**Mr S.M. HATTEEA, Ombudsman & Mr. WANG Jian Hua, Head of the delegation
and Director of Complaint Reception Office**



Group Photo with the Delegation



10. ACKNOWLEDGEMENTS

Once again many thanks to the entire staff of our Office for their usual dedicated support throughout the year and who have left no stone unturned in the preparation and finalization of this Annual Report.

We are also thankful to those persons who have shown their confidence and trust in our Office by addressing their complaints to us. We can assure one and all that we endeavour in every possible way to live up to their expectations and indeed do our best to find solutions to their problems at no cost.

It is also worth mentioning that during the year under review our Office received the visits of 295 persons (222 male and 73 female) who called on us to inquire about our powers of investigation and the extent to which we can intervene in tackling their problems with the public administration in general. They were, as is usually the case, received in a very courteous manner by our Officers and it is fair to say that they left satisfied with the explanation/information provided to them.

Certain overseas colleagues keep on sending us copies of their own Annual Reports. We are indeed thankful to them as well. These Reports lead us to conclude that we all work for the same cause although our respective jurisdictions may not be altogether identical.

Finally, a word about the International Ombudsman Institute (I.O.I.) established in 1978 and of which Mauritius is a long-standing member. It is an Organisation which regroups Ombudsman Offices from all over the world and whose mission may be briefly described as a “mission for justice”. It also provides training courses on complaint-handling for officers from Ombudsman Offices and whenever a situation arises whereby an Ombudsman in any particular country faces a threat in the conduct of his or her mission it acts in support of that Ombudsman. The I.O.I. also organises a World Conference once every four years in different parts of the globe. It brings together Ombudsman from member countries who debate on human rights issues, exchange information and share best practices from which we all learn according to each other’s experience. We are indeed thankful to the I.O.I. for regularly providing our Office, through its Newsletter, information about the activities of Ombudsman Offices from around the world.

In conclusion it would be fair to say that our aim is to contribute to a better life for our citizens and due respect for the rule of law.



Group Photo of Staff

OMB

11. 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.

21th June, 2019



(S.M. HATTEEA)

Ombudsman

APPENDIX A

CHAPTER IX OF THE CONSTITUTION - THE OMBUDSMAN

96. Office of Ombudsman

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

97. Investigations by Ombudsman

- (1) Subject to this section, the Ombudsman may investigate any action taken by any officer or authority to which this section applies in the exercise of administrative functions of that officer or authority, in any case in which a member of the public claims, or appears to the Ombudsman, to have sustained injustice in consequence of maladministration in connection with the action so taken and in which –
 - (a) a complaint under this section is made;
 - (b) he is invited to do so by any Minister or other member of the Assembly; or
 - (c) he considers it desirable to do so of his own motion.

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

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

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

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

- (iv) the Director of Public Prosecutions or any person acting in accordance with his instructions;
 - (v) any person exercising powers delegated to him by the Public Service Commission or the Disciplined Forces Service Commission, being powers the exercise of which is subject to review or confirmation by the Commission by which they were delegated.
- (3) A complaint under this section may be made by an individual, or by anybody 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 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.

APPENDIX B

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.

APPENDIX C

**SELECTED COMPLAINTS
MINISTRIES/DEPARTMENTS**

**EDUCATION AND HUMAN RESOURCES, TERTIARY
EDUCATION AND SCIENTIFIC RESEARCH**

C/14/2018

**Application for vacation leave to proceed abroad approved after
nearly two months**

By email dated 22 January 2018 one Mrs. K.D.D., a Rector working in one of our State Secondary Schools wrote to say that she needed to proceed abroad for the registration of her daughter at a University to enable the latter to pursue her tertiary studies as from the month of January itself, but her application for vacation leave dated 28 November 2017 had not yet been approved in spite of her various phone calls to the officers concerned of her Ministry.

Moreover, she averred that her application had been made during the requested time frame and she had already purchased tickets for her and her family and were all due to travel on 27 January 2018.

She also added that it was not the first time she was being deprived of her dues and therefore made an appeal for the needful to be done in her favour.

The matter was immediately taken up with the Senior Chief Executive of the Ministry and indeed we were informed that the lady's application had by then been approved and she had been granted 18 days vacation leave to be spent abroad from 29 January to 15 February 2018 as well as permission to leave the country from 27 January to 18 February 2018. She was also refunded 90% of her passage benefits which she had applied for as per appropriate Treasury Circular.

C/87/2018

Examination Fees refunded by the Mauritius Examinations Syndicate

R.N.'s complaint was to the effect that he had not received any reply from the Director, Mauritius Examination Syndicate (M.E.S), to his claim for the refund of his daughter's examination fees for the amount of Rs.9825.71 on the ground that his said daughter could not take part in the examination on medical ground.

A perusal of R.N.'s letter addressed to the said Director shows that R.N had indeed inquire on three occasions from the Finance section of the M.E.S about his claim for refund but had received no positive reply.

We took up the matter with the Director, M.E.S, personally and, within five days, he informed our Office that the refund had already been effected.

Although we asked R.N to confirm having received the refund he did not reply. It is assumed that he was indeed refunded.

C/110/2018

Director's application for 30 days vacation leave approved

On 04 June 2018 one Mrs. R. J. K., a Director (primary) at the Ministry lodged a complaint at our Office to the effect that her application for 36 days leave made up of 10 days casual leave from 20 to 31 August 2018 followed by 26 days vacation leave from 03 September 2018 to 28 September 2018 “for attending to legal matters and for check up abroad” had not been approved but she was officially informed that she had been granted an aggregate of 19 days only as vacation leave.

She had a meeting with the Senior Chief Executive (S.C.E) of the Ministry and was informed that all Directors are being granted only 19 days vacation leave during the current year.

She however pointed out to our Office that another Director had recently been granted 32 days vacation leave and further informed us that she wrote to the Senior Chief Executive to reconsider an aggregate period of “at least 30 days” but received no reply, nor even an acknowledgement to her letter.

She therefore prayed for our intervention in the matter averring that 19 days would not be sufficient for her to attend to her legal obligations as well as to undergo medical check up and treatment.

After taking up the case of Mrs. R. J. K. with the Senior Chief Executive of the Ministry the latter informed our Office that the lady's request for 30 days vacation leave had been favourably entertained.

We also received another letter from Mrs. R. J. K. to confirm the approval and to express her thanks to “you and your team for your prompt intervention in the matter”.

C/134/2018

Retirement benefits finally paid to complainant

The complainant, a retired public officer, averred in his complaint dated 18 July 2018 that he had still not received his retirement benefits since he retired some three months ago, whereas two of his colleagues who retired a few days later had already obtained their retirement benefits.

Each and every time he called at the Ministry to inquire about the processing of his file he received “flimsy” answers.

He even averred that he suspected being the victim of a vindictive measure by the officials of the finance division but all the same he felt mentally tortured and financially penalized. He even went on to say that one pertinent question was harping in his mind as to whether, in case of his demise, the beneficiary would receive the sum due to him in toto, or only 60% thereof.

In his reply to our query, the Senior Chief Executive of the Ministry attempted to explain the delay in payment with which the complainant did not agree, but all the same the Senior Chief Executive informed our Office that, after adjustment of salary and long service increment, an amount of Rs66190/- had been refunded to the complainant and that other relevant documents had been forwarded to the Accountant General’s Department since 12 July 2018 for necessary action at their end.

Upon being so informed the complainant wrote back to thank our Office and added that “without your prompt intervention my case would probably be still pending”, but not without expressing his dissatisfaction with the arguments of the Ministry to justify the delay.

All is well that ends well.

ELECTORAL COMMISSIONER'S OFFICE

C/83/2018

Complainant refunded sum deducted from his salary

C.N was appointed Senior Presiding Officer for the by-election in Constituency No.18 (Belle Rose and Quatres Bornes) in December 2017. He was paid a fee of Rs 18140/- for his services along with a travelling allowance of Rs 4415/- in January 2018.

However, in May 2018, he received a letter from the Assistant Manager Financial Operations of the Office of the Electoral Commission, wherein he was informed that there had been an “overpayment” of the sum of Rs 4415/- in his salary for the month of January 2018 and that the said sum would be deducted from his May 2018 salary.

C.N therefore lodged a complaint before our Office and, after we had asked for an explanation as regards the alleged “overpayment” from the Electoral Commissioner personally, we were informed by him that the matter had been resolved to C.N'S satisfaction, which the latter confirmed and added that the amount in question had been credited to his bank account.

ENERGY AND PUBLIC UTILITIES

C/114/2018

Complaint regarding burst pipe attended to

By letter dated 18 June 2018 one Mr. G.M. informed our Office that he phoned at the Office of the Central Water Authority on three occasions to report his damaged pipe and he was finally told that they would carry out the necessary repairs. Unfortunately, as no action was taken, he wrote two letters, one addressed to the Ministry and the other to the General Manager, Central Water Authority, seeking their intervention.

As he obtained no reply he resorted to our Office, saying that there has been a sheer waste of water during all these days and he prayed for our intervention to speed up the matter and even filed a copy of his letter addressed to the above mentioned authorities.

We immediately queried the General Manager as to why no action had been taken so far and requested that the complaint be attended to promptly.

One month later the General Manager replied that the complaint had been attended to one week after we had written to him.

The complainant was requested by our Office to inform us whether he was satisfied with action taken but he made no reply.

C/142/2018

Complainant's electricity supply disconnected after she had complained to the Ombudsman's Office

Mrs. B.E claimed, in an email addressed to our Office, that in spite of a request made to the Central Electricity Board (C.E.B) some ten days before to discontinue the electricity supply to the previous apartment which she had now left, nothing was done.

Our Office immediately seized the General Manager of the C.E.B. of that complaint and within a week we were informed that Mrs. B.E's request dated 17 July 2018 was attended to on 31 July 2018 and her Contract Account was closed on the same day.

Although the General Manager averred that the C.E.B. never refused to disconnect Mrs. B.E's supply yet it was found that it did so only after we had seized him of the complaint.

C/150/2018

Wastewater problem solved

One Z.F. complained about a serious problem of wastewater near his residence which has been going on for more than a year notwithstanding several representations made to the Office of the Wastewater Management Authority, both in person and by telephone. According to him that problem gives rise to severe odour nuisances which was untenable.

It would appear that the said Authority had, in the past, attended to the problem but the action taken did not last long – less than a day!

Furthermore, according to Z.F., an officer of the Authority had told him that an underground pipe had to be changed but they never turned up to do the work.

However, two days after lodging his complaint, a team from the Authority came to attend to the problem but were unsuccessful – i.e. the drain remained blocked.

The matter was taken up with the General Manager of the Authority who wrote back to our Office a few weeks later to inform us that the Authority has attended to the problem and cleared the wastewater nuisance.

Indeed we queried Z.F. to know whether he was satisfied with action taken but he chose not to make any reply. Our Office therefore considered the problem as solved.

FINANCE AND ECONOMIC DEVELOPMENT

C/29/2018

High ranking officers paid reduced allowance following the Ombudsman's intervention

Five high-ranking officers from different Ministries forming part of an official delegation proceeded to Hyderabad and Delhi in connection with the implementation of the Early Digital Learning Programme (EDLP) Project for the procurement of tablets for Grade 1 and II students in order to inspect the tablets, rack chargers, speakers and projectors before delivery. Altogether they spent seven nights in India.

Cost of air tickets was funded by the Mauritian Government whilst accommodation as well as inland transport and air tickets for domestic flights were provided by the Indian side.

The delegates were informed beforehand that they would not be allocated any per diem and that all incidental expenses incurred during their mission in India would have to be funded by them. Unfortunately they had no time to submit any claim in that respect as approval for the mission was obtained only on the eve of their departure.

It so happened that they indeed had to incur several other unexpected expenses which we need not expatiate upon from their personal funds.

They subsequently submitted an official claim to the MOFED for the 25% per diem allowance which they claimed they were entitled to for incidental expenses during their official mission. Unfortunately their claim was rejected on the ground of financial constraint.

When they lodged a complaint before our Office they quoted paragraphs 15, 18 and 19 of Circular Letter No. 10 of 2017 pertaining to payment as per diem to Officials proceeding on Official Mission Abroad, more particularly paragraph 19 (iv).

After considering the matter we took it up with the Financial Secretary and he replied that, in the light of new information provided, his Ministry had reconsidered the matter and had agreed to accede to the complainants' request for a reduced allowance equivalent to 25% of per diem, subject to confirmation by Ministry of Education and Human Resources & Tertiary Education & Scientific Research.

The five complainants wrote back to our Office through their representative, who happened to be no less than a Permanent Secretary, to express their entire satisfaction for our prompt intervention in resolving the matter and claimed that justice had been done.

HEALTH AND QUALITY OF LIFE

C/58/2018

Appropriate ad-hoc allowance paid to complainant

This complaint is about non-payment of ad-hoc allowance to Officers of the Pharmacy Technician Cadre of Rodrigues.

Indeed in a letter dated 08 April 2018 one Mr. J.H.G., a Principal Pharmacy Technician from Rodrigues, submitted a complaint to our Office to the effect that such an allowance concerns payment to Pharmacy Staff for one hour work performed every morning from 8 a.m to 9 a.m during week days and from 8 a.m to noon on Sundays and public holidays. It is averred that the rate at which the staff in Rodrigues is paid is inferior to what is being paid to their counterparts in Mauritius for exactly the same duties in much better conditions.

Mr. J.H.G. therefore solicited our intervention for an adjustment to such payment which he averred he and others have been begging for.

It would appear that the matter had been discussed with the Health Director who had made a recommendation in their favour but unfortunately the situation had not changed up to the time of writing the complaint letter.

The matter was initially taken up with the Ministry of Health and Quality of Life whereupon we were informed that the Recommendations of the PRB Report 2016 in respect of the Pharmacy Cadre were applicable to Officers of Rodrigues and it was for the authorities in Rodrigues to align such payment.

We therefore requested the Island Chief Executive of the Chief Commissioner's Office to let us know why the necessary adjustment had not been made and he replied that the matter had been referred to the Ministry of Civil Service & Administrative Reforms which finally conveyed its approval on 16 April 2018 for a revised ad-hoc allowance to Officers of the Pharmacy Technician Cadre for special task.

Subsequently, on 30 April 2018 approval was conveyed to the Departmental Head of the Commission for Health and Others for such payment.

Indeed during a working trip we effected in Rodrigues some time later, the complainant appeared before us and informed us that all sums due to him had been paid and the problem was finally solved.

C/163/2018

Complainant's request for transfer from one hospital to another implemented following the Ombudsman's intervention

This is the case of Mr. A.K., a Higher Health Records Clerk at the Ministry of Health and Quality of Life who was transferred from SSR National Hospital (SSRNH) to Dr.A.G. Jeetoo Hospital as from 08 May 2017.

He averred that owing to several health and social problems he faced a lot of difficulty to work at the new hospital. He therefore applied for an urgent transfer either to the hospital where he was working before or to Flacq Hospital, which are much closer to his place of residence.

On account of his frequent absences due to his above-mentioned problems he was passed before a Medical Board on 08 June 2018 and the said Board recommended his transfer back to SSRNH on medical grounds. However, more than two months later no action was taken.

Mr.A.K. therefore addressed a complaint dated 22 August 2018 to our Office and requested our intervention in his favour.

We immediately took up the matter with the Senior Chief Executive of the Ministry and less than a week later we were informed that Mr. A.K had been posted at Flacq Hospital and that he had assumed duty there on 03 September 2018.

We did not hear from Mr. A.K. again.

HOUSING AND LANDS

C/36/2018

Needful done by Ministry regarding title deed submitted by complainant

In a complaint letter dated 20 February 2018 Mr. G.C averred that ever since 26 September 2017 he had forwarded, through his Notary public, a title deed in his late father's name to the Ministry for purposes of processing but had not, as yet, received any reply from the Ministry notwithstanding several visits at their office and various phone calls to the officers concerned.

The Ministry's explanation to our Office was that the said title deed of the complainant's father had been rectified by the said Notary and resubmitted to the Ministry for signature. Same was done and thereafter the title deed was forwarded to the said Notary for registration purposes.

On 10 April 2018 Mr. G.C was accordingly informed and he was requested to contact his Notary and to revert to our Office in the event there was any further problem. We did not hear from him again.

The matter stands as rectified.

LABOUR, INDUSTRIAL RELATIONS, EMPLOYMENT AND TRAINING

C/174/2018

Lady Officer transferred to another building on account of allergy problems

This is the case of a lady, a Temporary Office Management Assistant, who averred in her complaint letter dated 06 September 2018 that ever since her posting in a particular building which was occupied by her Ministry she has been suffering from allergic reactions at her place of work. Indeed two days after her above posting she formally informed her Responsible Officer about her health problems and asked for an internal change in posting but same was categorically refused.

Subsequently she had to attend treatment at the hospital a couple of times during working hours and she was finally informed that she had to submit a medical certificate for action to be initiated.

In the meantime she had to be admitted in hospital and she was discharged four days later. She also took additional sick leaves for treatment and rest. Eventually she reported the matter at the Ministry of Civil Service & Administrative Reforms and she was advised to apply for a change in posting to another Ministry, which she did on 20 August 2018 but same was not considered.

Again she had to attend hospital for treatment but in the end she considered that she was victim of discrimination and felt being penalized. She therefore pleaded to our Office to be relieved of the harassment she has been through.

We questioned the Permanent Secretary of her Ministry about this case and he claimed that the Ministry had all the time been very considerate towards the lady and that she had for the time being been temporarily posted to the Head Office of the Ministry pending a change in posting which inevitably required a minor reshuffle affecting other Officers. All the same the lady was, as from 17 September 2018, posted to another Division of the Ministry to her satisfaction.

Indeed the lady wrote back to our Office claiming that since her change in posting she was no longer suffering from any allergy and that her health condition had improved. She concluded by saying "I am thankful for the assistance and support received in this matter."

POLICE

C/4/2018

Needful done to abate noise nuisance caused by alarm system

R.N.'s complaint dated 27 December 2017 was to the effect that on 23 December 2017 the alarm system of his neighbour triggered off and went on and on. He spent a sleepless night due to the noise and on the next day, at 0615 hrs, he phoned the Police of the locality but was informed that they could not do anything for him inasmuch as the neighbour was absent from the country. He therefore contacted the "Police de L'Environnement" and was told that he should contact the Police of his locality which he again did but to no avail. He therefore contacted the District Council and he was again told to contact the Police of his locality.

As he was desperate on account of the continuous noise which he could not bear any more he decided to email his complaint to our Office.

We immediately took up the matter with the Commissioner of Police who, after inquiry, reported that the Supervisor of the Company which installed the alarm system was contacted and the latter stated that the alarm system was triggered due to a transmission problem.

Finally the neighbour himself phoned the Company and the needful to abate the nuisance was done.

R.N was contacted by the Police for his views and he stated that the needful had been done and moved for no further action.

C/53/2018

Copies of documents in relation to a road accident submitted by the Police after the Ombudsman's intervention

Attorney-at-Law, M.S, informed our Office on 28 March 2018 that she had written two letters dated 15 November 2017 and 22 January 2018 to the Divisional Commander, Metropolitan Division of Port Louis North, asking for copies of certain documents in relation to a road traffic accident which occurred on 31 December 2010 between her client who was riding an autocytle and a private car. The client was injured as a result of the accident. As at the time of writing, the Attorney-at-Law had received no reply.

Almost two months after we had taken up the matter with the Commissioner of Police we were informed by his representative that the said client had collected the documents, **which happened to be incorrect information** and for which the said representative had to tender his apology, claiming that it was due to a misunderstanding.

Finally, we were informed by the Attorney-at-Law that his client had subsequently collected the documents he had requested but that there was one document missing which, however, would be sorted out by his client personally.

C/156/2018

Certificate of character finally delivered to the complainant

On 10 August 2018 B.S informed our Office that he had made an application at the Curepipe Police Divisional Headquarters on 02 March 2018 for a certificate of character as same was required by his employer.

He averred in his complaint that every time he inquired at the above Headquarters he was told that it was still being processed.

On 25 July 2018 he made a complaint through the Citizen Support Portal but he received no positive response.

B.S therefore decided to lodge his complaint against the Police before our Office as he badly needed that certificate to produce to his employer.

According to the Commissioner of Police the said B.S was “borne on record” and, after inquiry, a report had been submitted to the Office of the Director of Public Prosecutions (D.P.P) on 17 May 2018, and the matter was still at the DPP’S office for processing.

On 07 September 2018 we queried the Director of Public Prosecutions about the matter and we were informed that the Certificate had already been delivered to the complainant on 05 September 2018.

PRIME MINISTER'S OFFICE

C/59/2018

TV Licence fee refunded following Ombudsman's intervention

S.B. wrote to our Office on 12 April 2018 to inform us that he had sent several letters to the Mauritius Broadcasting Corporation (MBC) in which he asked that his TV licence fee be removed from his electricity bill from the Central Electricity Board as he possessed no TV set but to no avail. This situation had been going on for more than two years and he therefore decided to seek our intervention in the matter.

We took up the matter with the Director, Government Information Service of the Prime Minister's Office soon after receiving S.B.'s complaint letter and a few days later the Director submitted a copy of a letter from the MBC in which we were informed that necessary action had been taken for exemption of payment of the TV licence fee as from the C.E.B. bill of June 2018 and further that a verification team would contact S.B. for a site visit to ensure that he was not in possession of a TV set.

However this was not an end of the matter as far as our Office was concerned inasmuch as S.B. had been charged the said licence fee for the past two years without being in possession of a TV set. We therefore requested that the MBC refund him what was unduly paid.

After verification it was found that no TV licence fee had been claimed for the year 2016 whereas S.B. had been charged the said fee as from January 2017. A refund of Rs 2250/- was therefore effected via bank transfer in favour of S.B.

We requested S.B. to inform our Office to confirm having received the refund but he did not reply.

PUBLIC INFRASTRUCTURE AND LAND TRANSPORT

C/183/2018

Extension of delay to replace taxi granted to complainant, a taxi-driver

A.L, holder of a taxi licence had applied to the National Transport Authority (NTA) for a delay to renew his Motor Vehicle Licence in respect of his taxi car bearing number 746 JN 12 and on 23 April 2018 he was granted same up to 30 September 2018.

However, on 08 August 2018, he prayed for an extension of the delay in order to allow him to purchase another car and run it as a taxi as he had a family under his responsibility. Unfortunately, as per his letter dated 24 September 2018 addressed to our Office, the NTA did not accede to his request and he therefore decided to seek our intervention in the matter.

We took up the matter with the Road Transport Commissioner and we were immediately informed by him that a further extension of three months had been granted to him to replace his taxi car. Indeed in a letter addressed to A.L. he was so informed but he was warned that in case he failed to do so within the extended delay his taxi licence would be considered as cancelled.

Asked whether he was satisfied we did not hear from A.L. again.

**SOCIAL SECURITY, NATIONAL SOLIDARITY, AND
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
(SOCIAL SECURITY DIVISION)**

C/112/2018

Basic Retirement Pension restored

One M.K.P wrote to our Office on 17 June 2018 on behalf of his brother M.S.P who was attending hospital for cancer treatment.

It so happened that M.S.P had proceeded to England on 29 December 2016 to visit his children and grandchildren and returned to Mauritius on 13 June 2017. His pension was thus discontinued as from August 2017. He lodged an appeal on 25 January 2018 but was still awaiting the outcome.

The matter was taken up with the Ministry without any further delay but, even before we received any reply from the Ministry, M.K.P wrote back to our Office to inform us that the matter had been resolved in his brother's favour.

C/159/2018

Complainant's allowance for having worked at refugee centre paid after he had protested

The complainant in this case submitted to our Office a copy of his letter dated 14 August 2018 which he had addressed to the Permanent Secretary, Ministry of Social Security, National Solidarity and Environment and Sustainable Development. In that letter he complained about non-payment of allowance for having worked as Supervisor at Grand Bel Air refugee centre during Cyclone Berguitta, whereas those who had worked in other refugee centres had been paid since July 2018.

Although he contacted the Social Security Office responsible for the refugee centre where he had worked he received no useful information. He therefore applied to our Office for assistance.

Within a week of our taking up the matter with the Permanent Secretary, we received his reply which was to the effect that the complainant's claim for payment of fees and meal allowance had been processed and a cheque issued in his name forwarded to his place of residence.

MUNICIPAL COUNCIL OF BEAU BASSIN – ROSE HILL

LA/C/7/2018

Legal action finally taken by Council

Our Office received a copy of a letter dated 29 January 2018 addressed to the Chief Executive of the Municipal Council of Beau Bassin – Rose Hill by one M.I.A.A., to the effect that, notwithstanding numerous complaints made to the Council regarding accumulation of water in his yard caused by the extension of the roof of his neighbour which had been illegally constructed, no action had been taken by the Council.

We decided to investigate into the matter and called for an explanation from the Chief Executive as to why no action had been taken with regard to the complaint.

The Chief Executive explained that following representations from the complainant received at the Council in April 2017 the Municipal Inspectorate did carry out two site visits in the month of May 2017 but, as the premises of the neighbour was not accessible, no action could be initiated.

However, further to the last letter received from the complainant another site visit was effected on 08 February 2018 by the Municipal Inspectorate and it was found that the neighbour had caused the construction of a C.I.S. structure at ground floor without having obtained a Building and Land Use Permit and without observing the statutory setback from the common boundary line.

Consequently a Notice was served on the neighbour on the same day, i.e on 08 February 2018, requesting him to show cause as to why legal action should not be initiated against him and he was given a delay of two weeks to comply with the Notice, failing which a Notice of Intended Prosecution (N.I.P.) would be served upon him and legal action taken.

We continued to follow up the matter after the expiry of the delay and were finally informed that the neighbour had been prosecuted before the District Court and the complainant had been informed of the matter.

As the case was in the hands of the Court we informed the complainant that our Office would not be able to intervene further in the matter.

At least action had been taken by the Council and it was for the Court to decide.

LA/C/24/2018

Bamboo hedges trimmed following complaint to the Ombudsman

A complaint was lodged at our Office by one F.N. to the effect that there was a hedge consisting of bamboo and other scrubs protruding dangerously on the road where his organisation was situated and this state of affairs hindered the normal flow of vehicular traffic which had considerably increased with the construction of multi-storeyed apartment buildings along that road.

It would appear that the matter had been reported to the Council but no action had been taken whilst the said hedge was considerably increasing in thickness.

Our Office raised this issue with the Chief Executive of the Council and he informed us that indeed following a site visit effected by the Municipal Inspectorate it was observed that bamboo hedges from certain premises were projecting over and along the road in question. A Notice was issued on the owner of the premises who was requested to have the bamboo hedges trimmed and to dispose of same properly. A week later the said Inspectorate reported that 80% of the trimming works had been completed and works were still in progress. Some days later it was reported that all the bamboo hedges had been trimmed.

MUNICIPAL CITY COUNCIL OF PORT LOUIS

LA/C/21/2018

Action taken for fixing of slabs following the Ombudsman's intervention

By letter dated 14 March 2018 one Mr. G.S. informed our Office that ever since 03 January 2018 he had submitted a request to the Chief Executive of the Council for the fixing of concrete slabs on the pavement over a drainage canal in front of his house for safety purposes. He even produced a copy of his letter to that effect in which he involved the risks and difficulties faced by his family when walking along the said pavement. Unfortunately he was merely verbally promised that the problem would be attended to but no action was taken. He therefore solicited our intervention in the matter.

By letter dated 22 March 2018 we questioned the Chief Executive about this complaint and by letter dated 04 April 2018 he informed our Office that works had started on 29 March 2018 and would be completed in a week's time.

We followed up the matter with the Chief Executive and a week later he informed our Office that the works had been completed on 06 April 2018.

On 20 April 2018 Mr. G.S. wrote back to our Office informing us that the works have been done to his satisfaction.

LA/C/28/2018

Illegal operator of laundry business prosecuted and activities stopped

This is a complaint about noise pollution caused by the operation of a laundry business in the vicinity of complainant's residence.

We were further informed by the complainant that he has it from the Council that the operator of that business has no permit to carry on with any laundry activity. To that effect he produced a copy of a letter from the Chief Executive of the Council. Still the problem persisted notwithstanding a report made to the Police and a Notice served by the Council on the offender for carrying out such business without permit.

After taking up the matter with the Chief Executive of the Council he immediately informed our Office that appropriate legal action was being initiated against the offender.

Eventually we were informed by the said Chief Executive that the offender had pleaded guilty in Court and was fined and furthermore a site visit effected by the Council's Inspectors revealed that the owner of the laundry had ceased his activities and all the machines had been removed.

MUNICIPAL COUNCIL OF QUATRE BORNES

LA/C/36/2018

Positive action taken by Council following the Ombudsman's intervention

The complainant in this case averred that next to his house there was an abandoned plot of land which in his own terms had become like a “mini forest”. That plot was therefore being used by people unknown for the dumping of all types of wastes and eventually got infested with rats, mosquitoes and other insects, representing a source of nuisance to his family and other inhabitants in the vicinity.

The complainant averred that he had solicited the intervention of the Citizen Support Unit ever since nearly one year but the situation did not change. He even phoned at the Council and was told that they would attend to the matter but nothing was done.

We immediately seized the Chief Executive of the problem and requested that the matter be attended to forthwith.

It would appear that the Council had some difficulty in tracing the owner of the plot of land in question. However, the Council took on itself to clean up the place and trim the land in question.

In a letter of thanks to our Office the complainant had the following to say: “I have no doubt that it was through your kind intervention that the Municipal Council of Quatre-Bornes has at long last sent one of his employees to clean the bareland by cutting to the ground all the trees and bushes.” Some encouragement indeed!

MUNICIPAL COUNCIL OF VACOAS-PHOENIX

LA/C/22/2018

Works done to complainant's satisfaction

Complainant's case is that in or about January 2017 the Central Water Authority, while digging a trench for the laying of a domestic pipe to connect water supply to a neighbour of his, recklessly damaged the entrance of the road thus giving rise to filthy water from the main road entering on his property.

Complainant further avers that one year later the Chief Executive of the Council was apprised of the problem but no action was taken. He and his family therefore continued to suffer hardship and inconvenience.

Our inquiry indeed revealed that a road hump was damaged which according to the Chief Executive was most probably due to excavation works by the Central Water Authority for the connection of a new supply. The Chief Executive assured our Office that the road hump was being reinstated by the Council whilst a letter was being sent to the Central Water Authority requesting it to reinstate the excavated trench. Indeed, some time later the Chief Executive informed our Office that the reinstatement works had been completed.

Complainant informed our Office subsequently that the problem had been attended to his satisfaction and expressed his thanks and gratitude with the following words: "without the prompt intervention of your Office this would have not been possible."

RODRIGUES REGIONAL ASSEMBLY

ROD/C/3/2018

Payment for overtime due to complainant considered as effected

Mr. W.J., who described himself as a “Driver of Mechanical Unit”, attached to the Commission for Environment, Rodrigues Regional Assembly, averred on 02 May 2018 that for the years 2016 and 2017 and even up to the time of writing he had not been paid for working extra hours at the said Commission. When he queried the Officer in Charge about the issue he was told that there was no authority for payment of overtime. He therefore sought our intervention in the matter.

Our inquiry into the matter revealed that Mr. W.J. had submitted his return of overtime performed by him for period November to December 2016 and for period April to June 2017 only in December 2017 but had not yet been paid.

The Acting Departmental Head of the Commission however averred that, due to unavailability of funds in the then financial year, overtime would be paid to him in July 2018. As for periods 07 to 12 August 2017 and 02 to 07 October 2017, it appeared that Mr. W.J. had been paid overtime on 23 November 2017.

In the course of a meeting we had with Mr. W.J. in Rodrigues on 10 August 2018 he averred that his case was “en bonne voie” and he was therefore requested to inform our Office once he was paid all his dues and he agreed to do so.

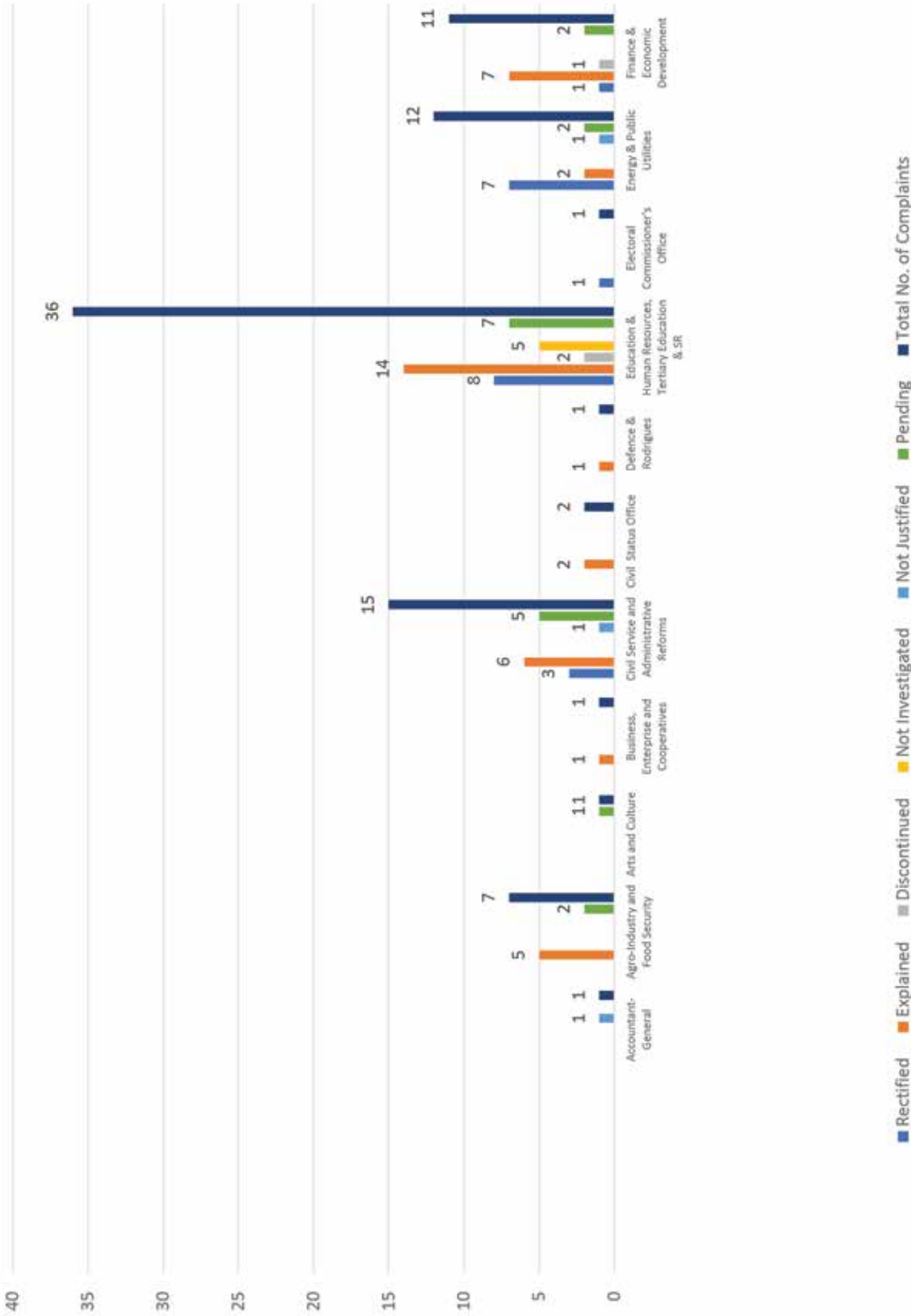
Unfortunately, notwithstanding our requests for further information about the matter he did not report back to our Office. His case is considered as settled.

APPENDIX D

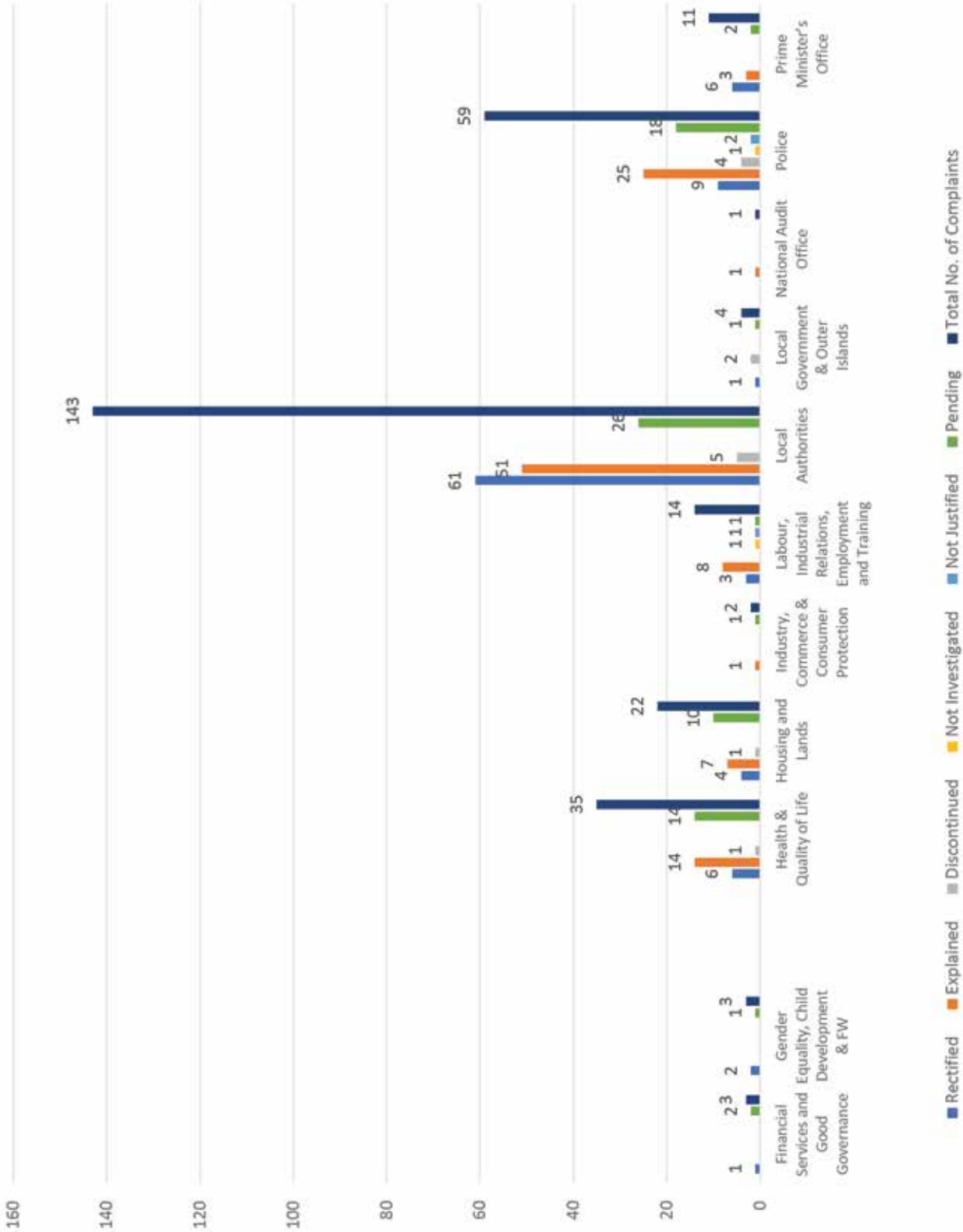
STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Explained	Discontinued	Not Investigated	Not Justified	Pending	Total No. of Complaints
Accountant-General	-	-	-	-	1	-	1
Agro-Industry and Food Security	-	5	-	-	-	2	7
Arts and Culture	-	-	-	-	-	1	1
Business, Enterprise and Cooperatives	-	1	-	-	-	-	1
Civil Service and Administrative Reforms	3	6	-	-	1	5	15
Civil Status Office	-	2	-	-	-	-	2
Defence & Rodrigues	-	1	-	-	-	-	1
Education & Human Resources, Tertiary Education & Scientific Research	8	14	2	5	-	7	36
Electoral Commissioner's Office	1	-	-	-	-	-	1
Energy & Public Utilities	7	2	-	-	1	2	12
Finance & Economic Development	1	7	1	-	-	2	11
Carried forward	20	38	3	5	3	19	88

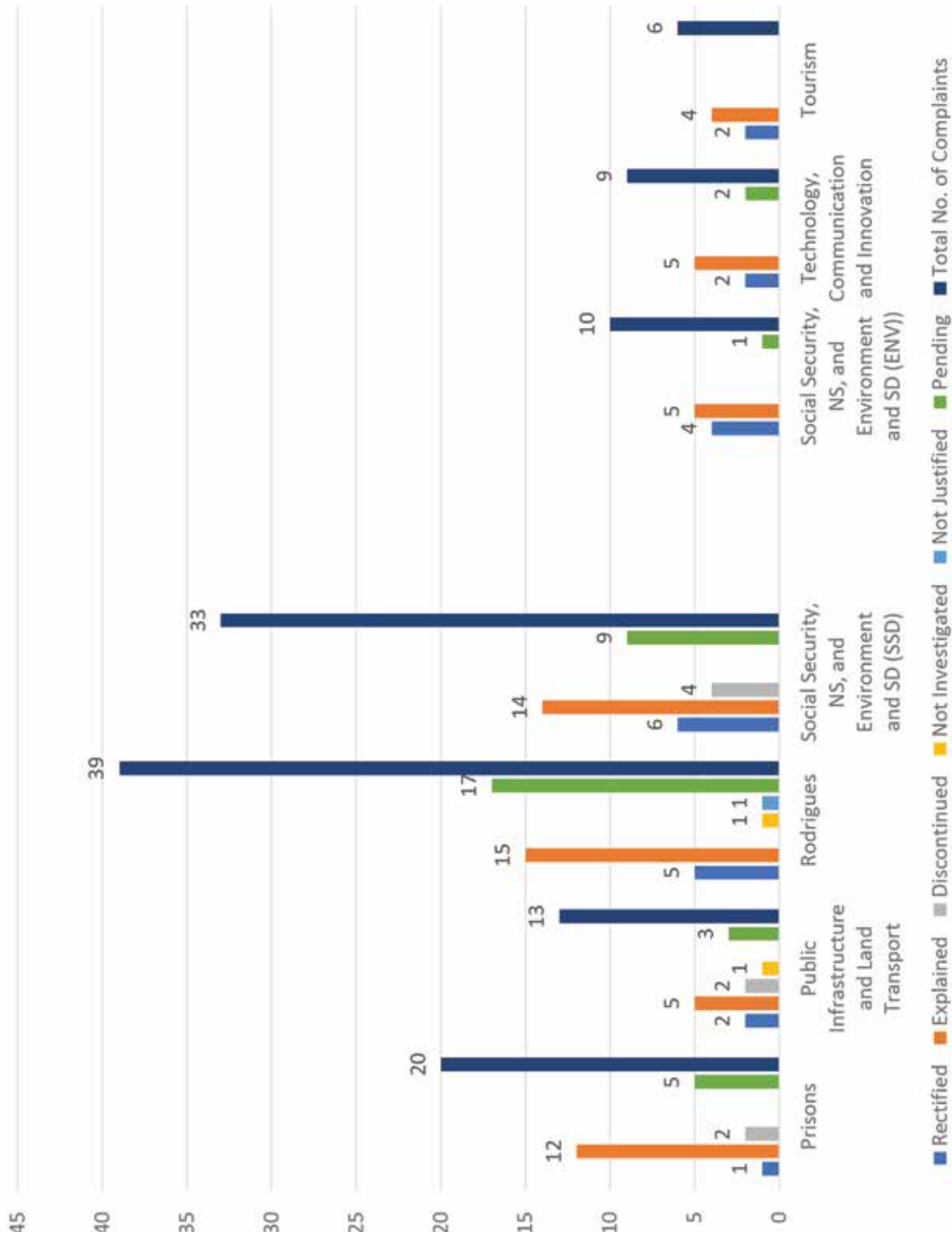
STATISTICAL SUMMARY OF COMPLAINTS



Authority concerned	Rectified	Explained	Discontinued	Not Investigated	Not Justified	Pending	Total No. of Complaints
Brought forward	20	38	3	5	3	19	88
Financial Services and Good Governance	1	-	-	-	-	2	3
Gender Equality, Child Development and Family Welfare	2	-	-	-	-	1	3
Health & Quality of Life	6	14	1	-	-	14	35
Housing and Lands	4	7	1	-	-	10	22
Industry, Commerce & Consumer Protection	-	1	-	-	-	1	2
Labour, Industrial Relations, Employment and Training	3	8	-	1	1	1	14
Local Authorities	61	51	5	-	-	26	143
Local Government & Outer Islands	1	-	2	-	-	1	4
National Audit Office	-	1	-	-	-	-	1
Police	9	25	4	1	2	18	59
Prime Minister's Office	6	3	-	-	-	2	11
Carried forward	113	148	16	7	6	95	385



Authority concerned	Rectified	Explained	Discontinued	Not Investigated	Not Justified	Pending	Total No. of Complaints
Brought forward	113	148	16	7	6	95	385
Prisons	1	12	2	-	-	5	20
Public Infrastructure and Land Transport	2	5	2	1	-	3	13
Rodrigues	5	15	-	1	1	17	39
Social Security, National Solidarity, and Environment and Sustainable Development (Social Security Division)	6	14	4	-	-	9	33
Social Security, National Solidarity, and Environment and Sustainable Development (Environment and Sustainable Development Division)	4	5	-	-	-	1	10
Technology, Communication and Innovation	2	5	-	-	-	2	9
Tourism	2	4	-	-	-	-	6
TOTAL	135	208	24	9	7	132	515



APPENDIX E

No.	Subject of Complaint	Result
Accountant General		
C/62/2018	No refund of fine and costs inflicted upon complainant following free pardon by the Commission on the Prerogative of Mercy.	Not Justified
Agro-Industry and Food Security		
C/243/2017	Lease of State land approved by Ministry not finalized since nearly one year.	Explained
C/285/2017	No reply received by complainant from the Irrigation Authority regarding refund of monies deducted from his account.	Explained
C/50/2018	Nuisance caused by stray dogs. No action taken by the authority concerned in spite of numerous calls.	Explained
C/68/2018	Presence of dogs in ground floor of building is a source of nuisance. No action taken by authority concerned.	Explained
C/84/2018	Non-payment of subsidy and no supply of compost to complainant.	Explained
C/213/2018	Unpaid overtime.	Pending
C/215/2018	Complainant contests deduction from his salary on account of his Union activities.	Pending
Arts and Culture		
C/280/2017	No reply received by complainant in respect of her request for explanation regarding her interdiction.	Pending
Business, Enterprise and Cooperatives		
C/144/2018	Perceived feeling of injustice by complainant in the context of a redeployment exercise.	Explained
Civil Service and Administrative Reforms		
C/179/2016	Complainant avers that there is a series of malpractices prevailing at the IT Security Unit.	Explained
C/99/2017	Objection to change Scheme of Service	Pending

C/170/2017	No reply received by complainants regarding their request for the reinstatement of certain posts.	Explained
C/221/2017	Payment of incremental credit refused to complainant.	Explained
C/70/2018	Anomaly in salary.	Explained
C/76/2018	Request to rectify anomaly in PRB Report 2016.	Not Justified
C/89/2018	Complainant feels victimized in the context of a redeployment and posting exercise.	Explained
C/123/2018	Complainant, a Senior Human Resource Executive, avers she has been transferred from one Ministry to another punitively.	Rectified
C/145/2018	Request by Public Officer for an immediate change in posting on account of harassment at work not considered.	Rectified
C/172/2018	Request for change in posting completely ignored.	Rectified
C/175/2018	Application for vacation leave not attended to.	Explained
C/179/2018	Computation of hours of work contested.	Pending
C/192/2018	Complainant avers mishandling of his request for transfer of his pension benefit.	Pending
C/194/2018	Complainant avers that the Ministry of Education, etc. has provided the Public Service Commission with erroneous information regarding him.	Pending
C/234/2018	Request by complainant for information not entertained.	Pending
Civil Status Office		
C/15/2018	Complainant avers she is the victim of gross discrimination at the Civil Status Division.	Explained
C/23/2018	Birth Certificate of complainant's son modified without her knowledge.	Explained

Defence and Rodrigues		
C/228/2017	Request by foreign national for a transfer to his home country to serve the remaining part of his sentence.	Explained
Education and Human Resources, Tertiary Education & Scientific Research		
C/109/2016	No reply to complainant's request for vital information about his pensionable service and other related issues.	Pending
C/23/2017	Non-recognition of complainant's qualification – Diploma in diamond grading and assortment.	Explained
C/145/2017	Request by Union for recognition not granted.	Explained
C/169/2017	Request for change of actingship not acceded to.	Explained
C/176/2017	New proposals for Deputy Head Masters and proposal for introduction of a Voluntary Retirement Scheme for superfluous Head Masters not acceded to.	Explained
C/248/2017	Non-payment of responsibility allowance.	Rectified
C/255/2017	Caretaker considers his transfer from one school to another as unjustified and arbitrary	Discontinued
C/258/2017	No payment of arrears of travel grant effected since three years.	Explained
C/11/2018	Educator transferred from one school to another for no "apparent rational reason".	Explained
C/13/2018	Protest by complainant, a Primary School Educator, against her posting.	Explained
C/14/2018	Application for vacation leave made since nearly two months not attended to.	Rectified
C/17/2018	Lawn of school frequented by some 200 pupils in a deplorable state.	Rectified
C/25/2018	Complainant, an Educator, considers his transfer from one government school to another as arbitrary and abusive.	Explained
C/26/2018	Complainant contests her transfer from one school to another.	Explained

C/30/2018	Educator not satisfied with his new posting.	Not investigated
C/39/2018	Complainant, a teacher, avers she is being victimized and unfairly transferred too many times during an academic year.	Explained
C/54/2018	Complaint by Maths Educator against his sudden transfer from one school to another which he considers unjustified.	Explained
C/74/2018	Complainant avers that the testimonial issued to him is based on communal considerations and filled with malice.	Not investigated
C/87/2018	Refund of examination fees in favour of complainant's daughter awaited.	Rectified
C/96/2018	Request by Union to amend the Scheme of Service of ICT Support Officers.	Pending
C/99/2018	Application for vacation leave not approved. Complainant claims he has been prejudiced.	Rectified
C/101/2018	Request by Educator for a transfer on ground of long-distance travelling not entertained.	Discontinued
C/110/2018	Vacation leave applied for a certain number of days not granted.	Rectified
C/121/2018	Complaint against the President of the Parents/ Teachers Association for unbecoming conduct at school.	Explained
C/124/2018	Inappropriate conduct by School Rector towards Educator and pupils.	Explained
C/134/2018	Retired public officer claims he has not received his retirement benefits since three months.	Rectified
C/140/2018	Complainant, a Teacher Preprimary, avers harassment at work place.	Not Investigated
C/143/2018	Complainant fears that his application for the transfer of his daughter may be "boycotted".	Pending
C/151/2018	Complainant's daughter denied additional scholarship.	Explained
C/153/2018	Complainant avers being victim of "irregularity and injustice" by the Université des Mascareignes.	Pending
C/169/2018	Complainant a Management Support Officer disagrees with her new posting.	Not Investigated
C/178/2018	Various allegations against Head Master of school.	Not Investigated

C/186/2018	Complainant avers that her casual leave has not been taken into account and therefore considered to be on unauthorized leave.	Rectified
C/218/2018	Complainant, an Educator, alleges unfairness and injustice as regards her posting.	Pending
C/223/2018	Complainant, an Educator (Physics) not yet confirmed in his post since nearly six months.	Pending
C/233/2018	Complainant, an Educator, claims he is being unfairly transferred during the last sixteen years.	Pending
Electoral Commissioner's Office		
C/83/2018	Complainant avers that he has been wrongly claimed to refund travelling allowance.	Rectified
Energy and Public Utilities		
C/42/2018	Discrepancy in complainant's water bill.	Rectified
C/88/2018	Burst pipe since six months. No action taken to repair same.	Pending
C/93/2018	Complainant avers he has been overcharged electricity consumption.	Explained
C/107/2018	Inclined electrical pole represents a danger to passers-by.	Rectified
C/114/2018	Report by complainant of damaged water pipe. No action taken since eighteen days.	Rectified
C/137/2018	Breakdown of pump causes great inconvenience due to fetid smell.	Rectified
C/142/2018	Refusal by the Central Electricity Board to cut off complainant's electric supply.	Rectified
C/146/2018	Complainant's air vent pipe allegedly badly fixed by the Wastewater Management Authority. Not satisfied with reply from the Wastewater Management Authority that he should repair it himself.	Not Justified
C/150/2018	Odour nuisance caused by wastewater.	Rectified
C/170/2018	Three families in a remote locality without any water supply for more than fifteen years.	Explained
C/212/2018	Water leakage since more than a year. No action taken by Authority concerned notwithstanding several complaints made.	Rectified
C/221/2018	No action taken in respect of damaged pipes resulting in waste of water reported to the Authority concerned.	Pending

Finance and Economic Development		
C/214/2015	Wrongful retention of complainant's car imported by him.	Discontinued
C/21/2018	Complainant contests the decision of the Mauritius Revenue Authority in respect of its claim against his company.	Explained
C/29/2018	Non-payment of per diem allowance to five officers who went on official mission abroad.	Rectified
C/43/2018	Request by complainant to be reinstated in his post by the Sugar Insurance Fund Board. No reply from the latter.	Explained
C/148/2018	Complainant contests claim from the Mauritius Revenue Authority.	Explained
C/155/2018	No reply made to complainant with regard to a report made by him.	Explained
C/180/2018	Complainant disputes the determination of the bonded amount in respect of his study leave with pay.	Pending
C/182/2018	Problems encountered by complainants who are on a tour of service to Rodrigues.	Explained
C/189/2018	Problems encountered by complainant who is on a tour of service to Rodrigues.	Explained
C/191/2018	Complainant contests the decision to levy registration duty on property purchased by him.	Pending
C/216/2018	Complainant not assigned higher duties for a post which is vacant.	Explained
Financial Services and Good Governance		
C/276/2017	No refund obtained by complainant from the National Property Fund Ltd	Rectified
C/177/2018	Claim for refund of investment still not attended to since more than nine months.	Pending
C/201/2018	Refusal by all authorities concerned to assist complainant in a case of serious fraud in which he and others have been victims.	Pending

Gender Equality, Child Development and Family Welfare		
C/34/2018	No reply to complainant who addressed a letter to the Ministry since nearly a month.	Rectified
C/69/2018	No reply from Ministry regarding letter addressed to the Permanent Secretary.	Rectified
C/158/2018	No reply to claim by complainant for refund of sick leave.	Pending
Health and Quality of Life		
C/106/2016	Fees not paid to complainant, a member of Departmental Tender Committees.	Explained
C/82/2017	Non-payment of appropriate allowance.	Pending
C/150/2017	Complainant, a retired Public Officer, short-paid acting allowances etc.	Pending
C/193/2017	Rejection of complainant's application for registration as Specialist in Obstetrics and Gynaecology.	Pending
C/212/2017	Complainant not paid higher duties and night allowances.	Explained
C/234/2017	Complainant avers misconduct and humiliation towards his person by colleague.	Explained
C/235/2017	Request by complainant, a Public Officer, to stay action regarding his transfer.	Explained
C/253/2017	Arbitrary suspension as Pharmacist by Pharmacy Board.	Pending
C/278/2017	Salary and bonus not yet paid to complainant.	Rectified
C/284/2017	Request by complainant, a Ward Manager, to be posted in Rodrigues on family and humanitarian grounds not considered for the time being.	Rectified
C/32/2018	Complainant, a driver at SSRN Hospital, denied overtime.	Explained
C/37/2018	Gross medical negligence averred by complainants, husband and wife.	Explained
C/55/2018	Computation of resting time contested by the Medical & Health Officers Association.	Discontinued
C/58/2018	Non-payment of ad hoc allowance to officers of the Pharmacy Technician Cadre of Rodrigues.	Rectified

C/67/2018	Complainant, a Principal Procurement and Supply Officer, contests his new posting. Avers he has not received any reply to his letter addressed to the Ministry.	Explained
C/73/2018	Protest against opening of a new Pharmacy. No reply to complainant's letter.	Pending
C/77/2018	Request by complainant for a medical report from the hospital where she was treated in order to present same before the Medical Board in relation to her application for Invalidity Pension not attended to.	Explained
C/79/2018	Irregular payment of overtime performed by Nursing Officers.	Explained
C/97/2018	Complainant avers he is victim of discrimination and gross injustice as regards promotion as Specialised Head Nurse.	Explained
C/104/2018	No action taken by Ministry following report of harassment against complainant.	Pending
C/111/2018	Averment by complainant of possible medical negligence leading to the demise of his father.	Explained
C/120/2018	Complainant encounters various problems with her new posting.	Rectified
C/127/2018	Complainant company disputes the fact that it is being treated as a Clinical Laboratory instead of a Health Care Unit.	Explained
C/129/2018	No reply received by complainant regarding his application for the re-opening of his pharmacy.	Pending
C/135/2018	Problem of excrement in field opposite complainant's house poses serious health issues. No action taken by Ministry.	Explained
C/154/2018	Complainant, a Senior Health Surveillance Officer, claims he is victim of frequent transfers.	Pending
C/163/2018	Medical Board's recommendation that complainant should be transferred from one hospital to another not implemented since more than two months.	Rectified

C/164/2018	Averment of medical negligence with regard to complainant's husband who eventually passed away.	Pending
C/184/2018	Odour nuisance caused by complainant's neighbour rearing of goats.	Pending
C/193/2018	Complainant refused full dosage at Goodlands Mediclinic Pharmacy.	Explained
C/202/2018	No increment on promotion received by Public Officer.	Pending
C/204/2018	No reply from Opticians Registration Board to complainant's application for registration made since more than two years.	Pending
C/206/2018	Complainant, a Health Records Clerk, contests her transfer from one hospital to another for various reasons.	Rectified
C/207/2018	Refusal by Ministry to give access to complainant to a Report released more than sixteen years ago.	Pending
C/219/2018	Unexplained deductions from complainant's salary.	Pending
Housing and Lands		
C/134/2016	Approval of Application for lease of a plot of State land for religious purposes unduly delayed.	Explained
C/182/2016	No reply from Ministry to complainant's protest regarding ownership of a plot of land.	Rectified
C/219/2016	Lease agreements in respect of State land not finalized since more than ten years.	Rectified
C/130/2017	Illegal claim of rent by Ministry.	Discontinued
C/134/2017	Application for registration as Land Surveyor not attended to since more than two years.	Pending
C/146/2017	Complainant's request to regularize his occupation of State land denied.	Pending
C/245/2017	Government housing unit sold to complainant is in a dangerous condition due to absence of pillars and presence of "amiante" (asbestos).	Explained

C/246/2017	Housing unit sold by Government to complainant is in a dangerous condition, due to the absence of pillars and the presence of “amiante”(asbestos).	Explained
C/259/2017	Lands offered to complainants too small. Proposal by Ministry to allocate alternative sites. No further development.	Pending
C/261/2017	Complainant not invited to sign lease agreement in his name since more than three years.	Pending
C/275/2017	No reply received since three years by complainant regarding her request for a transfer of State land.	Rectified
C/281/2017	Building site lease refused to complainant after approval for same had been given.	Pending
C/282/2017	Lease of State land denied to complainant.	Pending
C/283/2017	No further action taken following signature of lease agreement.	Pending
C/3/2018	No reply to application for lease of State land made since one year.	Explained
C/36/2018	Delay of five months in the processing of complainant’s title deed.	Rectified
C/78/2018	Compensation for land acquisition by the State not yet paid.	Pending
C/95/2018	Refusal by Ministry to sell plot of land to complainant notwithstanding deed of purchase signed and payment effected by her late uncle.	Pending
C/102/2018	Request by complainant to have his grievances addressed to the Ministry expedited.	Explained
C/108/2018	Delay by Ministry to provide planning clearance to complainant.	Pending
C/141/2018	Odour nuisance caused by stagnant water.	Explained
C/166/2018	Compensation for compulsory acquisition of land not yet paid to complainant and others.	Explained

Industry, Commerce and Consumer Protection		
C/174/2017	No response to complainant's query regarding recruitment for the post of Director at the Mauritius Standards Bureau.	Pending
C/176/2018	Request by complainant to know her conditions of service as same have not changed since twenty years.	Explained
Labour, Industrial Relations, Employment and Training		
C/199/2017	Complaint against Ministry for disclosing information about complainant to his employer.	Explained
C/257/2017	Complainant avers that the rights of his spouse have been violated by the Mauritius Examinations Syndicate.	Explained
C/47/2018	Complainant not satisfied with action taken by Ministry in respect of her dismissal from work by her employer.	Explained
C/64/2018	Delay by Ministry to take action against complainant's employer for non-payment of salary since three months.	Explained
C/66/2018	Complainant, an Educator, avers that her services have been terminated because she refused to sign a time-table which, according to her, was not correct. Case reported to Ministry of Labour etc.	Explained
C/82/2018	Unfair termination of employment.	Not investigated
C/92/2018	No reply to request for copy of a letter.	Explained
C/113/2018	Refusal by Registrar to intervene in connection with an appeal lodged against a private society.	Not Justified
C/122/2018	No positive action taken by Ministry regarding complainant's report of sudden termination of contract by a private company.	Explained
C/162/2018	No reply to application to import migrant workers made more than three months back.	Explained
C/174/2018	Officer suffers from allergic reactions at her work place. Awaiting a change in posting.	Rectified
C/190/2018	No reply to complaint made since more than nine months.	Rectified
C/209/2018	Complainant avers that his complaint to the Labour Office may result in retaliation from his employer.	Pending
C/210/2018	No reply to correspondence addressed to the Registrar since more than forty-five days.	Rectified

Local Authorities		
LA/C/8/2015	Flooding problem reported to Council on three occasions. No action taken yet.	Explained
LA/C/46/2015	Request for street lighting and tarring of road not attended to since four months.	Explained
LA/C/66/2015	Pavement non-existent or only half-completed, poor state of road, etc.	Explained
LA/C/75/2016	Pavement not constructed as per purchase agreement of land.	Explained
LA/C/83/2016	Street in a deplorable state since years.	Explained
LA/C/5/2017	Illegal conversion of two private plots of land into two parking lots by unlicensed company operating illegally.	Explained
LA/C/21/2017	Encroachment on common lane by complainant's neighbour. Matter reported to Council but no action has been taken.	Pending
LA/C/26/2017	Problems caused by complainant's neighbour's shop.	Explained
LA/C/32/2017	Construction of supermarket causing inconveniences to road users.	Explained
LA/C/34/2017	Old bridge may not be able to support the weight of heavy vehicles. New bridge required.	Explained
LA/C/35/2017	Illegal extension to existing building being carried out by complainant's neighbour. No action taken by authority concerned.	Rectified
LA/C/36/2017	Water overflowing from effluent pits.	Explained
LA/C/38/2017	Illegal use of bare land as a depot for containers and ceramic wares.	Explained
LA/C/41/2017	No action taken in respect of report of farming being carried out in front of complainant's house.	Explained
LA/C/43/2017	Drainage system not appropriate. Great inconvenience to inhabitants. No action taken by authorities concerned.	Pending
LA/C/44/2017	Illegal parking of heavy duty vehicles next to complainant's premises causes great inconvenience. Complaint to Council not yet considered.	Rectified

LA/C/48/2017	Accumulation of water on the road causes numerous problems to inhabitants and other users of the road.	Pending
LA/C/49/2017	Water accumulation on road causes great inconvenience to users thereof.	Pending
LA/C/54/2017	Illegal dumping on plot of land behind football ground.	Rectified
LA/C/57/2017	No action taken in respect of a report regarding the operation of an illegal Child Day Care Centre.	Discontinued
LA/C/60/2017	Road in pitiful state. No action taken by authorities concerned.	Rectified
LA/C/65/2017	No action taken by the Council regarding waste water problem caused by complainant's neighbour.	Explained
LA/C/66/2017	Complainant, a Health Inspector, avers he is the victim of the Chief Health Inspector on many issues.	Explained
LA/C/67/2017	Excessive noise caused by factory next to complainant's house. No action taken by authorities concerned.	Explained
LA/C/68/2017	Aluminium workshop operating illegally in residential area.	Discontinued
LA/C/69/2017	No action taken in respect of report of noise nuisance emanating from a hall.	Rectified
LA/C/70/2017	Fencing around football pitch about to fall down and may cause injury.	Rectified
LA/C/71/2017	Environmental problems caused by hardware shop: dust, noise, etc. No action taken by authorities concerned.	Rectified
LA/C/72/2017	Lane leading to a worship place littered with all sorts of waste.	Pending
LA/C/76/2017	Application for a Building and Land Use Permit (BLUP) not attended to since two months.	Rectified
LA/C/79/2017	Illegal metallic structure put up by complainant's neighbour causes great inconvenience to the former. No action taken by Council.	Rectified
LA/C/90/2017	Illegal activities causing nuisance. No action taken by Council.	Explained
LA/C/92/2017	Noisome vegetation, branches and illegal dumping obstructing burial place.	Rectified

LA/C/93/2017	Vacant stall at market not given to complainant, widow of previous occupier.	Explained
LA/C/94/2017	Application for jewellery licence by complainant. Latter considers that the conditions imposed by the Council amount to an abuse.	Discontinued
LA/C/95/2017	Council employee being exploited at the Welfare Department.	Explained
LA/C/96/2017	Pavement obstructed by six concrete flower boxes.	Rectified
LA/C/97/2017	Operation of aluminium workshop in open air without any Building and Land Use Permit (BLUP). No action taken by Council.	Explained
LA/C/98/2017	Badly damaged pedestrian pavement reported to Council since more than three months. No action taken yet.	Rectified
LA/C/99/2017	Obstruction of shop by cake seller. Matter reported to Council several times. No action taken yet.	Pending
LA/C/100/2017	Complainant disputes Council's request to destroy his shelter for animals.	Explained
LA/C/101/2017	Illegal erection of walls on both sides of street. No action taken by Council.	Explained
LA/C/102/2017	Rubbish dropped by road side.	Rectified
LA/C/1/2018	Road leading to graveyard in a deplorable state.	Discontinued
LA/C/2/2018	Public beach littered with all types of wastes.	Rectified
LA/C/3/2018	Tree next to house represents a danger to life and property.	Rectified
LA/C/4/2018	Bus stop in deplorable state.	Rectified
LA/C/5/2018	Complainant avers that general rate claim by Council is being sent to wrong address.	Explained
LA/C/6/2018	No reply to correspondence addressed by the complainant to the Chief Executive of the Council.	Rectified
LA/C/7/2018	Lack of response from Council in respect of report made by complainant regarding illegal extension of roof by his neighbour causing accumulation of water in complainant's yard.	Rectified

LA/C/8/2018	Damage caused by complainant's neighbour during construction. Non-respect of conditions of building permit.	Explained
LA/C/9/2018	Workshops operating illegally. No action taken by authorities concerned.	Explained
LA/C/10/2018	Ongoing illegal construction reported to Council. No action taken.	Rectified
LA/C/11/2018	Old car abandoned by roadside since a year. No action taken.	Rectified
LA/C/12/2018	Wall on the verge of falling – may cause injury to persons. No action taken by authorities concerned.	Explained
LA/C/13/2018	Unbearable noise caused by alleged illegal workshops. No action taken yet by authorities concerned.	Rectified
LA/C/14/2018	Illegal dumping at various places in village.	Rectified
LA/C/15/2018	Suspected construction without building permit reported to Council. No reply received.	Rectified
LA/C/16/2018	Request by complainant for asphaltting of road, street lighting and affixing of street name-plate not attended to.	Explained
LA/C/17/2018	Accumulation of wastes near houses gives rise to odour nuisance.	Rectified
LA/C/18/2018	Plot of land in the centre of the village in a deplorable state.	Explained
LA/C/19/2018	Absence of facilities for the development of young people.	Pending
LA/C/20/2018	Street lights not functioning since more than four months. Some 200 families in the dark at night.	Explained
LA/C/21/2018	Request for fixing concrete slabs on pavement for safety purposes not attended to since more than two months.	Rectified
LA/C/22/2018	Damaged road/lane caused by CWA workers gives rise to filthy water entering complainant's premises. No action taken by authorities concerned.	Rectified
LA/C/23/2018	Football stadium in a deplorable state.	Explained

LA/C/24/2018	Request to trim hedge protruding on road and hindering the flow of traffic not attended to.	Rectified
LA/C/25/2018	Averment by Council that file containing a document submitted by complainant's client was lost. Same contested.	Rectified
LA/C/26/2018	All types of wastes-dumping next to market give rise to various nuisances (odour, insects, etc).	Rectified
LA/C/27/2018	Illegal dumping of waste on main road.	Rectified
LA/C/28/2018	Noise nuisance caused by illegal operation of laundry. No action taken by authorities concerned.	Rectified
LA/C/29/2018	All types of waste dumped by river side.	Rectified
LA/C/30/2018	Road in a deplorable state – almost unusable.	Rectified
LA/C/31/2018	Obstruction of public road thus preventing access to complainant's residence. No action taken following complaint to authority concerned.	Explained
LA/C/32/2018	Refusal by Council to record complaint.	Pending
LA/C/33/2018	Noise disturbance caused by illegal construction by complainant's neighbour. No action taken yet.	Rectified
LA/C/34/2018	Request by complainant to amend application for a Building and Land Use Permit not acceded to.	Explained
LA/C/35/2018	Complainant's neighbour putting up a multi-storey building without respecting statutory set back. No action taken by Council since three months.	Rectified
LA/C/36/2018	Abandoned plot of land turned into dumping ground. No action taken by authorities concerned.	Rectified
LA/C/37/2018	Building demolition wastes dumped on abandoned land and by the roadside.	Explained
LA/C/38/2018	Noise nuisance caused by industrial machines located on the same floor of a building where complainant and his family live.	Explained

LA/C/39/2018	Rubbish deposited on public beach.	Rectified
LA/C/40/2018	Loads of waste materials on sea-front.	Rectified
LA/C/41/2018	No heed paid by Council to protest against construction of block of flats on four floors.	Explained
LA/C/42/2018	Obstruction along street by complainant's neighbours thus impeding access by complainant.	Pending
LA/C/43/2018	Village hall yard full of waste materials etc.	Explained
LA/C/44/2018	Illegal dumping near factories – an eyesore.	Rectified
LA/C/45/2018	Illegal encroachment on lane resulting in significant reduction of its width.	Explained
LA/C/46/2018	Illegal dumping in “morcellement”.	Rectified
LA/C/47/2018	Great inconvenience caused by damaged road. Request for our intervention in the matter.	Explained
LA/C/48/2018	Report by complainant against his neighbour for not respecting boundary limit – awaiting reply from Council.	Rectified
LA/C/49/2018	Public toilet stacked with all kinds of construction materials thus rendering it inaccessible to the public.	Explained
LA/C/50/2018	Access to complainant's house blocked by cars, goods vehicles and articles on the road. No action taken by authorities concerned.	Explained
LA/C/51/2018	Lack of proper drainage system causes yard of temple to be completely flooded.	Pending
LA/C/52/2018	Illegal construction of wall. No action taken so far.	Rectified
LA/C/53/2018	Request for copy of building permit not acceded to.	Explained
LA/C/54/2018	Illegal erection of barrier/gate which prevents complainant's access to the main road. Matter reported to authorities concerned. Awaiting replies.	Explained

LA/C/55/2018	Large cave full of rubbish.	Rectified
LA/C/56/2018	Illegal dumping by roadside.	Explained
LA/C/57/2018	Street not asphalted since some fifteen years thus causing great inconvenience, especially to school children.	Pending
LA/C/58/2018	Case of construction not according to norms reported to Council. No action taken so far.	Explained
LA/C/59/2018	Road full of potholes. Serious problems caused.	Rectified
LA/C/60/2018	Complainant not paid appropriate pension benefits.	Explained
LA/C/61/2018	Various unused materials dumped by road side.	Rectified
LA/C/62/2018	All types of waste materials dumped by road-side.	Rectified
LA/C/63/2018	No action taken in respect of a report of damaged road made some six months ago.	Pending
LA/C/64/2018	Flooding problem reported since three months. No action taken so far.	Pending
LA/C/65/2018	No acknowledgement received by complainant to his complaint.	Pending
LA/C/66/2018	Abandoned bus by roadside since ages is an eyesore.	Rectified
LA/C/67/2018	Illegal dumping of waste materials opposite block of apartments.	Rectified
LA/C/68/2018	Piles of all sorts of waste materials on the road leading to the Black River Gorges.	Rectified
LA/C/69/2018	Waste materials dumped by roadside by unknown persons.	Rectified
LA/C/70/2018	Illegal excavation carried out by Council. No action taken by Council in spite of protest.	Discontinued
LA/C/71/2018	No action taken following report of damaged road which causes great inconvenience to complainant's family.	Explained
LA/C/72/2018	No action taken regarding complainant's report of an illegal construction being put up by his neighbour.	Rectified

LA/C/73/2018	Persistent noise nuisance caused by the operation of a place of worship.	Explained
LA/C/74/2018	Overgrown vegetation and litter on public beach.	Rectified
LA/C/75/2018	Benches in children's playground are in a deplorable state.	Pending
LA/C/76/2018	Request for a retaining wall on account of recurrent flooding of yard, etc. not considered.	Pending
LA/C/77/2018	Nearby inhabitants deplore the state of the road which they use everyday.	Explained
LA/C/78/2018	Fencing around basketball ground completely damaged. Gives rise to various nuisances.	Explained
LA/C/79/2018	Solid waste dumped on abandoned land causes environmental problems.	Rectified
LA/C/80/2018	Old refrigerators and washing machines dumped behind public garden.	Rectified
LA/C/81/2018	Illegal dumping at the entrance of the village.	Rectified
LA/C/82/2018	Waste dumped by road side.	Rectified
LA/C/83/2018	Illegal enclosure erected along complainant's access road. Matter reported to Council but no action taken.	Rectified
LA/C/84/2018	No action taken in respect of a request for resurfacing of a road in a pitiful state made since nearly two months.	Explained
LA/C/85/2018	Poultry rearing near residential zone. No action taken since complaint made some nine months ago.	Pending
LA/C/86/2018	Fencing around football ground completely damaged. Gives rise to problems.	Explained
LA/C/87/2018	All sorts of waste materials dumped near sugar cane field.	Rectified
LA/C/88/2018	No reply to letters addressed to the Council.	Explained

LA/C/89/2018	Rubbish bin in deplorable condition.	Rectified
LA/C/90/2018	Waste materials dumped at street corner.	Rectified
LA/C/91/2018	Bulky waste deposited at different places by unknown people.	Rectified
LA/C/92/2018	Free passage of rain water blocked by a small wall thus causing stagnation. No action taken by Council.	Pending
LA/C/93/2018	Road in deplorable state and needs complete resurfacing. No action taken whilst other roads around have been maintained in good condition.	Pending
LA/C/94/2018	No action taken following complaints regarding illegal constructions put up by complainant's neighbour.	Pending
LA/C/95/2018	Obstruction of lane reported to the Council but no action has been taken.	Pending
LA/C/96/2018	Complaint against unfair and unjust consideration of objection in respect of Council's project.	Pending
LA/C/97/2018	Dumping of waste materials in village.	Pending
LA/C/98/2018	Report of poor sanitation and security hazard, etc. made since more than two years. No action taken.	Pending
LA/C/99/2018	Abandoned lands and blocked drains cause great inconvenience to inhabitants.	Pending
LA/C/100/2018	Plot of abandoned land being used as dumping ground.	Pending
Local Government and Outer Islands		
C/287/2017	Complainant not satisfied with his transfer.	Discontinued
C/63/2018	Station Officers of the Mauritius Fire and Rescue Service allege that the exercises they have to undergo amount to "torture".	Discontinued
C/138/2018	Application by Confidential Secretary for a change in posting not considered.	Rectified
C/188/2018	Application for car loan rejected.	Pending

National Audit Office		
C/119/2018	Incoherence in payment of acting allowances.	Explained
Police		
C/245/2016	No action taken following report of case of assault to the Police.	Explained
C/60/2017	Refusal by Police to record complainant's declaration, etc.	Explained
C/88/2017	Refusal by Police to record complainant's statement.	Discontinued
C/148/2017	No reply to letter addressed to the Commissioner of Police by complainant.	Discontinued
C/152/2017	Request by Attorney-at-Law for a copy of his client's statement not acceded to.	Explained
C/192/2017	Complainant not made aware of the outcome of the declaration he gave to the Police two years ago.	Explained
C/195/2017	Complainant, a foreign national, still being detained for more than four years without trial.	Explained
C/204/2017	Request by complainant's lawyer to obtain a "peace agreement" signed by person who assaulted complainant ignored by police.	Rectified
C/224/2017	Alleged fraud averred by complainant. No action taken by authorities concerned.	Explained
C/232/2017	Disturbance reported to the Police since four months – no action taken yet.	Rectified
C/251/2017	Noise nuisance caused by motor-cycles since early morning.	Explained
C/252/2017	No feedback received by complainant who made several complaints to the Police.	Explained
C/266/2017	Complainant's driving licence not returned to him after disqualification period.	Discontinued
C/279/2017	Interdicted Police Constable's request to be reinstated after dismissal of case against him ignored.	Explained
C/1/2018	No further action taken following a report of theft of official documents made by complainant.	Explained
C/2/2018	Noise nuisance caused to neighbourhood. No action taken by authorities concerned.	Explained

C/4/2018	Noise nuisance caused by the alarm system of complainant's neighbour.	Rectified
C/9/2018	No action taken by the Police in respect of cases reported by the complainant.	Explained
C/19/2018	Request by Attorney at Law for copies of documents in relation to a road accident involving her client ignored.	Rectified
C/22/2018	Noise nuisance caused by illegal workshops. No action taken by authorities concerned.	Explained
C/28/2018	Detainee awaiting her trial since nineteen months.	Explained
C/31/2018	Complainant detained since nineteen months without trial in connection with a case of possession of drugs for distribution.	Explained
C/33/2018	No reply to complainant's two letters addressed to the Commissioner of Police.	Rectified
C/35/2018	No follow up by Police in a case reported by complainant.	Explained
C/38/2018	Social problems caused by illegal sale of alcohol by shop.	Not Justified
C/40/2018	Complainant's request for a copy of a declaration he made to the Police ignored.	Rectified
C/41/2018	Noise disturbance reported to the Police on several occasions. No action taken.	Explained
C/44/2018	Woman Police Constable claims that she is being deprived of the opportunity to perform her duty as a Police Officer.	Rectified
C/45/2018	Untried detainee awaiting her trial. Arrested since more than two years.	Pending
C/48/2018	Complainant, a detainee since nearly four months, claims his innocence in a case of importation of drugs.	Pending
C/51/2018	Request for update into a case reported by complainant to the Police.	Explained
C/53/2018	No reply to Attorney's request for certain documents in relation to her client's road accident.	Rectified
C/57/2018	Request by complainant for a copy of his declaration and statement ignored.	Explained

C/71/2018	Detainee's "private" document seized by Police Officer and not returned to him.	Explained
C/72/2018	Police Constable avers that his transfer from one Division to another is a punitive measure.	Explained
C/75/2018	Police constable contests his transfer from one Division to another and avers he has been refused local leave.	Not Investigated
C/81/2018	Forgery case reported to the Police by complainant since two and a half years. Complainant still not made aware of its outcome.	Pending
C/85/2018	Foreign remand detainee arrested since nearly three years. No trial yet.	Explained
C/103/2018	No action taken by the Police following report of a case of larceny by complainant.	Pending
C/105/2018	Complainant avers that he and his wife, both Police Officers, have been transferred punitively thus causing great inconvenience to them.	Pending
C/116/2018	Untried detainee awaiting for the trial of her case since two years.	Explained
C/125/2018	Complainant contests the fact that his driving licence had been cancelled for good by the Magistrate following his conviction for road traffic offences.	Not Justified
C/139/2018	No prosecution by Police following complainant's report of a criminal offence.	Discontinued
C/147/2018	No information obtained by complainant from the Police regarding a road accident in which he avers being the victim.	Explained
C/149/2018	No reply from the Police Department in respect of the renewal of the lease of premises belonging to complainant.	Pending
C/156/2018	Application for a Certificate of Character made since more than five months not yet considered.	Rectified
C/161/2018	No reply to letter addressed by the complainant to the Commissioner of Police.	Pending
C/168/2018	No action taken by the Police regarding a case of assault duly reported.	Pending

C/181/2018	Female detainee, a mother of three young children, arrested since nearly eight months awaiting her trial.	Pending
C/195/2018	Complainant arrested since more than four years. Still awaiting trial.	Explained
C/200/2018	Woman Chief Police Inspector feels demotivated on account of absence of promotion which was promised to her.	Pending
C/205/2018	Complainant arrested since nearly one year and still awaiting trial.	Pending
C/214/2018	Illegal obstruction of road. Appropriate action is awaited.	Pending
C/217/2018	Complainant contests decision of the Police regarding an alleged case of embezzlement.	Pending
C/222/2018	Refusal by Police to favour complainant with a report in respect of a road accident involving her vehicle.	Pending
C/225/2018	No attention given to declaration of embezzlement made by complainant.	Pending
C/226/2018	Nuisances (noise, traffic congestion, etc.) caused by presence of wedding hall.	Pending
C/227/2018	Complainant, a foreign national, deplors the conditions of detention of his sister in prison.	Pending
C/232/2018	No reply to letter addressed by complainant to the Commissioner of Police claiming to know the whereabouts of firearms belonging to complainant's late father.	Pending
Prime Minister's Office		
C/208/2017	Non-respect of payment terms for Bid Evaluation Fees.	Rectified
C/218/2017	Failure by Mauritius Broadcasting Corporation to waive TV licence fee in spite of several requests made by complainant.	Rectified
C/225/2017	Delay in dealing with application for citizenship.	Pending
C/239/2017	No reply to application for assistance under the Prime Minister's Relief Fund.	Explained

C/256/2017	Complainant wrongly charged TV Licence Fee although he has no TV set.	Rectified
C/7/2018	Payment of compensation for accessing complainant's land not effected since more than three years.	Pending
C/59/2018	TV Licence fee wrongly charged since two years.	Rectified
C/98/2018	Application for financial assistance rejected.	Explained
C/136/2018	TV Licence fee wrongly charged by the Mauritius Broadcasting Corporation.	Rectified
C/173/2018	TV Licence fee wrongly claimed by the Mauritius Broadcasting Corporation.	Rectified
C/196/2018	Frequent changes in posting cause inconvenience to complainant.	Explained
Prisons		
C/139/2016	Detainee, a foreign national, requests that the case in which she is to depone as a witness be heard as soon as possible to enable her to apply for transfer to her country of origin.	Pending
C/128/2017	Detainee's personal belongings missing upon his transfer from one prison to another.	Pending
C/132/2017	Detainee avers that he is being unreasonably denied the privilege of working extra hours to earn remission of his sentence.	Discontinued
C/202/2017	Detainee compelled to have his hair cut in spite of his religious belief.	Explained
C/213/2017	Detainee not served food as prescribed by the doctor.	Explained
C/263/2017	Detainee not receiving adequate medical care and attention.	Explained
C/269/2017	Personal items bought by detainee from his own private cash seized and not returned to him.	Explained
C/274/2017	Postal order addressed to detainee not remitted to him and returned to sender.	Explained

C/5/2018	Detainee not being served appropriate food, being allergic to canned food.	Explained
C/46/2018	Detainee's child who lives with her in prison not getting prescribed diet. Avers that her child is living in a hostile environment.	Explained
C/56/2018	Remand detainee with gastric problem not being served special food as per doctor's recommendation.	Explained
C/80/2018	Detainee manhandled by Prison Officers, etc.	Explained
C/86/2018	Complainant awaiting to hear from the Prison Administration regarding the transfer of her husband's motorcycle to her son's name, the husband being a detainee.	Rectified
C/117/2018	Detainee being served inappropriate food, contrary to Medical Officer's recommendation.	Explained
C/118/2018	Detainee not allowed to practice the religion of his choice.	Pending
C/126/2018	Application by detainee (complainant) for financial assistance to purchase spectacles delayed.	Pending
C/171/2018	Withdrawal of money from detainee's account not authorised.	Discontinued
C/185/2018	Sermon books addressed to detainee at latter's request returned to sender, the complainant.	Explained
C/211/2018	Detainee's radio broken during search in his cell, etc.	Explained
C/229/2018	Averment by detainee that there is no day-care centre to perform physical exercise, etc.	Pending
Public Infrastructure & Land Transport		
C/168/2017	Request for bus route for the benefit of the public.	Explained
C/236/2017	Complainant contests deduction in her salary.	Explained
C/272/2017	Travelling claim disapproved.	Explained
C/277/2017	Complainant considers his transfer as unfair.	Pending

C/52/2018	Complainant refused a petrol filling station licence.	Rectified
C/65/2018	Request for removal of hump which causes nuisance. No action taken by Authority concerned.	Explained
C/90/2018	No reply since more than three months to complainant's request for information relating to his seniority.	Discontinued
C/91/2018	No reply to application for a petrol station licence made since one year.	Pending
C/106/2018	Complainant denied overseas training and avers discrimination against him by Management.	Discontinued
C/131/2018	Request by complainant to reconsider his son's application to be registered as a part-time taxi-driver which has been turned down by the Authority.	Not Investigated
C/165/2018	No action taken by the Inspector of the National Transport Authority concerning complaint made thereat.	Pending
C/183/2018	No reply yet to complainant who has applied for a delay to renew his taxi car.	Rectified
C/199/2018	Complainant not informed of the status of his project.	Explained
Rodrigues		
ROD/C/26/2012	Illegal occupation of private land by Rodrigues Regional Assembly without payment of any compensation.	Explained
ROD/C/5/2017	Request by complainant for a housing unit as he lives in dire conditions.	Pending
ROD/C/10/2017	Complainants contest the decision to reinstate them to the post of Administrative Officers whereas before their interdiction they held the post of Departmental Heads.	Pending
ROD/C/12/2017	Application for State land lease for commercial purposes not considered since twelve years.	Explained

ROD/C/14/2017	Request for cash in lieu of duty-free facilities upon reinstatement following interdiction and dismissal of court case.	Explained
ROD/C/18/2017	Responsibility allowance not paid to complainant for a period of one year.	Rectified
ROD/C/19/2017	Application for a residential lease made since six years not yet considered.	Rectified
ROD/C/21/2017	Complainant short-paid allowance for duties performed as driver of Bell loader.	Explained
ROD/C/22/2017	Complainant's house in dangerous condition.	Pending
ROD/C/23/2017	No reply to application for repairs by complainant who is the beneficiary of a Trust Fund House.	Pending
ROD/C/26/2017	Complainant's house destroyed by fire since six months. No assistance provided to her by the authorities concerned.	Rectified
ROD/C/27/2017	Application for a plot of State land for residential purposes not attended to since four years.	Explained
ROD/C/28/2017	Complainants' claim for benefits upon their reinstatement not entertained.	Pending
ROD/C/1/2018	Field assistants at Commission for Agriculture feel discriminated against.	Not investigated
ROD/C/2/2018	Application for a change of the plot of land leased to complainant not considered since two years.	Pending
ROD/C/3/2018	Non-payment for extra hours of work put in by complainant.	Rectified
ROD/C/4/2018	Driver on Roster not allowed to perform on roster since nearly six months.	Explained
ROD/C/5/2018	Non-payment of risk allowance to Launch Drivers.	Not Justified
ROD/C/6/2018	Complainants contest claim of overpayment of additional increment by Departmental Head.	Pending
ROD/C/7/2018	Application for State land lease made since 2011 not yet considered.	Explained

ROD/C/8/2018	No access road for certain inhabitants to their houses.	Pending
ROD/C/9/2018	Application for State land lease for residential purposes not considered since nearly three years.	Explained
ROD/C/10/2018	No reply to application made since August 2017 for a plot of State land for commercial purpose (cold storage).	Pending
ROD/C/11/2018	Complainant claims to have been unfairly deprived of salary compensation 2017 as from January 2018.	Rectified
ROD/C/12/2018	Errors in complainant's salary.	Explained
ROD/C/13/2018	Non-payment of meal allowance to Senior Pharmacy Technicians/Pharmacy Technicians.	Pending
ROD/C/14/2018	No compensation paid for "loss" of private land.	Pending
ROD/C/15/2018	Complainant being paid acting allowance for performing duties of Deckhand since more than four years. No promotion as yet.	Explained
ROD/C/16/2018	Complainant being paid acting allowance for performing duties of Deckhand since more than four years. No promotion as yet.	Explained
ROD/C/17/2018	Complainant being paid acting allowance for performing duties of Deckhand since nearly eighteen years. Request for promotion to the grade of Deckhand.	Explained
ROD/C/18/2018	Complainant avers she has not received any assignment of duties as Senior Attendant (Hospital Services) whereas her junior colleagues have received such assignment.	Explained
ROD/C/19/2018	General workers not aware of their conditions of service, etc.	Pending
ROD/C/20/2018	Complainant, a State land lessee avers inadequate infrastructures and lack of electric supply.	Explained

ROD/C/21/2018	Complaint against procurement regarding tenders for the inspection of machines.	Explained
ROD/C/22/2018	Application for residential lease still not considered after more than four years.	Pending
ROD/C/23/2018	Scheme of service not yet approved.	Pending
ROD/C/24/2018	Payment of gratuity discontinued contrary to conditions of employment.	Pending
ROD/C/25/2018	Complainant not informed of his conditions of service and not paid any gratuity.	Pending
ROD/C/26/2018	Non-payment of allowance to Officers who went on mission to Mauritius.	Pending
Social Security, National Solidarity and Reform Institutions (Social Security Division)		
C/61/2016	Application for Residential Care Home Licence not considered after nearly two years.	Discontinued
C/138/2017	Complainant contests claim for refund of alleged over-payment of orphan pension.	Explained
C/163/2017	No hearing aid issued to partially deaf person.	Rectified
C/227/2017	Assistance for complainant's three children attending school denied.	Discontinued
C/254/2017	Wrong claim made by Ministry against complainant's widowed mother.	Explained
C/268/2017	Complainant's basic invalid's pension discontinued.	Rectified
C/286/2017	Complainant not refunded unutilized sick leave.	Explained
C/6/2018	Payment of basic invalid's pension stopped after fourteen years.	Explained
C/8/2018	Invalid Basic Pension of sick lady discontinued.	Explained
C/10/2018	Application by complainant to the National Solidarity Fund for financial assistance for refund of university fees in favour of his son not entertained.	Explained

C/16/2018	No reply to application for Carer's Allowance by bed-ridden complainant.	Discontinued
C/24/2018	Complainant contests the disallowance of his claim for Basic Invalid's Pension/ Contributory Invalid's Pension.	Discontinued
C/49/2018	No pension being paid to complainant's brother who is in hospital since more than one and a half years.	Explained
C/61/2018	The services of complainant, a substitute Social Security Attendant, no longer retained for no valid reason.	Explained
C/100/2018	Substitute messenger not given the chance to continue working.	Explained
C/109/2018	Protest regarding the exercise of registration and payment of flood allowance.	Pending
C/112/2018	Complainant's brother's Basic Retirement Pension discontinued since nearly one year.	Rectified
C/115/2018	Anomaly in complainant's pension.	Explained
C/128/2018	Request for assistance to obtain social aid.	Explained
C/130/2018	Carer's allowance discontinued.	Rectified
C/133/2018	Complainant avers that his application for Basic Invalidity Pension has been rejected verbally but has not received any written reply to that effect.	Explained
C/152/2018	Request by complainant for financial assistance in favour of her brother who eventually passed away not considered since three years.	Pending
C/157/2018	Complainant's Basic Invalidity Pension discontinued.	Explained
C/159/2018	Non-Payment of allowance to complainant who has worked at a Refugee Centre.	Rectified
C/160/2018	Application for financial assistance not considered since four months.	Rectified
C/167/2018	Contributions made by complainant to the National Pensions Fund and the National Savings Fund not refunded.	Pending

C/197/2018	Complainant denied widow's pension.	Pending
C/203/2018	Basic and Contributory Retirement pensions not paid to complainant since one year.	Pending
C/208/2018	Change in posting contested by Officers.	Explained
C/224/2018	Request for financial assistance in respect of University fees.	Pending
C/228/2018	Payment of unemployment benefits to complainant discontinued.	Pending
C/230/2018	No reply from the Ministry regarding a report made by complainant in connection with his wife's contributions to the National Pensions Fund and the National Solidarity Fund.	Pending
C/231/2018	No reply to application for financial assistance made since more than 18 months.	Pending
Social Security, National Solidarity and Reform Institutions (Environment & Sustainable Development Division)		
C/56/2017	No action taken regarding report of sanitary problem caused by complainant's neighbour.	Explained
C/159/2017	Dogs represent a danger to users of Health Track at Signal Mountain.	Rectified
C/223/2017	Environmental problems caused by hardware shop – dust, noise, etc. No action taken by authorities concerned.	Rectified
C/237/2017	No action taken in respect of report of illegal operation of temple.	Explained
C/238/2017	Nuisance caused by smoke emanating from complainant's neighbour's premises.	Rectified
C/267/2017	Illegal backfilling of river reserve thus diverting the normal course of the river.	Explained
C/12/2018	No response to complainant's application for a Beach Trader Licence.	Explained
C/27/2018	Public beach littered with various kinds of rubbish.	Rectified
C/60/2018	Illegal activities in open space in morcellement cause noise pollution and other environmental and security problems.	Explained

C/132/2018	Unwarranted late attendance at work averred by complainant.	Pending
Technology, Communication and Innovation		
C/136/2016	Notes of meetings not circulated notwithstanding requests by complainant.	Explained
C/144/2016	Complainant avers that a series of malpractices prevail at the Ministry. No action taken to redress the situation.	Explained
C/167/2016	Date of assumption of duty wrongly reckoned by Ministry.	Explained
C/199/2016	Complainant avers discrimination regarding her release to participate in a public speaking competition.	Explained
C/34/2017	Complainants denied award of Incremental Credit for additional qualifications.	Explained
C/18/2018	Request by Staff Association to stay action on the filling of vacancies in the grade of Programme Manager, Central Informatics Bureau.	Rectified
C/94/2018	Request for copy of document addressed to the Independent Broadcasting Authority ignored.	Rectified
C/198/2018	Case of indiscipline and abusive behaviour at work. No action taken so far.	Pending
C/220/2018	Lady complainant, an Assistant Postwoman, avers she has been transferred to an insecure place of work for women.	Pending
Tourism		
C/203/2017	No reply to complaint letter addressed by complainant to the Ministry.	Rectified
C/207/2017	No action taken regarding report of misuse of block apartments.	Explained
C/222/2017	No reply to application made by complainant before the latter can proceed with the purchase of a new engine for a speedboat.	Explained

C/249/2017	Tour operator's licence wrongly issued. Prejudice caused to Taxi Owners Association.	Explained
C/20/2018	No reply received to letters addressed to Tourism Authority by complainant.	Rectified
C/187/2018	No improvement regarding a report of noise nuisance emanating from rented bungalows.	Explained

OFFICE
OF THE
OMBUDSMAN

APPENDIX F

STAFFING STRUCTURE

Sn	DESIGNATION	In Post as at 31 December 2018	Gender	
			Male	Female
Senior Management/Technical Staff				
1	Ombudsman	1	1	-
2	Senior Investigations Officer	1	1	-
Workmen's Group – General				
3	Office Management Executive	1	-	1
4	Financial Officer/Senior Financial Officer	1	-	1
5	Office Management Assistant	1	-	1
6	Office Supervisor	1	1	-
7	Management Support Officer	6	2	4
8	Confidential Secretary	1	-	1
9	Word Processing Operator	2	-	2
10	Receptionist/Telephone Operator	1	-	1
11	Office Auxiliary/ Senior Office Auxiliary	3	1	2
	Total	19	6	13

Table Staffing Structure

APPENDIX G

ORGANISATIONAL STRUCTURE

