



Republic of Mauritius

41st Annual Report
of the
OMBUDSMAN

January - December 2014

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Annual Report
of the
Ombudsman



January – December 2014

OFFICE OF THE OMBUDSMAN

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02 April, 2015

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

Your Excellency,

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

In accordance with such provisions therefore, I have the honour, pleasure and privilege to present to you the 41st Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2014.

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

Yours respectfully,



(Soleman M. HATTEEA)
Ombudsman

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ANNUAL REPORT OF THE OMBUDSMAN

JANUARY – DECEMBER 2014

Year under review

This is the 41st Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2014 in the course of which we registered a total of 327 new cases as detailed below

Statistics for 2014

Case intake

Ministries/departments	...	...	...	240
Local Authorities...	...	...	...	67
Rodrigues Regional Assembly	...	...	...	20
Total	...	...	...	327

Cases dealt with

Ministries/Departments

Rectified	...	...	...	...	79
Not Justified	...	...	...	...	19
Explained	...	...	...	...	144
Discontinued	...	...	...	...	24
Not Investigated	...	...	...	...	4
Not Entertained	...	...	...	...	1
Pending	...	...	...	...	46
Total	...	...	...	...	317

Local Authorities

Rectified	...	...	...	...	33
Not Justified	...	...	...	...	2
Explained	...	...	...	...	36
Discontinued	...	...	...	...	7
Not Investigated	...	...	...	...	1
Pending	...	...	...	...	24
Total	...	...	...	...	103

Rodrigues Regional Assembly

Rectified	...	...	...	...	5
Not Justified	...	...	...	...	4
Explained	...	...	...	...	14
Discontinued	...	...	...	...	1
Pending	...	...	...	...	6
Total	...	...	...	...	30

On the whole therefore our statistics for 2014 are as follows -

Cases pending as at 31 December 2013...	...	121
Case intake...	...	327
Cases dealt with	...	450
Cases rectified	...	117
Cases not justified...	...	25
Cases explained	...	194
Cases discontinued...	...	32
Cases not investigated	...	5
Cases not entertained.....	...	1
Cases pending as at 31 December 2014.....	...	76

Therefore the percentage of successful cases during the year under review hovered around twenty-six per cent whilst the number of pending cases had been reduced by almost twenty-five per cent.

We also received 223 complaints against various institutions that fall outside our jurisdiction. In principle we inform the complainants accordingly and request them to direct their complaints to the authority concerned. But we do, in certain cases, assist them to the best of our ability.

There are also cases which disclose that the complainants do address their complaints to the proper authority but all the same they choose to address to our Office a copy of their complaints in the hope that we can assist them in their endeavour to obtain justice. It is a sign of the trust that people have in our institution. Accordingly, we do oblige by following up deserving cases and try to obtain a solution to their problems.

Rodrigues

During the year under review we repaired to Rodrigues on a working trip from 19 to 23 August.

The number of persons who called on us on that occasion amounted to fifty-one and we opened four complaint files there and then, although by the end of the year under review we had registered twenty complaints.

Amongst those persons who called on us were –

- (i) complainants who had already lodged their complaints before us and who had been specifically summoned for further discussion and follow up purposes;
- (ii) complainants who came to inquire about the status of their complaints and who were informed of same;
- (iii) new complainants who came to file their complaint letters;
- (iv) those who came to expose their grievances verbally and who were explained how to lodge their complaints.

We had also summoned the Island Chief Executive in relation to certain cases in which no compensation had yet been paid to the complainants for the acquisition/occupation of their land by the Rodrigues Regional Assembly. Unfortunately those cases could not be resolved as we were informed by the Land Surveyor who represented the Island Chief Executive that an amendment to the laws in so far as Rodrigues is concerned was being awaited and that a reply to that effect from the Ministry of Housing and Lands would be forthcoming. As at the end of the year no such amendment had yet been made.

The Ombudsman and the administration

In the wake of various changes and/or transfers that took place recently at the head of certain Ministries/Departments I have deemed it appropriate to say a few words on principles of good administration, bearing in mind the provisions of Section 98(1) of our Constitution which enjoin the Ombudsman, whenever he proposes to conduct an investigation into a complaint of maladministration, to afford to the principal officer of any department or authority concerned an opportunity to comment on the complaint made to the Ombudsman in respect of that department or authority.

It is of universal acceptance to-day that one of the components of democracy is good governance. And a sine qua non of good governance is good administration. For no government can function in a democratic manner unless it is supported by a good administration. Indeed administrators are expected to serve the government of the day to the best of their ability, provided they are themselves equipped with proper tools of management and operate in good working conditions put at their disposal by the government they serve.

As Ombudsman I am called upon to carry out investigations into complaints against all Ministries/Government Departments, Local Authorities and the Rodrigues Regional Assembly for poor service-delivery or improper or unfair decisions taken by these bodies, in other words complaints of maladministration. It may be said that maladministration occurs whenever a public body fails to act in accordance with a rule or principle which is binding upon it. But our administrators should not stop there but they should go the extra mile by being service-minded and ensuring that members of the public are treated in a fair and reasonable manner, and at all times endeavour to promote excellence in the public service. In the course of our investigations we apply the test of fairness or reasonableness whilst taking into account the circumstances of each particular case, bearing in mind that all the bodies that fall under our jurisdiction have their own demanding standards and statutory duties to comply with. Indeed administrative functions mean the discharge of duties by public officers according to the rules and regulations in force, established procedures and in compliance with their conditions of service.

Therefore what we understand good administration to mean is that public officers, in the fulfillment of their duties must take reasonable, fair and balanced decisions based on relevant considerations. They need to consider how an individual or an organization may be affected by the decisions they take; in other words, take off their shoes and put themselves in the shoes of complainants.

We are however also alive to the fact that certain public bodies are limited by their resources but that should not serve as an excuse for poor service-delivery. What is expected of public officers is that they should treat people with respect, courtesy and in a fair and impartial manner. There should under no circumstance be a deliberate intention to do harm or to cause prejudice or to discriminate, although we cannot rule out cases of genuine mistakes or of misinterpretation of the law or of facts. I wish here to quote Professor de Smith of the Cambridge University in his recommendations regarding the creation of the Ombudsman institution: "He would conduct his inquiries informally and privately; he would not be entitled to single out individual public officers for condemnation in his published reports." He even went further to say that the Ombudsman would screen the public service from unjustified criticism.

The Ombudsman's role is to endeavour finding solutions to citizens' complaints of maladministration in a manner that is fair and reasonable to both parties. In order to do so it is first and foremost essential that the relationship between the Ombudsman's Office and the various administrations should be characterized by a good collaboration. I hasten to say however that

whenever a particular situation demands we do express our discontent where cases referred to a particular administration have not been adequately dealt with. This indeed contributes to enhancing an administrative culture for the benefit of citizens.

The Ombudsman is an independent and a moral authority. He falls outside any administration and is not under the direction or control of any other person or authority. He is guided by his own judgment as to what is right or wrong. However, he cannot impose his views on any department but he is empowered to make a recommendation in a fit and proper case whenever he comes to the conclusion that there has been maladministration. His recommendations cannot be considered as “decisions” but in a given situation the Ombudsman is empowered to require a change in policy or even of the law whenever he is of the view that a strict application of an existing policy or law will have unreasonable consequences. In such a case it may be said that the Ombudsman acts in equity.

Over and above the power to inquire into complaints lodged by individuals the Ombudsman is further empowered by the Constitution to open an investigation on his own initiative. This is a power which we, at the Office, exercise quite regularly after taking cognizance, through press articles or anonymous letters, of a problem or situation that may cause prejudice or injustice to any person or group of persons,. It goes without saying that we do not allow ourselves to be dragged into all sorts of cases for fear of having to devote all our time to such cases. We need to single out deserving cases.

It is important to know that the Ombudsman cannot solve all the problems that are brought to his knowledge in the course of his mission. Indeed there are certain realities which are all too obvious e.g. insufficient financial resources of a particular administration, especially local authorities which have limited means at their disposal. Consequently it does happen that sometimes we are unable to obtain from an administration a solution which is favourable to a particular complainant, even on humanitarian grounds. Nor have we ever asked any administration to do anything contrary to established practices, although it is felt that there are cases where an administration may show some flexibility. All the same though, all our efforts are not lost as we consider that these are opportunities for us to learn and draw lessons in order to improve our approach and performance.

The effectiveness and success of our Office also depend on government’s continued commitment to uphold the independence of the Ombudsman institution and to give it the support it needs in its mission to be an impartial advocate for administrative fairness.

Acknowledgements

First and foremost my deep appreciation and warm thanks to the entire staff of my Office for their commitment to our mission, their continuous support throughout and finally for their contribution to the preparation of this Annual Report.

I have also noticed that there is a marked improvement as far as response is concerned on the part of the various administrations we have queried throughout the year. I therefore wish to thank all those administrators who have cooperated with our Office in the fulfilment of our mission.

I am also thankful to colleagues from outside who continue to send us their Annual Reports which are a fruitful source of information and inspiration, whilst we keep receiving regularly the news bulletin of the International Ombudsman Institute which keeps us informed about developments in the field of ombudsmanship around the world.

Last but not least, we are deeply touched by the unflinching confidence and trust placed in our Office by the citizens of this country who do not hesitate to solicit our intervention and assistance with a view to finding solutions to their problems with various administrations.

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.

2 April 2015



(S.M. HATTEEA)
Ombudsman

CHAPTER IX – THE OMBUDSMAN

96. Office of Ombudsman

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

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

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

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

97. Investigations by Ombudsman

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

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

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

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

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

- (i) the President or his personal staff;

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

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

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

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

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

(6) The Ombudsman shall not conduct an investigation under this section in respect of any complaint under this section in so far as it relates to -

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

Provided that -

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

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

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

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

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

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

98. Procedure in respect of investigations

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

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

99. Disclosure of information

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

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

(3) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in the public service imposed by any law in force in Mauritius or any rule of law shall apply to the disclosure of information for the purposes of any such investigation, and the State shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

(4) No person shall be required or authorised by virtue of this section to furnish any information or answer any question or produce any document relating to proceedings of the Cabinet or any

committee of Cabinet, and for the purposes of this subsection, a certificate issued by the Secretary to the Cabinet with the approval of the Prime Minister and certifying that any information, question or document so relates shall be conclusive.

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

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

100. Proceedings after investigation

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

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

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

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

the Ombudsman shall report his opinion, and his reasons, to the principal officer of any department or authority concerned, and may make such recommendations as he thinks fit; he may request that officer to notify him, within a specified time, of any steps that it is proposed to take to give effect to his recommendations; and he shall also send a copy of his report and recommendations to the Prime Minister and to any Minister concerned.

(3) Where within a reasonable time after the report is made no action is taken which seems to the Ombudsman to be adequate and appropriate, the Ombudsman, if he thinks fit, after considering any comments made by or on behalf of any department, authority, body or person affected, may send

a copy of the report and recommendations to the Prime Minister and to any Minister concerned, and may thereafter make such further report to the Assembly on the matter as he thinks fit.

101. Discharge of functions of Ombudsman

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

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

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

102. Supplementary and ancillary provision

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

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

THE OMBUDSMAN ACT

1. Short title

This Act may be cited as the Ombudsman Act.

2. Oaths of office

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

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

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

3. Procedure

(1) 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.

SUMMARIES OF SELECTED COMPLAINTS

MINISTRIES/DEPARTMENTS

AGRO INDUSTRY AND FOOD SECURITY

C/2/2014

Complainant's fence repaired

J.P.D. is the owner of a pig farm which forms part of a Pig-Marketing Cooperative Society. During sewerage works undertaken on 26 November 2013 by a contractor employed by the Ministry a fence at the farm was damaged on a length of twelve feet thus rendering his property insecure against any kind of danger. He claimed that responsibility for such damage rested on the shoulders of the Ministry to whom he had written about the incident on the same day, supported by photographs of the damage caused. Unfortunately, as at 08 January 2014 no action had been taken.

In a long-drawn explanation of the situation dated 23 January 2014 the Permanent Secretary of the Ministry averred that on 24 December 2013 an email had been sent to J.P.D. in which he was informed that his complaint was being dealt with. The Permanent Secretary ended up saying that the boundary enclosure of the farm had already been reinstated by the contractor.

J.P.D. admitted that the enclosure abutting the main road had indeed been repaired but he claimed that in his initial complaint to the Ministry he indicated that the enclosure separating him from his neighbour had also been damaged by the contractor and which had, as at 27 January 2014, not been repaired.

I therefore had to pursue the matter further with the Permanent Secretary. A site visit was thus organized by the Ministry on 04 April 2014 in presence of J.P.D. and the contractor. Subsequently there appeared to be some confusion concerning the measures to be undertaken by the contractor to put things right, as it were, but in the end J.P.D. confirmed by email dated 03 June 2014 that the agreed repairs had been effected by the contractor following instructions received from the Ministry.

All is well that ends well.

CIVIL SERVICE AND ADMINISTRATIVE REFORMS

C/31/2014

Complainant allowed increment beyond top salary

Mrs S.B., Assistant Manager Financial Operations, wrote a long and detailed letter to our Office in which she complained that her application for increment "beyond top salary" point on the basis of a BSc Degree in Public Sector Financial Management awarded to her ever since 11 April 2012 had been disallowed. She averred that she had written to various ministries about the unbearable injustice caused to her but to no avail. When she wrote to us in February 2014 the issue was still in abeyance. She further added that her colleagues of the Financial Cadre, junior as well as senior to her, who had been awarded the same degree had already benefitted the increment she was claiming.

I requested the Senior Chief Executive, Ministry of Civil Service and Administrative Reforms to enlighten our Office on that complaint and his reply was to the effect that following legal advice

received from the Solicitor General, increment beyond top salary to officers who have obtained the prescribed additional qualifications are paid in accordance with that Ministry's Circular Note No. 18 of 2012, a copy of which was filed.

As regards the colleagues mentioned by Mrs S.B., the version of the Senior Chief Executive was that such cases may constitute an overpayment and therefore will have to be identified and any overpayment wrongly made will have to be refunded.

Both our Office and the complainant were not convinced by the argument of the Senior Chief Executive and we requested him to re-examine the case and, if need be, liaise with the Ministry of Finance and Economic Development in the light of further points raised by the complainant. A few months later the Senior Chief Executive replied that the case had been re-examined and it had been decided that the complainant may be allowed to move incrementally beyond top salary under Recommendation 19.27 of the 2008 Pay Research Bureau Report, with effect from 11 April 2012, date on which Mrs S.B. obtained her degree.

Mrs S.B. was accordingly informed of the result obtained in her favour to which she replied as follows: "I wish to kindly convey my sincere and heartfelt thanks to you and to your fully dedicated team for the prompt intervention along with your continued and unflinching support throughout the whole process in causing to amend the gross injustice imposed upon me since September 2012".

EDUCATION AND HUMAN RESOURCES

C/5/2014

Complainant allocated the class she expected

One Mrs S.L., an Educator in a Government School, averred that she had been a victim in the context of allocation of classes for the year 2013. She thus averred in her letter of complaint dated 13.01.2014 that in the year 2013 she was allocated a Standard IV class and that in line with the established practice she should have been allocated a Standard V class to accompany her pupils up to Standard VI.

However, when school resumed she discovered that the Head Master had allocated a Standard IV class to her once again, something she considered as an injustice and a discrimination against her person, the more so as two colleagues of hers had been allocated Standard V classes.

Mrs S.L. therefore appealed to our Office to redress the situation in her favour.

The case was taken up with the Senior Chief Executive of the Ministry of Education and Human Resources who reported that during a meeting held on 17.02.2014 the Head Master of the school was requested to re-allocate each teacher with their respective classes of 2013. Consequently Mrs S.L. was allocated Standard V class, as she expected.

In her further letter dated 18.03.2014, Mrs S.L. conveyed her "heartfelt thanks to your organization for the valuable help extended to me". She stated that she was fully satisfied.

C/7/2014

**Complainant's daughter obtains her transfer from one school to another
on ground of change of address**

Mrs A.M. informed our Office by email dated 14 January 2014 that her application for the transfer of her daughter, a Form IV student, from Forest Side State Secondary School to Lady Sushil Ramgoolam State Secondary School in Triolet on the ground of change of address, had been disregarded. Her application had been made online since 15 November 2013 but each time she queried the Ministry about her application she was told that she would receive a reply before school starts. She received none!

We took up the matter with the Senior Chief Executive of the Ministry on 16 January 2014 and four days later Mrs A.M. informed us that her daughter finally got her transfer and started school on the same day.

According to the Ministry the application was not processed due to the fact that certain supporting documents had not been received but as soon as same were submitted the case was processed and a letter of transfer was issued to the parent.

C/8/2014

Class allocation reviewed

The complaint of Mrs N., an experienced teacher with more than thirty years of service, was to the effect that in the year 2013 she had been allocated a Standard IV Yellow Class and, according to the established practice, she should have been allocated the Standard V Yellow Class in the year 2014 in order to accompany her pupils up to Standard VI the following year.

In her letter dated 13 January 2014 she averred that, for reasons unknown and much to her surprise, she was not allocated her Standard V Class. She went further saying that the pupils' parents were even more surprised and had expressed their intention to seek redress so that their children would not be penalized by not having their Standard IV teacher continue what she had already started the year before.

She therefore claimed that this was a clear case of injustice and discrimination and appealed to our Office to redress what she called a "*bavure*" of the Head Master.

The matter was immediately taken up with the Senior Chief Executive of the Ministry and during a meeting held on 17 January 2014 the Head Master of the School concerned was requested to reallocate each teacher with his/her respective class of 2013. Consequently Mrs N. was allocated the Standard V Yellow Class which she claimed she was entitled to.

C/11/2014

Child in "no-school" situation offered a seat in an additional class

This is the case of a child of tender age who lost her father some six years ago and who had been abandoned by her mother. The grandmother, Mrs R., was granted guardianship of the child by the competent court and the child was living with her.

In her letter dated 20.01.2014 addressed to the Permanent Secretary, Ministry of Education and Human Resources, and copied inter alia to our Office, she described the child as being in a "no-

school” situation and made an appeal that the child be admitted to a school in the vicinity of their residence, Upper Vale.

Considering that this was an unacceptable situation, I immediately decided to take up the matter with the Ministry with a view to finding a class for the said child.

Less than a week later I received a correspondence from the Ag. Senior Chief Executive of the Ministry informing me that the case had been reviewed and a decision had been taken to operate an additional Form I Section at Pamplemousses State Secondary School where a seat was offered to the child by letter dated 24 January 2014.

C/56/2014

Teacher/Senior Teacher gets paid unutilized sick leave after long delay

For some unknown reason the unutilized sick leave of Mr R.J., Teacher/Senior Teacher for the year 2013 had still not been paid by March 2014, notwithstanding several reminders and phone calls to the responsible officer of the Finance Section of his Ministry. R.J. therefore sought our intervention “to remedy this chaotic situation which has lasted too long”.

Two weeks after our intervention in the matter the Ag. Senior Chief Executive of the Ministry informed our Office that necessary action had already been taken to credit R.J.’s bank account with the amount due to him. The Ministry also informed R.J. personally of action taken.

Although I did not pursue the matter further with the Ministry to know the reason for such administrative delay, I am calling on all concerned to see to it that officers be paid their dues within a reasonable delay so as to spare them any financial constraint.

C/57/2014

Arrears paid to officer upon the Ombudsman’s intervention

In a letter dated 27 March 2014 one Mrs N.D., a Teacher/Senior Teacher, claimed that she had not been paid for her unutilized sick leave for the year 2013 and her Advanced Certificate in Education (ACE) allowances since May 2013.

Notwithstanding her various calls and reminders to the officer responsible for the Finance Section of her Ministry nothing had been done. She therefore sought our intervention in order “to remedy this chaotic situation which has lasted too long”.

Upon receipt of Mrs N.D.’s complaint we requested the Senior Chief Executive of the Ministry to look into the matter and report to our Office.

A fortnight later we were informed that necessary action had already been taken by the Finance Section for payment of unutilized sick leave for the year ending 31 December 2013 and same had been credited to the officer’s bank account. As for incremental credit in respect of the ACE, payment was to be effected together with the lady’s salary of April 2014.

Mrs N.D. was requested to inform our Office once she had received her dues but she did not do so. All the same we were satisfied that remedial action had been taken.

C/98/2014

Complainant's travel grant paid following Ombudsman's intervention

The complaint of Mr O.G., a Mentor of the Ministry of Education and Human Resources, was to the effect that he had sent his application for the payment of his travel grant as per the Recommendation of the Committee set up to look into representations arising out of the Errors, Omissions and Anomalies Committee Report 2013 which had not yet been effected as at May 2014, date of his letter, although he did not specify for which months the travel grant was due.

All the same we were informed by the Senior Chief Executive of the Ministry that now that the Officer had submitted a certified copy of his Registration Book (Horsepower) payment would be effected shortly. That was in mid-June 2014 and O.G. was at the same time also informed accordingly by the Ministry.

Two months later O.G. informed our Office that he had been paid arrears due to him for the period January to June 2014 although he claimed that the sum paid had been wrongly calculated. In the same breath he informed us that he had not yet received his due for the months of July and August 2014 and that the travel grant had still not been integrated in his monthly salary. He again sought our further intervention and the Ministry informed us one month later that payment for the months of July and August 2014 had been effected manually.

Finally, in October 2014, O.G. reverted to our Office to inform us that he had been paid all sums due to him and that his monthly travel grant had been adjusted accordingly. He was totally satisfied.

C/191/2014

Application for casual leave approved

Mrs R.R., an Educator, had applied for vacation leave in order to attend to her sickly mother who was to undergo urgent medical treatment. Being fully aware of her responsibility as a Certificate of Primary Education (CPE) class teacher and bearing in mind the interest of her pupils, she waited until the end of the exams before submitting her application. Unfortunately her application was rejected by the Headmistress of her school and she was verbally informed.

Hardly had I taken up the case of Mrs R.R. with the Senior Chief Executive of her Ministry that she herself informed our Office that her application for 9 days casual leave had been approved.

All the same we did receive a reply from the Senior Chief Executive giving the reason for the initial rejection of Mrs R.R.'s application. Basically it was based on Paragraph 22.106 of the Pay Research Bureau Report 2013 which clearly spells out that Teacher/Senior Teacher and Educators are not to be granted vacation leave during the third term except for certain specified reasons which we need not go into. The Senior Chief Executive confirmed however that Mrs R.R. was granted 9 days casual leave with effect from 20 October 2014 to her satisfaction.

FOREIGN AFFAIRS, REGIONAL INTECRATION AND INTERNATIONAL TRADE

C/165/2014

High-ranking Officer refunded amount deducted from salary

A Second Secretary at the Ministry of Foreign Affairs, Regional Integration and International Trade felt he was victimized by the administration of his Ministry in the sense that a substantial amount of money was deducted, without his knowledge or consent, from his salary. He averred that, according to the Ministry, that sum represented an excess amount on an official mobile phone for which he had been eligible since three years when he was working in another capacity. He sought our assistance for a refund and requested that in future the Ministry does not act in such an arbitrary manner again.

Together with his letter of complaint dated 07.08.2014 he filed a copy of a letter dated 06.08.2014 which he addressed to the Supervising Officer of his Ministry about the same problem. We therefore informed the complainant that he ought to wait for some time in order to see whether he would receive a reply from his own Ministry and only if no reply was forthcoming after a week or so he could revert to our Office again.

On 20.08.2014 the complainant wrote back to our Office to inform us that he had been verbally informed by the Acting Secretary for Foreign Affairs (SFA) a week before that he would be refunded the amount deducted (Rs 5127.26) by the end of August 2014.

All the same we took up the matter with the SFA and before we received any reply the complainant confirmed that he had indeed been refunded the whole amount on 27.08.2014. We therefore did not pursue the matter further with the SFA.

GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE

C/32/2014

Complainant refunded the totality of her bus fares

In February 2014 Miss T., a Social Welfare Officer, complained about the delay in obtaining the refund of the totality of her bus fares on a two-leg basis by the Ministry since July 2012, an amount of Rs 250/- monthly.

Once the matter was taken up with the Permanent Secretary of her Ministry Miss T. was refunded her bus fares for the period September 2013 to March 2014. No refund was made for the period starting July 2012.

When we queried the Permanent Secretary again about this shortfall he replied that he had requested some further information about the trip from the National Transport Authority and that he would revert to our Office once the information was obtained.

Indeed in May 2014 the Permanent Secretary informed our Office that, following information obtained, action would be taken to refund to Miss T. all her outstanding bus fares.

Miss T. confirmed having been paid all that was still due to her and extended her "heartfelt thanks for your invaluable support and for your kind consideration".

C/37/2014

Application to act as foster parent considered

Since December 2012 I.R. had made a request at the Child Development Unit of the Ministry to be a “host family” but had not, as at March 2014, received any reply.

The application was to act as Foster Care Parent and in that connection I.R. had submitted important documents such as medical certificates, affidavit, etc. He also averred that he had followed a workshop on Foster Care Parent.

After taking up the matter with the Permanent Secretary of the Ministry of Gender Equality, Child Development and Family Welfare I was informed that the Foster Care Advisory Committee (FCAC) had, at its meeting held on 16 April 2014, agreed that I.R. be given the opportunity to foster a child above 5 years of age subject to his completing a two-day training course conducted by the Ministry itself.

When I.R. was informed of this condition he complained that three months after the decision of the FCAC he had not yet been informed when the training course would be conducted. He however added that although he had already followed such a course run by the Ministry the year before, he did not refuse to follow it again but insisted to know when it would take place.

The Permanent Secretary replied that I.R. had been enrolled to follow the training sessions on Saturday 26 July 2014 and Saturday 02 August 2014 but he did not turn up, although he had been sufficiently informed. Indeed I.R. replied that he was not in Mauritius then.

Finally, when made aware of the absence of I.R. from Mauritius during that period, the Permanent Secretary wrote to I.R. directly informing him that the Ministry had to ensure that all prospective foster parents were sufficiently equipped with the required skills and knowledge to respond to the needs of children in distress in an effective manner and that the FCAC had decided that he should imperatively follow the training sessions again inasmuch as he had not successfully completed the sessions held in the year 2013.

He was further told that he would be informed of the scheduled dates for the next batch but we did not hear from him again. Consequently it may be safely assumed that I.R. had no further complaint to make.

HEALTH AND QUALITY OF LIFE

C/69/2014

Payment for goods supplied effected after Ombudsman’s intervention

According to the accountant of a private company the latter had not yet been paid by the Ministry of Health and Quality of Life an amount of Rs 16400/- for the supply of tyres since seven months.

The Senior Chief Executive of the Ministry explained that the Goods Form of 30 May 2013 drawn in favour of the company was untraceable and declared lost. Consequently, procedures had been initiated for its cancellation and a new Goods Form would therefore be drawn in favour of the company and prompt action would be taken to effect payment.

A few weeks later, the company’s accountant confirmed having received payment through our intervention.

POLICE

C/19/2014

Enquiry into alleged embezzlement case completed following Ombudsman's intervention

In early February 2014 our Office received a complaint from one Mr C.R. to the effect that ever since July 2012 he had made a declaration of embezzlement to the Police against one S.S.C., a journalist, but as at the time of writing nothing had been done by the Police. C.R. averred that he was "utterly disappointed and outraged about the police reluctance to investigate the matter". He claimed he had reasonable grounds to suspect that there were attempts to cover up the case. C.R. copied his complaint to the Senior Chief Executive of the Prime Minister's Office and to the Commissioner of Police.

I queried the Commissioner of Police in the first place but received a reply from the Senior Chief Executive, Prime Minister's Office, in which the circumstances leading to the alleged embezzlement were clearly detailed. I was further informed that enquiry into the case was still ongoing.

I requested the Senior Chief Executive to inform our Office whether we should henceforth pursue the matter with her or with the Commissioner of Police. In her reply the Senior Chief Executive stated that as her Office had received a copy of the complaint addressed to our Office they deemed it appropriate to provide our Office with information obtained from the Police.

Thereafter, the Prime Minister's Office pursued the matter with the Commissioner of Police and subsequently informed our Office that enquiry into the matter has been completed and the case file referred to the Director of Public Prosecutions for advice.

We informed C.R. accordingly but did not hear from him again thereafter.

C/24/2014

Outcome of serious criminal case reported by complainant not communicated to him

In the year 2012 complainant B.R., General Manager of a construction company, made a declaration at Stanley Police Station against one X in connection with a serious criminal case but as at 10 February 2014 the outcome of the case was still not communicated to him.

B.R. averred that the matter was being treated with levity by the Police and this constituted maladministration. He therefore solicited our intervention so that he be made aware of the outcome of the case.

After taking up the matter with the Commissioner of Police the latter replied that the case concerned a breach of the Information and Communication Technologies Act and had only now been completed and was to be sent to the Director of Public Prosecutions for advice.

Upon being so informed the complainant expressed his satisfaction for action taken by our Office.

C/80/2014

Cleaning of abandoned land undertaken

On 28 March 2014 the complainant, one I.B., wrote to the Police de l'Environnement about an abandoned plot of land, which according to him, was a potential spot for shady and undesirable characters and which represented a danger for the neighbourhood.

As no action was taken I.B. wrote to our Office one month later i.e. on 30 April 2014 requesting our intervention in the matter.

According to the Commissioner of Police, to whom we wrote about this complaint, officers of the Police de l'Environnement had already visited the spot and noticed a large plot of land covered with noxious undergrowth. One of the heirs was even met on the spot and he was apprised of the complaint received from I.B. He however informed the officers that there are other heirs to this plot of land who were abroad and he needed time to inform them before starting to clean the land.

Less than a month later another site visit was effected by the Police and it was found that the cleaning process had started and was in progress.

Unfortunately, when invited to inform our Office whether he was satisfied with the works undertaken, I.B. did not respond. Judging by the tone of his complaint letter to our Office it is assumed that he had no further cause for complaint.

C/155/2014

Gross mistake appearing on Certificate of Character corrected

A press article dated 29 July 2014 bearing the caption "*Une erreur de la police lui coûte son travail*" caught our attention. The sub-title of the article read as follows: "Ce n'est pas de sa faute si son acquittement ne paraît pas sur son certificat de moralité, mais son patron lui a donné un mois de préavis".

We requested the Commissioner of Police to look into the matter immediately with a view to bringing any correction needed to the Certificate of Character, which is now the correct appellation for this document, in order to forestall any injustice caused to the person concerned, one Mr A.B.L.

Five days later we received a detailed report about this affair and it transpired that the conviction of A.B.L. for the offence of "assault with aggravating circumstances" in the month of June 1987 had been quashed by the Court of Appeal in November 1987 but the quashing of the conviction, somehow, did not appear in the Crime Records Office of the Police. Hence the issue of the wrong Certificate of Character.

All the same necessary action was taken and the conviction deleted from the Police Crime Records. A fresh application on behalf of A.B.L. was properly processed by the Crime Records Office and a report submitted to the Office of the Director of Public Prosecutions.

On 07.08.2014 a fresh Certificate of Character was issued by the Office of the Director of Public Prosecutions and A.B.L. was requested to collect same at the Line Barracks Police Station.

It is interesting to note that Mr A.B.L does not even know our involvement in this matter.

C/168/2014

Documents submitted by Police to Attorney at Law after Ombudsman's intervention

M.S., an Attorney at Law, wrote to the Divisional Commander, Northern Division, Piton District Police Headquarters on 11 April 2014 in order to obtain copies of certain documents in relation to a fatal road accident that occurred on 05 August 2008 at Trou aux Biches Road between a bus and a motorcycle, following which the motorcyclist died as a result of injuries he sustained. The services of M.S. had been retained by the father of the deceased.

Unfortunately, four months onwards M.S. had still not received the documents he called for. Therefore he lodged a complaint at our Office on 20 August 2014.

We queried the Commissioner of Police about the delay in supplying the documents required by M.S. and two weeks later our Office was informed that the documents had been delivered to M.S.'s office through a third party.

The latter indeed confirmed receipt of the documents stating that he received a phone call from the Police Headquarters on 29 August 2014 to the effect that the documents were available for collection.

C/174/2014

Complainant's salary adjusted after promotion

The gist of S.B.'s complaint was that his salary had remained unchanged after obtaining a promotion.

S.B. joined the Police Department as a Tailor on 03.02.1975. He was promoted to the post of Assistant Master Tailor with effect from January 2014 but his salary as from that date remained the same. He lodged his complaint in August 2014.

Following our intervention and a verification by the Police Department, we were informed by the latter that indeed S.B. was entitled to one additional increment upon his promotion as Assistant Master Tailor as from 21.01.2014, in line with Recommendation 18.8.8(iii) of the Errors, Omissions and Anomalies Report 2013, to make an aggregate of 3 increments. Necessary action was therefore being taken in order to adjust S.B.'s salary.

S.B. expressed his entire satisfaction for action taken to solve his problem.

C/190/2014

Detainee's property returned to him in prison

Untried detainee S.C. was arrested by the Police on 09 July 2012 following a case of murder. In the course of his arrest several of his personal belongings were secured by the Police Officers.

Notwithstanding several requests made by him personally and by his parents for the restitution of his belongings, which comprised his National Identity Card, a bank savings account book, etc., no action was taken by the Police. He therefore requested our assistance on 17 September 2014 in order to recover his property.

Exactly a month later the Police took action and returned to S.C. his belongings at Beau Bassin Prison where he was being detained and awaiting trial.

PRIME MINISTER'S OFFICE

C/137/2014

Needful done for the issue of new passport to complainant who holds dual nationality

Miss E.D.G. was born in Mauritius forty-four years ago and had ever since lived in Mauritius until she left for Italy in 2006 where she went to stay and spent most of her time there.

On 05.01.2013 she had made an application for a Mauritian passport after having followed all procedures, following the loss of her valid passport. She submitted her birth certificate, her new National Identity Card and all necessary documents.

On 21.07.2014 she lodged a complaint before our Office to the effect that she received neither an acknowledgement nor a phone call nor her new passport, either from the Passport and Immigration Office or the Prime Minister's Office. Following a question from our Office she claimed that she was travelling on her France passport.

We queried the Prime Minister's Office about this long delay in issuing the lady with a new passport and, to cut a long story short, we were basically informed that the lady had long ceased to be a Mauritian citizen, having lost her citizenship through failure to renounce her French nationality on reaching the age of 22. She was informed of same when she called at the Prime Minister's Office and was advised to apply for a Certificate of Mauritian nationality in accordance with section 15 of the Mauritian Citizenship Act.

We were also informed by the Prime Minister's office that the lady was issued with a passport in 2007 as she had failed to inform the Passport and Immigration Office that she had ceased to be a Mauritian national. Nor did she inform the Civil Status Division that she was a French national when she was issued with a new National Identity Card.

According to the Senior Chief Executive of the Prime Minister's Office the matter was being finalized and the lady would be informed by way of letter.

Finally, on 17.09.2014, we were informed by the Senior Chief Executive that the lady's application to resume her Mauritian citizenship had been approved and she was requested to effect the necessary payment for the issuance of her Certificate of Citizenship.

Miss E.D.G. wrote back by email to say that the letter from the Prime Minister's Office had been issued one day after her departure from Mauritius and that she had instructed her lawyer to follow up the matter. She expressed her satisfaction adding that "*je pense que votre intervention a empêché que mon dossier prenne de la poussière*". We did not hear from her again thereafter.

PRISONS

C/34/2014

Detainee allowed freedom of choice of religion

“An individual is born into a family with its own history and traditions. But over the years, he discovers his original nature and learns to make his choice in complete freedom and consciousness of what he wants. Even he has the innate of absolute right to worship God Almighty according to his own belief”. This is how detainee S.T. framed his complaint to our Office, alleging that he was facing “banishment” for having changed his religion.

As the detainee did not specify in which way he was “banished” we opened an inquiry and requested the Commissioner of Prisons to enlighten us on that complaint.

The reply we received from the Officer-in-Charge of Central Prison where the complainant was being detained was, to say the least, astounding. This is what the Officer-in-Charge replied –

“I have to inform that detainee cannot change his religious denomination in compliance with Reform Institution ACT, Para 19 (sections 2 and 7 re-produced below).

Above named detainee was admitted on 29/06/10 and he declared his religion as a Hindu as per his penal record.

Copy from Reform Institution Act

19. Religion

- (2) *The religious denomination of every detainee shall be recorded on his admission.*
- (7) *Ministers of religion shall not visit detainees except those of their own persuasion.”*

Clearly, reference to the Reform Institution Act should have been to the Prison Regulations 1989 made under the Reform Institutions Act 1988.

In any case I wrote back to the Commissioner and drew his attention to what we considered as a misinterpretation of the law and quoted for his attention Section 11(1) of the Constitution which reads as follows –

“11(1)

Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience, and for the purposes of this section, that freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom, either done or in community with others and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.”

and informed him that a detainee may lose his right to liberty but not the right to change his religion. We further requested the Commissioner to draw the attention of the Officer-in-Charge to the above constitutional provisions.

After obtaining advice from the State Law Office the Commissioner informed the detainee that henceforth he would be allowed to practice the religion of his choice. Detainee confirmed that he was satisfied and confirmed that his choice of religion is now being respected.

C/65/2014

Amount of milk given to female detainee for her baby boy increased

J.E.L. is a female detainee at the Women Prison. She gave birth to a baby boy some two months before complaining to our Office that she was not being provided sufficient milk in order to feed her baby. Furthermore she averred that her request to have the baby boy circumcised has been turned down by the Administration.

The Commissioner of Prisons informed me that milk was being issued according to measures indicated on the milk box and the age of the baby. However, following our query about the complaint regarding insufficiency of milk, J.E.L. attended J. Nehru Hospital on appointment and there the Paediatric Consultant increased the amount of milk for the baby and J.E.L. was satisfied.

As regards the circumcision issue the Commissioner sought legal advice from the State Law Office and thereafter informed our Office that the needful was being done to have the baby shaved and circumcised. Indeed it was the sister of the detainee who agreed to take responsibility for the circumcision. She was thus allowed to take the baby away and returned him to the Women Prison after a few hours.

Two days later the baby was seen by the Prison Medical Health Officer who counselled the mother who had no further complaint to make.

C/122/2014

Detainee allowed to grow his beard

Detainee P. who has been in prison for the last fourteen years had an appointment at the J. Nehru Hospital for medical treatment on 06 June 2014. He complained that before proceeding there he was manhandled by escort officers who forcibly shaved his beard and, in the process, caused a big pain to his neck from which he has been suffering for three days.

After taking up the matter with the Commissioner of Prisons the detainee was informed that, following advice from the Solicitor General, there was no ban on beard growing. He was however requested to trim his beard regularly which he agreed to do after expressing his satisfaction with our intervention in the matter.

The whole staff at the prison have been made aware of the Solicitor General's advice and instructed to comply.

C/128/2014

Detainee's rings found

Detainee J.W.L. who is undergoing twenty-two years imprisonment was initially detained at the Central Prison in Beau Bassin claimed that he had among his personal property one gold ring, one silver ring and a silver chain.

However, on 12 June 2014, when he was transferred to the Eastern High Security Prison in Melrose, he learned that his personal property was short of the above items.

Our inquiry revealed that the detainee's property had inadvertently remained in the safe at Central Prison when the transfer took place. All the same some time later the detainee was shown his missing items which consisted of only the two rings while the chain was missing. However, during his interview he admitted having through error mentioned a chain also. He even apologized for it. He was shown the two rings which he confirmed were his.

The two rings were then kept in his property at the Reception Office of his new place of detention. He was satisfied.

C/178/2014

Detainee transferred from one Unit to another for his own security

Detainee H.S. of Indian nationality at the new Eastern High Security Prison complained that his life was being threatened by another detainee, an African national, who had made several menaces to him, notwithstanding the fact that they were not in the same sleeping Block nor working at the same workplace. H.S. did not spell out the nature of the menaces nor the frequency thereof but all the same made a transfer request to another prison.

According to the Prisons Administration, H.S. is due for release in April 2021. As he feared for his security the Risk Assessment Committee had decided to transfer him from the Basket Shop where he was working and made to work as Unit Cleaner in Unit 2 where access to the other detainee was denied as the latter was housed in Unit 1.

H.S. was informed of the decision and he made no further representation.

C/210/2014

Detainee transferred from dormitory to single cell

Sixty-two year-old detainee at the Eastern High Security Prison (EHSP) had made a request with the Prison Administration to be transferred from the dormitory which housed twenty detainees to a single cell inasmuch as he averred that he could hardly sleep during the night on account of the noise created by the other detainees in that dormitory. His request had been turned down and he therefore appealed to our Office for intervention.

Inquiry disclosed that out of 11 Units at the EHSP 8 are dormitories and 3 cellular types. At the time the detainee made his request for transfer only 2 cellular units and 3 dormitories were operational. His request could not be entertained at that time as all the cellular types were wholly occupied. He was then informed that his request would be entertained at a later stage.

Indeed a fortnight after writing to our Office the detainee was removed from dormitory and placed in single cell following which he gave a written statement to the effect that he was satisfied with our intervention.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/28/2014

Parking coupon issued to disable field worker

Mr V.D, a disabled field worker in receipt of a Basic Invalidity Pension, claimed that he is the holder of a Disabled Parking Coupon which expired in March 2012 but which had not been renewed ever since notwithstanding letters he had written to the Permanent Secretary in April 2012 and a further letter addressed to the Honourable Minister of Social Security, National Solidarity and Reform Institutions himself in January 2014 for the renewal of same. He further averred that he received neither an acknowledgement nor a reply to his letters. He averred that he was "ashamed of belonging to a Republic where I am being inhumanly treated by High Public Officials". Our intervention was sought as per his letter dated 15 February 2014.

The version of the Permanent Secretary dated 26 March 2014 was that following reports of widespread misuse of parking coupons the Ministry had started requiring a Medical Certificate to the effect that the person applying has severe mobility problem. In the case of Mr V.D. the Medical Certificate submitted by him did not specify any mobility problem. As a result, following a policy decision of the Ministry, it was decided to refer all cases where mobility problems were not clearly specified to the Medical Board for its views. Mr V.D.'s case was presently before the Medical Board and once its views were obtained action would be taken.

On 03 June 2014 the Permanent Secretary reverted to our Office to inform us that V.D.'s application had been recommended by the Medical Board on 28 May 2014.

We immediately informed V.D and requested that we be informed as soon as he received his coupon but he chose to remain silent.

C/135/2014

Transition Unemployment Benefit paid to jobless complainant

Mr B.F. who was employed by a private company which shut down in February 2014 claimed that he had not, as at 11 July of the same year, been paid his unemployment benefit by the Ministry of Social Security, National Solidarity and Reform Institutions. He was thus unable to attend to the needs of his family due to financial problems. He sought our intervention for payment.

Our enquiry revealed that B.F. applied for Transition Unemployment Benefit (TUB) on 17.04.2014 following the closure of the said private company. The Ministry then had to ascertain whether payment of National Pension Contribution had been effected by the company on B.F.'s behalf and after enquiry it was decided on 21.07.2014 to award to B.F. the TUB. Payment of a sum of Rs 35389/- was thus effected for the period March to July 2014.

B.F. expressed his satisfaction.

C/230/2014

Totally deaf lady issued with a hearing aid nine days after lodging a complaint

A lady complainant wrote to our Office on 17.11.2014 alleging that her application for a hearing-aid made since August 2014 had not yet been considered notwithstanding the fact that she had been to the Social Security Office of her locality on several occasions.

Her request appeared to be all the more urgent as she was the main carer of her mother, aged 85 years, who was critically ill. She was finding it difficult to attend to her mother as she had a total hearing loss.

Within only nine days of our taking up the matter with the Ministry of Social Security, National Solidarity and Reform Institutions, the lady was issued with a hearing aid, to her great relief.

LOCAL AUTHORITIES CITY COUNCIL OF PORT LOUIS

LA/C/20/2014

Noisy slabs replaced by concrete platform

J.N. averred in his email addressed to our Office on 07.05.2014 that he had made several complaints to the Highway Section of the Port Louis Municipality about the disturbing noise caused by a loose slab in the middle of the road where he resides and which prevents him from having a sound sleep, but no action was taken.

Two weeks after taking up the matter with the Chief Executive of the City Council he informed us that all damaged slabs had been replaced and as for the loose slabs they would be fixed in another two weeks' time.

However, this did not seem to be to the satisfaction of the complainant as he averred that the work done on the loose slabs was not satisfactory and that it was highly probable that they would get loose again due to heavy traffic daily. Indeed, only a few days later he confirmed that the slabs had become loose again and the noise was irritating.

The attention of the Chief Executive was drawn to this state of affairs and we requested further attention to the matter. A couple of months later we were informed by the Chief Executive that a concrete platform had been constructed thus replacing all loose slabs. On the same day J.N. expressed his entire satisfaction for the resolution of the problem.

MUNICIPAL COUNCIL OF CUREPIPE

LA/C/1/2014

Barelands cleared

Mr B.S., an inhabitant of Eau Coulée, made a complaint about an abandoned land in the vicinity of his residence which was causing several nuisances/problems.

It would appear that these problems have been in existence since 2005 and reported to the Council ever since but it was only in that year that action was taken. From then on nothing had been done.

The matter was taken up with the Chief Executive of the Council who reported that a site visit was effected by the Health Inspectorate and it was found that there were two overgrown barelands near the house of B.S. Thereupon notices to clear the barelands were served on the respective owners and a delay of 15 days was given to them to clean the barelands. A couple of weeks later it was reported that the two barelands had been cleared.

No further representation was received from B.S.

MUNICIPAL COUNCIL OF VACOAS-PHOENIX

LA/C/39/2014

Building and Land Use Permit issued to NGO within 20 days following Ombudsman's intervention

This is an own-motion case in which we opened an investigation after taking cognizance of a situation faced by an NGO (non-governmental organization) called "Friends in Hope" whereby the said NGO was allegedly being made to run from pillar to post between the Municipal Council of Vacoas-Phoenix and the Traffic Management and Road Safety Unit (TMRSU) in order to obtain a permit to construct a "drop-in-centre".

Indeed it was a press article of 12.08.2014 entitled "Les autorités jouent au ping-pong avec Friends in Hope" which attracted our attention. The said NGO was described as an organization which takes care of people suffering from mental problems.

I decided to find out from the Chief Executive of the Municipal Council of Vacoas-Phoenix what the problem was and he replied on the same day informing me that it has been the practice to seek clearances from the Road Development Authority (RDA) and the TMRSU whenever a proposed development is to be carried out along a classified road and in this particular case it was along St Paul Road which is such a road.

In the meantime the application for a Building and Land Use Permit (BLUP) was duly considered at the Permits and Business Monitoring Committee of the Council on 14.08.2014 and was approved by its Executive Committee on 20.08.2014.

However, since the site under reference is found near a river, the approval of the Minister of Local Government and Outer Island was sought under Section 117(9) of the Local Government Act 2011.

Finally the said approval was obtained and a BLUP was issued to "Friends in Hope" on 01.09.2014. All this in less than 20 days!

DISTRICT COUNCIL OF MOKA

LA/C/6/2014

Action taken regarding offending structure after Ombudsman's intervention

Ever since June 2013 complainant V.P.B. wrote to the Chief Executive of the District Council averring that his next door neighbour had put an addition to an existing concrete residential building without having observed the statutory distance from their common boundary and without having obtained his consent.

It would appear that an officer of the Council merely confirmed by phone that the complaint had been registered, without any further ado.

Eight months later, as no action had been taken by the Council, the complainant emailed a copy of his complaint to our Office. Two days later we took up his complaint with the Chief Executive of the Council and another nine days later a Notice of Intended Prosecution (NIP) was served upon the neighbour for the "construction of a metal structure on boundary wall without a Building and Land Use Permit".

Subsequently a case was lodged against the said neighbour before the Moka District Court and a couple of months later the neighbour was fined by the court and ordered to remove the offending part of the metal structure put up by him, which the complainant confirmed by email and for which he expressed his satisfaction "for the task undertaken at your level".

RODRIGUES REGIONAL ASSEMBLY

ROD/C/3/2014

Complainant gets copy of his agricultural lease agreement after nearly 20 months

Mr B. of Mont Lubin in Rodrigues averred the following facts in a letter dated 30 April 2014 addressed to our Office –

- (i) On 27.01.2012 he received a letter of intent from the Commission for Agriculture, etc. for an agricultural lease for mixed farming over a plot of land of an extent of 11326 square metres at Piments/Reposoir;
- (ii) the said lease was for a period of a little more than nine years and was due to expire on 30.06.2021;
- (iii) the annual rent was Rs 1075/-;
- (iv) he had paid all fees and dues;
- (v) he signed the lease agreement on 08.08.2012 and paid Rs 300/- towards stamping and registration;
- (vi) as at 30.04.2014 he had not yet received a copy of the contract which he badly needed to obtain a loan facility from his bank to start his project.

He therefore sought our intervention.

The Departmental Head of the Chief Commissioner's Office explained that certain facts needed to be checked. A final site visit was effected on 02.05.2014 and on 05.06.2014 the lease agreement was duly registered, transcribed and a copy thereof remitted to Mr B.

The latter was requested to inform our Office once he received his copy but he remained silent. We even phoned him up but he never picked up his phone.

As we were about to proceed to Rodrigues on a working trip we convened the latter for confirmation but he did not turn up.

In any case B's problem is considered as having been solved in his favour.

ROD/C/8/2014

Risk allowance extended to Fire Fighters, etc. at airport in Rodrigues

Our Office was seized by the Airport Rescue and Fire Fighting Services Staff of the Civil Aviation Division of the Airport in Rodrigues about non-payment to them of risk allowances contrary to Recommendation 2.10.4 of the PRB Report 2013.

The matter was taken up with the Island Chief Executive who informed our Office that the approval of the Ministry of Civil Service and Administrative Reforms had been sought for such

payment to the above-mentioned Staff in view of the fact that they are being called upon to attend to domestic fires, rescue, oil spillage, floods and other emergency operations including aircraft fires.

We followed up the matter with the Ministry of Civil Service and Administrative Reforms and we were informed that the request had been submitted to the Pay Research Bureau for consideration of an extension of the risk allowance payable to the Firefighters Cadre on the Establishment of the Rodrigues Regional Assembly to their counterparts at the Civil Aviation in Rodrigues.

Finally it was agreed by the Pay Research Bureau to extend the monthly risk allowance as recommended in the PRB Report 2013 to Fire Fighters, Sub-Officers and Station Officers for performing operations duties at the Civil Aviation in Rodrigues.

It is assumed that all the complainants were satisfied with the decision as we did not hear from any one of them again.

ROD/C/9/2014

Basic Widow's Pension paid to complainant following husband's demise abroad

Complainant Mrs M.V.J. of Rodrigues was married to one J.D.J. and from their union five children were born, one of whom is still under age. In May 2014 the husband passed away in India where he had gone for treatment.

According to her a "death certificate" was issued by the Mauritius High Commission in Delhi but in fact it was a letter issued under the hand of the representative of the Head of Mission certifying that Mr J.D.J. passed away in Chennai, India, on 18.05.2014. It was addressed "To whom it may concern".

When the complainant applied for a basic widow's pension or other social benefit she was informed that the said letter was not the official death certificate and therefore not acceptable. She therefore lodged a complaint before our Office.

The matter was discussed with the Ministry of Social Security, National Solidarity and Reform Institutions in Mauritius and it was revealed that Mrs M.V.J. called at Port Mathurin Social Security Centre in June 2014 in Rodrigues where she was explained that an official death certificate was required in order to process her application for a widow's pension and was explained how to proceed to obtain same. Unfortunately she never called again there but preferred to refer the matter to our Office in July 2014.

We pursued our discussion further with the Ministry in Mauritius in order to achieve a positive outcome of this complaint. Indeed on 22.08.2014 her application for a Basic Widow's Pension was registered and awarded. Payment as from May 2014 was effected as from October 2014.

We requested Mrs M.V.J. to inform our Office whether she was satisfied but she did not respond. Her case is considered as rectified.

OWN MOTION CASES

Hereunder are a few examples of cases in which we ourselves took the initiative to investigate in the interest of the public at large, after taking cognizance of certain problems through the written press or after receiving anonymous complaints.

Case No.	Authority concerned	Nature of problem	Result/Action taken
C/36/2014	Ministry of Housing & Lands	Nauseous odour problems at NHDC Housing Estate emanating from manhole.	Site considered as a priority for rehabilitation works by NHDC. Contractor requested to carry out pumping of septic tank in the meantime.
C/53/2014	Ministry of Health & Quality of Life	Nuisance caused by rearing of cattle near human habitation.	Owner prosecuted and fined. No more nuisance reported.
LA/C/9/2014	Municipal Council of Curepipe	Abandoned house a source of nuisances for the neighbourhood.	Owner of house untraceable. Consequently, the yard and the interior of the building were cleared by the Council and the refuse carted away.
LA/C/15/2014	District Council of Savanne	Drain blocked by "debris".	Drain cleaned and cleared during three days. The Public Health Department requested to ensure regular cleaning of the drain.
LA/C/32/2014	District Council of Grand Port	Defective street lamp. Place unsafe for road-users.	Lamp repaired by Council within one day.

STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Accountant General	-	3	1	-	-	-	-	4
Agro-Industry, Food Production and Security	2	1	-	-	-	-	2	5
Arts and Culture	-	-	1	-	-	-	-	1
Civil Service and Administrative Reforms	3	1	3	-	-	-	3	10
Education & Human Resources	14	3	7	5	-	-	8	37
Energy & Public Utilities	-	-	1	-	-	-	-	1
Environment and Sustainable Development	-	-	1	-	-	-	-	1
Finance & Economic Development	1	-	4	1	-	-	1	7
Foreign Affairs, Regional Integration & International Trade	2	-	-	-	-	-	-	2
Gender Equality, Child Development and Family Welfare	2	-	2	-	-	-	1	5
Carried forward	24	8	20	6	-	-	15	73

STATISTICAL SUMMARY OF COMPLAINTS – continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	24	8	20	6	-	-	15	73
Health and Quality of Life	4		6	1	-	-	8	19
Housing and Lands	4	2	9	6	-	-	3	24
Industry, Commerce & Consumer Protection	1	-	-	-	-	-	-	1
Labour, Industrial Relations and Employment	-	1	-	-	-	-	2	3
Local Authorities	33	2	36	7	1	-	24	103
Local Government & Outer Islands	-	-	-	-	-	-	2	2
Police	22	-	31	3	3	1	9	69
Prime Minister's Office	4	-	3	-	-	-	-	7
Carried forward	92	13	105	23	4	1	63	301

STATISTICAL SUMMARY OF COMPLAINTS – continued

Authority concerned	Rectified	Not Justified	Explained	Discontinued	Not Investigated	Not Entertained	Pending	Total No. of Complaints
Brought forward	92	13	105	23	4	1	63	301
Prisons	11	7	53	6	-	-	2	79
Public Infrastructure, National Development Unit, Land Transport and Shipping	1	-	1	2	-	-	-	4
Registrar General	-	-	4	-	-	-	-	4
Rodrigues	5	4	14	1	-	-	6	30
Social Integration and Economic Empowerment	-	-	1	-	-	-	1	2
Social Security, National Solidarity and Reform Institutions"	8	-	11	-	1	-	2	22
Tertiary Education, Science, Research and Technology	-	1	3	-	-	-	1	5
Tourism and Leisure	-	-	1	-	-	-	-	1
Youth and Sports	-	-	1	-	-	-	1	2
TOTAL	117	25	194	32	5	1	76	450

No.	Subject of Complaint	Result
ACCOUNTANT GENERAL		
C/108/2014	No monthly pension received by complainant since seven years.	Not Justified
C/109/2014	Anomaly regarding pension.	Rectified
C/116/2014	Complainant, a retired Headmaster, claims refund of pension contribution during his time of service	Not Justified
C/226/2014	Anomaly in monthly pension.	Not Justified
AGRO-INDUSTRY AND FOOD SECURITY		
C/87/2013	Abandoned orchard cause the ire of the neighbourhood as it has become the source of various nuisances.	Rectified
C/2/2014	Fence of complainant's farm broken by contractor employed by Ministry. No repairs effected yet despite numerous notifications to Ministry.	Rectified
C/30/2014	Lease agreement wrongly cancelled.	Not justified
C/197/2014	Non-payment of retirement benefits.	Pending
C/221/2014	Complainant contests change in posting on ground of lack of necessary qualifications for new post.	Pending
ARTS & CULTURE		
C/192/2013	Non-payment of copyright fees	Explained
CIVIL SERVICE AND ADMINISTRATIVE REFORMS		
C/3/2013	Request for adjustment of salary not entertained.	Not justified
C/199/2013	Non-approval of request by public officer to do private work after normal office hours.	Rectified
C/224/2013	Application for a monthly allowance in lieu of duty exemption on car wrongly rejected.	Rectified
C/260/2013	No reply to request for one additional day as annual casual leave.	Explained
C/20/2014	No additional increment granted for additional qualifications. Complainant avers victimization.	Pending

No.	Subject of Complaint	Result
CIVIL SERVICE AND ADMINISTRATIVE REFORMS – <i>continued</i>		
C/31/2014	Application for increment beyond top salary not entertained.	Rectified
C/54/2014	Delay in prescribing Scheme of Service causes prejudice to certain public officers	Pending
C/148/2014	Eligibility for duty-free benefits for retired Deputy Head Teachers not considered since nearly five months	Pending.
C/154/2014	Non-payment of accumulated vacation leave on retirement	Pending.
C/162/2014	Officer denied increment.	Explained
C/215/2014	Non-payment of inducement allowance for service in Rodrigues.	Explained
EDUCATION AND HUMAN RESOURCES		
C/105/2012	Non-payment of salary to complainant who holds an “Eligibility Certificate to teach”.	Explained
C/106/2013	Supply teacher employed since more than eight years not yet appointed on a permanent basis.	Pending
C/143/2013	No reply to request for information regarding illegal occupation of building belonging to complainant’s client.	Discontinued
C/145/2013	Terms and conditions of work for supply teachers not satisfactory.	Pending
C/174/2013	No reply to application for one additional increment for long service.	Explained
C/178/2013	Non-payment of remuneration to complainant, a resource person.	Rectified
C/179/2013	Non-payment of remuneration to complainant, a resource person.	Rectified
C/180/2013	Non-payment of remuneration to complainant, a resource person.	Rectified
C/188/2013	No reply to complainant regarding anomaly in salary.	Explained

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES – <i>continued</i>		
C/226/2013	Complainant, a University student, denied the benefit of the Student Scholarship Scheme.	Explained
C/228/2013	Non-payment of additional increments for Special Education Course followed by complainant.	Explained
C/230/2013	Complainant penalized by deduction in his monthly salary	Discontinued.
C/246/2013	Payment of additional increment for additional qualification discontinued.	Rectified
C/1/2014	Complainant, a primary school teacher, avers that she has been punitively transferred to another school.	Not Justified
C/5/2014	Complainant avers she has been discriminated against in the allocation of classes.	Rectified
C/6/2014	Complainant not satisfied with the allocation of class to him.	Discontinued
C/7/2014	Application by complainant for a change of school for her daughter on ground of change of address disregarded.	Rectified
C/8/2014	Complainant avers discrimination against her in the allocation of classes.	Rectified
C/11/2014	Orphan girl in a “no-school” situation.	Rectified
C/12/2014	Complainant, an Educator, avers victimization in the allocation of classes.	Discontinued
C/27/2014	Complainant’s daughter denied access to school.	Rectified
C/39/2014	Absence of fairness in transfer exercise averred by Educator.	Rectified
C/40/2014	Complainant avers that the National Equivalence Council has erred in respect of certificate issued to his daughter.	Not justified
C/43/2014	Complainant avers that she has been deprived of her yearly scholarship due to negligence and mismanagement.	Not justified
C/45/2014	Anomaly in salary after 42 years of service.	Rectified

No.	Subject of Complaint	Result
EDUCATION AND HUMAN RESOURCES – <i>continued</i>		
C/56/2014	Non-payment of unutilized sick leave.	Rectified
C/57/2014	Non-payment of unutilized sick leave and incremental credit in respect of Advanced Certificate in Education.	Rectified
C/87/2014	Complainant not paid for Enhancement Programme during three months.	Discontinued
C/98/2014	Non-payment of travel grant.	Rectified
C/100/2014	Head Master avers unjustified transfer	Discontinued
C/106/2014	Additional increment denied to complainant.	Pending
C/136/2014	Non-payment of “Headship” allowance for the last three years.	Explained
C/159/2014	Application for salary adjustment following incremental credit for higher qualification not heeded.	Pending
C/173/2014	Complainants, members of a Trade Union, feel penalized by the participation of members of another Trade Union in the Transfer Committee. Aver discrimination.	Explained
C/191/2014	Non-approval of casual leave for complainant to attend to her sickly mother.	Rectified
C/193/2014	Leave applied for not granted.	Pending
C/238/2014	Complainant not adequately remunerated as per PRB Report 2013 etc.	Pending
ENERGY AND PUBLIC UTILITIES		
C/126/2014	Non-payment of increment.	Explained
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT		
C/82/2014	Request for construction of retaining wall not attended to since more than six months.	Explained

No.	Subject of Complaint	Result
FINANCE AND ECONOMIC DEVELOPMENT		
C/96/2014	No reward received by complainant, a retired Customs Officer, in respect of seizures of consignment of illegal goods.	Pending
C/149/2014	Complainant considers his transfer from one Ministry to another as irrational.	Discontinued
C/157/2014	Complete absence of reply and action from the Financial Services Commission regarding vehicle accident case.	Rectified
C/161/2014	No reply to complainant's letter addressed to Financial Services Commission.	Explained
C/171/2014	Application for licence as Retailer of liquor and alcoholic products rejected.	Explained
C/182/2014	Officer avers unequal treatment in respect of selection of officers regarding sponsorship to follow Diploma Course.	Explained
FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE		
C/110/2013	Detainee, a French national, still awaiting the finalization of her transfer procedure.	Rectified
C/165/2014	Deduction of a substantial amount from complainant's salary without his knowledge or consent.	Rectified
GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE		
C/197/2013	Complainant avers he should have been given priority in respect of post of driver.	Explained
C/32/2014	Delay to refund bus fares to Social Welfare Officer..	Rectified
C/37/2014	No reply to request to be a "host family" since more than a year.	Rectified
C/97/2014	No action taken by Ministry following complaints made at the Child Development Unit, etc.	Explained
C/179/2014	Complainant disagrees with Ministry's decision to put him on sick leave instead of injury leave.	Pending

No.	Subject of Complaint	Result
HEALTH AND QUALITY OF LIFE		
C/28/2012	Request for transfer on ground of insecurity at work following serious incident there not heeded	Explained
C/55/2012	Non-payment of responsibility allowance	Pending.
C/47/2013	Undue delay in prescription of scheme of service causes prejudice to complainants.	Pending
C/119/2013	Allowances not paid to complainant.	Rectified
C/123/2013	No action taken by authorities concerned regarding complaint of noise nuisance made.	Explained
C/125/2013	Unpaid acting/responsibility allowance.	Pending
C/29/2014	Nuisances caused by building adjacent to complainant's house.	Pending
C/41/2014	Complainant contests her transfer from one ward to another at the hospital where she has worked for about four and a half years.	Discontinued
C/42/2014	Heavy irritating noise caused by complainant's neighbour who runs a workshop. No action taken.	Pending
C/44/2014	Non-payment of responsibility allowance and delay in appointment of Chief Health Information, Education and Communication Officer.	Rectified
C/62/2014	Complainant, a Medical Imaging Technologist, avers an unjustified transfer to another hospital.	Explained
C/69/2014	No payment effected by Ministry for the supply of tyres.	Rectified
C/103/2014	No action taken by Ministry following report made by complainant about unfair competition by illegal businesses.	Explained
C/176/2014	Complainant not reinstated following dismissal of criminal charges against him.	Explained
C/192/2014	Complainant avers victimization regarding privilege of doing overtime.	Pending

No.	Subject of Complaint	Result
HEALTH AND QUALITY OF LIFE – <i>continued</i>		
C/195/2014	Complainant, a registered Medical Practitioner, not allowed to undergo training at the Subramanien Bharati Eye Hospital.	Explained
C/202/2014	Complaint by 22 Students Medical Laboratory Technologist regarding no action taken in their case which would have allowed them to enjoy certain privileges.	Pending
C/207/2014	Request for increase of package allowance for work done. No reply received.	Pending
C/239/2014	Non-payment of salary to public officer since 4 months.	Rectified
HOUSING AND LANDS		
C/117/2013	Application for plot of State Land for construction of a religious centre not yet determined after several years.	Pending
C/151/2013	No action taken by Ministry in respect of application for transfer of lease.	Rectified
C/185/2013	Compensation not yet paid to complainant for compulsory acquisition of his land since three years.	Discontinued
C/207/2013	Application for subdivision of land still not approved after more than four years.	Explained
C/233/2013	Failure to pay for works done by Company.	Rectified
C/234/2013	Application for small plot of State Land not entertained since more than three years.	Explained
C/250/2013	No reply to application for lease of State Land made about two months ago	Explained
C/255/2013	Delay in dealing with application for building site leases on State Land.	Rectified
C/259/2013	Application for authorization to sell CHA shop found on State Land not attended to since nine months.	Discontinued

No.	Subject of Complaint	Result
HOUSING AND LANDS – <i>continued</i>		
C/33/2014	No reply to request for lease of State Land.	Explained
C/36/2014	Odour problems at housing estate in Cottage.	Explained
C/51/2014	Error regarding name of occupiers of State Land since 44 years not yet corrected.	Discontinued
C/73/2014	Application for lease of State Land not considered since a very long time.	Discontinued
C/74/2014	Application for lease of State Land not considered since a very long time.	Discontinued
C/79/2014	Illegal occupation of State Land reported by complainant. No action taken.	Discontinued
C/107/2014	Complainant awaiting grant of building site lease since a very long time.	Rectified
C/111/2014	Application for renewal of lease of State Land not considered since eight years.	Explained
C/163/2014	PIN Code of State Land not supplied to complainant's Notary Public.	Explained
C/167/2014	Financial assistance denied to complainant.	Explained
C/172/2014	No reply to application for a plot of State Land made since two years.	Not justified
C/198/2014	No reply to complaint lodged by complainant.	Pending
C/203/2014	Complainant, a former employee of the Central Housing Authority (CHA), claims that her contributions to the CHA Family Protection Scheme cannot be traced out.	Pending
C/206/2014	Grant for casting of slab denied to complainant.	Not justified
C/216/2014	Application for plot of State Land not attended to since three months.	Explained
INDUSTRY, COMMERCE AND CONSUMER PROTECTION		
C/205/2014	No reply to complaint made to the Ministry since more than six weeks.	Rectified

No.	Subject of Complaint	Result
LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT		
C/58/2014	Continued harassment of complainant company by Ministry	Not Investigated
C/104/2014	Error in Diploma Equivalence issued to complainant	Pending
C/185/2014	No action taken by Labour Office in respect of complaint lodged.	Pending
LOCAL AUTHORITIES		
LA/C/9/2011	Illegal building being put up by complainant's neighbour. No action taken by the Council in spite of complaints made thereto.	Explained
LA/C/24/2011	Illegal construction put up by complainant's neighbour. No action taken by Council	Rectified.
LA/C/29/2013	Unattended plot of vacant land is a source of nuisance to inhabitants.	Discontinued
LA/C/31/2012	Several potholes at taxi-stand.	Rectified
LA/C/41/2012	Bad odour caused by stagnant debris in river.	Rectified
LA/C/43/2012	Noise nuisance caused by operation of a garage by complainant's neighbour. No action taken by authorities concerned.	Pending
LA/C/49/2012	No action taken by Council following illegal constructions put up by neighbours.	Rectified
LA/C/4/2013	No action taken following report of illegal construction by complainant's neighbour.	Explained
LA/C/7/2013	No reply to objection against the construction of a mosque.	Explained
LA/C/8/2013	No action taken by Council following report of illegal construction by complainant.	Rectified
LA/C/17/2013	Noise pollution caused by complainants' neighbour in a residential area, etc. No action taken by Council.	Rectified
LA/C/21/2013	No action taken in respect of report of illegal construction put up by complainant's neighbour.	Rectified

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/22/2013	Obstruction of street by complainant's neighbour since six months rendering access to complainant's place impossible. Request for action to be taken.	Explained
LA/C/28/2013	Nuisances caused by illegal activities of complainant's neighbour. No action taken.	Discontinued
LA/C/29/2013	Unattended plot of vacant land is a source of nuisance to inhabitants.	Pending
LA/C/31/2013	No action taken regarding complaint about running of pastry shop in a residential building	Discontinued
LA/C/32/2013	Abandoned house being used by drug addicts and prostitutes.	Discontinued
LA/C/34/2013	Access to entrance blocked by complainant's neighbour's activities. Request for further intervention by Council.	Rectified
LA/C/35/2013	Complaint regarding illegal construction since three years. No action taken by Council.	Explained
LA/C/36/2013	Complaint by inhabitants regarding conversion of wet land into residential one. No action taken yet.	Explained
LA/C/37/2013	Delay in dealing with report of obstruction to complainant's access.	Rectified
LA/C/38/2013	Complaint against illegal hump and use of loud-speakers.	Explained
LA/C/40/2013	Trenches on the road partly left uncovered. Represent danger to road users.	Rectified
LA/C/41/2013	No action taken in respect of report of construction of illegal construction of a building.	Rectified
LA/C/44/2013	No action taken in respect of complaint against construction of a commercial building without respecting statutory distance.	Rectified
LA/C/46/2013	Request to re-paint yellow lines on road not considered yet.	Rectified
LA/C/48/2013	Workshop operating without licence in residential area. Disturbance caused to the neighbourhood.	Explained

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/50/2013	Spice factory operating illegally in residential area. No action taken by authorities concerned.	Explained
LA/C/52/2013	Illegal operation of aluminium workshop. No action taken by Council.	Rectified
LA/C/53/2013	Pavement in deplorable state.	Rectified
LA/C/54/2013	Drains in bad state cause flooding of road.	Rectified
LA/C/57/2013	Common road not easily accessible to complainants. No action taken since more than one year.	Discontinued
LA/C/58/2013	Report by complainant regarding offending wall put up by neighbour not attended to.	Rectified
LA/C/59/2013	No action taken in respect of objection to the issue of a trade licence.	Explained
LA/C/1/2014	Abandoned land, a source of nuisance to complainant. No action taken.	Rectified
LA/C/2/2014	Complainant contests double claim of general rate by Council.	Explained
LA/C/3/2014	Encroachment by new building on public road.	Pending
LA/C/4/2014	No action taken in respect of construction of illegal wall by complainant's neighbour.	Explained
LA/C/5/2014	Application for retirement on marriage ground turned down.	Explained
LA/C/6/2014	No action taken following report of illegal construction by complainant's neighbour.	Rectified
LA/C/7/2014	Complainant avers that her application for a Building and Land Use Permit is not being dealt with according to established procedures and the law.	Explained
LA/C/8/2014	No reply to complaint lodged regarding misuse of municipal compound.	Rectified
LA/C/9/2014	Abandoned house is a source of nuisances for the inhabitants in the neighbourhood.	Rectified
LA/C/10/2014	Flooding caused by illegal construction of garage.	Discontinued

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/11/2014	No action taken following report of suspected illegal construction.	Rectified
LA/C/12/2014	Illegal construction reported by complainant. No action taken by the Council.	Explained
LA/C/13/2014	Noise nuisance caused by use of loudspeakers. No action taken.	Rectified
LA/C/14/2014	Construction of illegal wall reported to various authorities. No action taken.	Rectified
LA/C/15/2014	Drain blocked by “debris”.	Rectified
LA/C/16/2014	Illegal construction of tarred road by Council. No action taken following representations made since five years.	Explained
LA/C/17/2014	General retailer permit issued without following appropriate procedures.	Explained
LA/C/18/2014	Odour nuisance caused by complainant’s neighbour. No action taken by authorities concerned.	Pending
LA/C/19/2014	No action taken regarding operation of cabinet workshop which causes several problems.	Explained
LA/C/20/2014	Disturbing noise caused by loose slab disturbs complainant’s sleep at night.	Rectified
LA/C/21/2014	No action taken following report of illegal construction by complainant.	Rectified
LA/C/22/2014	Illegal operation of workshop. No action taken.	Explained
LA/C/23/2014	Report of illegal construction not heeded by Council.	Explained
LA/C/24/2014	No action taken in respect of complaint of illegal construction reported to the Council since five months.	Explained
LA/C/25/2014	No action taken following report of construction of an illegal wall.	Rectified
LA/C/26/2014	Noise nuisance caused by garage on ground floor of building. No action taken.	Explained

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/27/2014	No action taken following complaint of illegal construction.	Explained
LA/C/28/2014	Representations from complainant for tarring of road and fixing of street lanterns not attended to since a long time.	Explained
LA/C/29/2014	Nuisances caused by the existence of a playing ground for “ <i>pétanque</i> ” in front of complainant’s residence. No action taken by authorities concerned.	Explained
LA/C/30/2014	Complaints regarding bad state of road not attended to.	Rectified
LA/C/31/2014	Bad state of roads, etc.	Explained
LA/C/32/2014	Defective street lamp represents a danger to road users.	Rectified
LA/C/33/2014	Nuisance caused by complainant’s neighbour’s business. No action taken by Council in spite of protests.	Not Justified
LA/C/34/2014	No action taken following non-respect of Stop Order issued by Council regarding illegal construction.	Rectified
LA/C/35/2014	Complaints of serious noise pollution not attended to by authority concerned.	Pending
LA/C/36/2014	Application for paving of street ignored since three years.	Explained
LA/C/37/2014	Complainant is the only inhabitant of his village still the victim of flood during heavy rainfall. No action taken by Council.	Pending
LA/C/38/2014	Complaint regarding an obstruction to a passage way made since six years. No action taken yet.	Pending
LA/C/39/2014	Delay by NGO to obtain authorization to open a “drop-in” centre.	Rectified
LA/C/40/2014	Illegal construction of wall and building reported to authorities concerned. No action taken.	Pending

No.	Subject of Complaint	Result
<i>LOCAL AUTHORITIES – continued</i>		
LA/C/41/2014	Complainant avers injustice to him in respect of having a permit to operate as seller of foodstuff.	Explained
LA/C/42/2014	Absence of drains causes flooding of inhabited area.	Pending
LA/C/43/2014	Illegal construction of garage abutting complainant’s property. No action taken.	Pending
LA/C/44/2014	No street lighting notwithstanding reports to the Council.	Explained
LA/C/45/2014	Illegal construction of absorption pit by complainant’s neighbour causing overflowing on the road. No action taken by Council.	Explained
LA/C/46/2014	Road obstruction. Council’s decision being awaited since long.	Explained
LA/C/47/2014	No progress reported by Council to complainant regarding case of illegal construction.	Pending
LA/C/48/2014	Complaints re. “disturbing” activities ignored.	Explained
LA/C/49/2014	No action taken to remedy problems encountered by complainant.	Pending
LA/C/50/2014	Noise disturbance reported to City Council. Nuisance still continues.	Discontinued
LA/C/51/2014	Illegal construction reported to Council since four months but no action taken.	Pending
LA/C/52/2014	No action taken by Council regarding several issues reported by complainant.	Explained
LA/C/53/2014	No reply to complaint regarding illegal construction made by complainant.	Pending
LA/C/54/2014	Request for urgent road repair not considered.	Explained
LA/C/55/2014	No action taken by Council regarding report of illegal construction by complainant’s neighbour.	Explained
LA/C/56/2014	Several complaints made since 20 months to various authorities regarding the blocking of a passage to a river and a “Kali Maye”. No action taken.	Pending

No.	Subject of Complaint	Result
LOCAL AUTHORITIES – <i>continued</i>		
LA/C/57/2014	Failure by Council to reply to an application for a Building and Land Use Permit within legal delay.	Not justified
LA/C/58/2014	No scavenging services provided to a number of households since nearly twenty years.	Pending
LA/C/59/2014	Objection to application for a Building and Land Use Permit. No action taken yet.	Rectified
LA/C/60/2014	Illegal construction by complainant's neighbour. No action taken by authorities concerned.	Not investigated
LA/C/61/2014	Illegal workshop operating behind complainant's house. No action taken by Council to issue closing order.	Explained
LA/C/62/2014	Flow of river obstructed by all types of debris.	Pending
LA/C/63/2014	Complainant's husband denied the opportunity to have a stall at the Market Fair run by the Council.	Pending
LA/C/64/2014	Inconvenience caused by hardware shop to inhabitants of locality.	Pending
LA/C/65/2014	No action taken in respect of complaint regarding unauthorized industrial activities in a purely residential zone.	Rectified
LA/C/66/2014	Petition for enlargement of lane made since more than four years ignored.	Pending
LA/C/67/2014	No action taken by Council following report of illegal construction	Pending
LOCAL GOVERNMENT AND OUTER ISLANDS		
C/122/2013	No reply to application to erect a boundary wall.	Explained
C/201/2014	Anomaly regarding computation of retirement benefits.	Pending
POLICE		
C/167/2012	Detainee not satisfied with Police action in respect of declaration made by him.	Discontinued

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/113/2013	Convicted foreign national awaiting repatriation to his country.	Explained
C/126/2013	Complainant's taxi-car seized and kept in custody of the Police. Cannot earn a decent living.	Explained
C/190/2013	Complainant not made aware of the outcome following a declaration of assault made by him.	Discontinued
C/222/2013	Funds sent to foreign detainee not received by him.	Explained
C/227/2013	Complaint against neighbour for inhuman harassment not attended to.	Explained
C/229/2013	No reply to complainant's application for increment.	Explained
C/251/2013	Detainee considers that his imprisonment for failing to comply with conditions of bail unreasonable.	Explained
C/252/2013	Detainee on remand since more than three years without trial.	Explained
C/254/2013	Foreign detainee requests that his personal belongings be returned to him as he will go back to his country after his discharge soon.	Explained
C/257/2013	Convicted detainee, a foreign national, claims that her personal belongings have not been returned to her after her trial.	Explained
C/4/2014	Detainee's request to the Police to have his belongings back after his trial and sentence not attended to.	Explained
C/13/2014	No reply to Counsel's request for documents in connection with an accident.	Rectified
C/16/2014	Complainant detained since three months without trial in larceny case.	Explained
C/17/2014	Complainant not made aware of the outcome of his declaration to the Police concerning a false declaration against him.	Discontinued

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/18/2014	Complainant, victim of a serious assault, awaiting to know the result of the police enquiry.	Explained
C/19/2014	No action taken following complainant's declaration against a journalist for embezzlement.	Rectified
C/22/2014	Complainant not made aware of action taken in respect of declaration made by his wife.	Rectified
C/23/2014	Application for Driving School Instructor's licence turned down.	Explained
C/24/2014	Complainant not made aware of the outcome of his declaration to the Police	Rectified
C/25/2014	Application for Driving School Instructor's licence turned down.	Explained
C/46/2014	No identification parade held in case of assault of detainee by Prison Officers.	Pending
C/50/2014	Serious problems caused by unleashed dogs to neighbouring residents. Matter referred to Police. No action taken yet.	Rectified
C/53/2014	Nuisance caused by cattle rearing.	Rectified
C/55/2014	No action taken by Police following declaration made by complainant against his wife.	Explained
C/59/2014	Environmental pollution caused by spraying of automotive paint.	Not justified
C/63/2014	Detainee complains about his detention since nearly 5 years without trial.	Explained
C/67/2014	Nuisances emanating from dormitory occupied by foreign workers next to complainant's house.	Explained
C/68/2014	No reply to letter addressed by complainant to the Commissioner of Police.	Rectified
C/75/2014	Road sign poses big problems to road users.	Explained
C/76/2014	Request by remand detainee for certain documents in connection with case against him before the Supreme Court ignored.	Rectified

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/77/2014	Detainee's belongings not returned to him after trial.	Rectified
C/80/2014	No action taken following report of nuisances arising from bare land	Rectified
C/85/2014	Lady complainant avers she has been victim of humiliation and discrimination by certain Police Officers when she went to declare a case of attempt upon chastity.	Explained
C/86/2014	Complainant not made aware of outcome of accident case reported to the Police more than a year ago.	Rectified
C/88/2014	No action taken in road accident-case in which complainant was victim more than five years ago.	Rectified
C/112/2014	Detainee awaiting trial since 12 months.	Rectified
C/113/2014	Request by detainee to give a statement to the police regarding incidents in the prison whereby he has been ill treated.	Rectified
C/114/2014	Detainee awaiting trial. Request for copies of certain documents ignored.	Explained
C/117/2014	Untried detainee awaiting trial since eight months.	Explained
C/125/2014	Nuisances caused by neighbours' children by throwing stones at complainant's house.	Explained
C/129/2014	Detainee on remand since more than a year. No trial yet.	Explained
C/144/2014	Loss of motor-cycle reported by complainant since more than 6 months. Awaiting report from the Police.	Explained
C/145/2014	Money secured from convicted detainee upon his arrest not returned to him.	Not justified
C/147/2014	Detainee on remand since more than a year and a half without trial.	Explained
C/152/2014	Complainant not informed of the outcome of cases he reported to the Police since nearly two years.	Rectified

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/155/2014	Inaccurate Certificate of character issued.	Rectified
C/158/2014	No reply from Commissioner of Police to letter from complainant regarding embezzlement case.	Pending
C/166/2014	Complainant detained since almost eleven months without trial.	Explained
C/168/2014	No reply to Attorney’s application for certain documents relating to fatal road accident in which his/her client was involved.	Rectified
C/174/2014	Salary unchanged after promotion.	Rectified
C/175/2014	Interdicted Trainee Police Constable not being paid his salary since more than six months.	Pending
C/177/2014	Report of medical negligence made to the Police since a year. No reply received.	Rectified
C/180/2014	Detainee’s personal belongings not returned to him.	Explained
C/181/2014	Detainee has been on remand for the last fifteen months. His belongings including money not yet returned to him.	Rectified
C/186/2014	Foreign detainee still not transferred to his native India though there is no case against him.	Pending
C/189/2014	Detained since four months without trial.	Not entertained
C/190/2014	Detainee untried since nearly two years. His personal belongings still not returned to him.	Rectified
C/200/2014	Foreign national avers that she is about to be transferred to her native country but her belongings have not been returned to her yet.	Explained
C/204/2014	Detainee avers that he is unfit on health grounds to be transferred to the new Eastern High Security Prison. Seeks transfer back to Central Prison in Beau Bassin.	Explained
C/209/2014	Omission by Police to inform complainant about postponement of case against him thus causing inconvenience to him.	Explained

No.	Subject of Complaint	Result
<i>POLICE – continued</i>		
C/213/2014	Police Constable considers his transfer as punitive.	Explained
C/218/2014	Police Officer contests deduction from his salary on ground that he has been overpaid.	Not justified
C/223/2014	Complainant's endeavours to know the outcome of the accident case in which he was injured unsuccessful.	Pending
C/235/2014	Detainee's belongings not returned to him after trial and sentence.	Pending
C/237/2014	Application by Graduate School for visas in respect of students not approved.	Pending
PRIME MINISTER'S OFFICE		
C/64/2014	Complainant avers that the travel restriction imposed upon her bridegroom to-be is unjust.	Explained
C/137/2014	New Mauritian Passport denied to complainant.	Rectified
C/139/2014	Complainant not satisfied with the allowance payable for assignment of work.	Rectified
C/227/2014	Deputy Permanent Secretary not given actingship opportunity nor any assignment of duties during absence of Permanent Secretary.	Rectified
PRIME MINISTER'S OFFICE (CIVIL STATUS DIVISION)		
C/57/2013	Past religious marriage of complainant not registered at the Office of the Registrar of Civil Status.	Rectified
C/102/2014	Request for an old birth certificate or a photo thereof ignored since a year.	Explained
C/153/2014	Insufficient reply to complainant's application.	Explained
PRISONS		
C/132/2011	Detainee, an Indian National, not yet transferred to his country although many others like him have been so transferred.	Explained
C/144/2011	Detainee's personal belongings missing.	Rectified

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/142/2013	Detainee, a Ugandan national, awaiting to be transferred to his country to serve the rest of his sentence for drug trafficking.	Explained
C/212/2013	Detainee not allowed to go and pray in new mosque at the prison.	Rectified
C/221/2013	Detainee's blood analysis gone "missing". Doctor unable to prescribe medicine for him.	Explained
C/237/2013	Request to buy certain items of food at reasonable prices from the canteen not entertained.	Rectified
C/238/2013	Detainee's money secured by Police not returned to him notwithstanding court order.	Rectified
C/240/2013	Irregularities in detainee's private cash.	Explained
C/242/2013	Money intended for detainee not remitted to him.	Discontinued
C/243/2013	1. Diet food not given to detainee as recommended. 2. Detainee denied orthopaedic mattress.	Explained
C/244/2013	Postal order not remitted to detainee.	Not justified
C/247/2013	Detainee's money orders frozen.	Explained
C/249/2013	Claim for compensation by detainee for injuries sustained whilst working in prison.	Explained
C/253/2013	Detainee's wife made to wait too long and in difficult conditions each time she visits her husband in prison.	Explained
C/256/2013	Non-payment for the supply of tyres since 5 months.	Rectified
C/258/2013	Detainee not getting diet food.	Explained
C/261/2013	Detainee requests a transfer to another prison where his old and handicapped mother can visit him.	Explained
C/3/2014	Quality and quantity of food served, and conditions in which food is served deplored by detainee.	Discontinued
C/10/2014	Detainee avers that the food he is being served is not as per the doctor's advice.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/15/2014	Detainee not receiving diabetic diet food as prescribed by the doctor.	Not justified
C/34/2014	Detainee faces “banishment” because of his change of religion.	Rectified
C/35/2014	Detainee denied access to document - no satisfactory explanation given.	Explained
C/47/2014	Postal orders addressed to detainees kept by the Prison Administration.	Not Justified
C/48/2014	Detainee not satisfied with the food served.	Explained
C/60/2014	Detainee not satisfied with medical treatment received for his ear problem.	Explained
C/65/2014	Female detainee not getting sufficient milk to feed her two-month old baby now living with her in prison.	Rectified
C/66/2014	Detainee, who is a diabetic patient, avers he is not being given adequate medical treatment and food.	Explained
C/70/2014	Detainee’s request for transfer to another prison not approved. Avers discrimination on religious ground.	Explained
C/72/2014	Detainee’s request to purchase privately medicine unavailable in prison refused.	Explained
C/78/2014	Detainee not satisfied with quality and quantity, preparation and distribution of food served.	Explained
C/83/2014	No reply to letter addressed by detainee to the Commissioner of Police.	Explained
C/84/2014	Complaints galore!	Explained
C/89/2014	Detainee not satisfied with the quality and quantity of food served and its distribution.	Discontinued
C/90/2014	Detainee not satisfied with the preparation of food and its distribution.	Explained
C/91/2014	No cleaning equipment provided in cell etc.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/92/2014	Detainee contests the time he has to spend in prison.	Explained
C/93/2014	Detainee no longer allowed to do extra remission work.	Explained
C/94/2014	Late service of food, etc.	Explained
C/95/2014	Detainee stopped from doing extra-remission work.	Explained
C/110/2014	Detainee avers he is not getting appropriate medical care.	Explained
C/115/2014	Detainee's requests for certain facilities in his cell at the new prison where he has been transferred not attended to.	Explained
C/118/2014	Detainee avers he is not receiving adequate medical treatment.	Discontinued
C/119/2014	Request by detainee to be housed in single cell not attended to, etc.	Explained
C/120/2014	No reply to foreign detainee's application to be transferred to his country of origin since eight months.	Explained
C/121/2014	Medication issued to detainee at the wrong time, etc.	Explained
C/122/2014	Detainee forced to shave his beard.	Rectified
C/123/2014	Request by detainee for a separate cell turned down.	Explained
C/124/2014	Detainee not taken to hospital for his appointment with the doctor, etc.	Explained
C/127/2014	Detainee's health problems not being attended to.	Explained
C/128/2014	Detainee's belongings not among his property following his transfer from one prison to another.	Rectified
C/131/2014	Request for a copy of Prisons Regulations not considered, etc.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/132/2014	Detainee not receiving appropriate medical care, etc.	Explained
C/133/2014	Complainant avers that food is being served by detainees who have active tuberculosis, etc.	Not justified
C/134/2014	Detainee avers that his rights to health, culture, etc. are being violated.	Explained
C/141/2014	Female detainee convicted for serious crime not allowed to be visited by ex- female detainee, now a friend of hers.	Explained
C/142/2014	Detainee not allowed to purchase items of his choice.	Explained
C/146/2014	Detainee avers that he suffers from epilepsy, etc. and is not getting adequate treatment.	Explained
C/160/2014	Detainee’s clothings remitted to him, following his transfer from one prison to another, in a very bad state.	Discontinued
C/169/2014	Request by detainee to be transferred from dormitory to solitary confinement not entertained, etc.	Explained
C/170/2014	Detainee given expired medication on several occasions, etc.	Not justified
C/178/2014	Complainant detainee has problems with another detainee. Requests for a transfer to another Unit.	Rectified
C/183/2014	Complainant detainee not receiving adequate medical care and attention.	Explained
C/184/2014	Discrepancy in detainee’s earnings account.	Explained
C/187/2014	Detainee held on remand since more than one and a half years for 5 cases of larceny but still no progress in his case.	Discontinued
C/188/2014	Detainee not receiving proper food being on antiretroviral drug, etc.	Explained
C/196/2014	Detainee complains about the amount of food served to him and the health conditions of the detainees (HIV/AID patients) who serve the food.	Explained

No.	Subject of Complaint	Result
<i>PRISONS – continued</i>		
C/199/2014	Detainee avers he is not being served the right amount of food and secondly the detainees who serve the food are HIV/AIDS patients.	Explained
C/210/2014	Request to be transferred from dormitory to a single cell ignored.	Rectified
C/211/2014	Complaints galore.	Explained
C/212/2014	Prison Administration refuses to transfer detainee from the Eastern High Security Prison to another prison.	Explained
C/217/2014	Complaints galore.	Explained
C/219/2014	Money Order not received by detainee	Explained
C/220/2014	Detainee not getting appropriate amount of food, etc.	Explained
C/224/2014	Partially blind detainee avers he is not receiving adequate treatment.	Not justified
C/225/2014	Detainee avers he is not happy with the quality and amount of food he is receiving.	Explained
C/229/2014	Detainee not getting milk as recommended by doctor at J. Nehru Hospital.	Not justified
C/233/2014	Detainee avers he is not receiving adequate treatment regarding his gallstone problem. Requests surgery.	Pending
C/234/2014	Complainant still awaiting documents from the Supreme Court regarding his trial since more than 5 months.	Explained
C/240/2014	Detainee who is an HIV patient made a request to be put on Methadone therapy. No reply.	Pending

PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING

C/214/2013	Electric pole left standing in the middle of the road.	Explained
C/239/2013	Stagnant water in drains a source of nuisance.	Rectified
C/71/2014	Allowance not paid to officer involved in specific projects.	Discontinued

No.	Subject of Complaint	Result
PUBLIC INFRASTRUCTURE, NATIONAL DEVELOPMENT UNIT, LAND TRANSPORT AND SHIPPING – <i>continued</i>		
C/138/2014	Damage caused to complainant's house during drain construction. Complainant not yet compensated.	Discontinued
REGISTRAR GENERAL		
C/170/2013	Complaint against the absence of Notes of Meeting by Objection Unit at Registrar General's Department.	Explained
C/99/2014	Complainant contests the claim for additional registration duty, etc.	Explained
C/101/2014	Tax remitted by Ministry of Finance not considered by Registrar General.	Explained
C/130/2014	Complainant not satisfied with the way the Committee of the Objection Unit was held.	Explained
RODRIGUES		
ROD/C/18/2011	Access road blocked by complainant's neighbour. No action taken by authority concerned.	Explained
ROD/C/26/2012	Illegal occupation of private land by Rodrigues Regional Assembly without payment of any compensation.	Pending
ROD/C/9/2013	Application to transfer lease of land from complainant's deceased father's name onto his name not considered.	Rectified
ROD/C/18/2013	Detainee, a Principal Midwife, encountering inconvenience in her relationship with the staff of the Midwifery Cadre. No action taken to remedy the situation.	Discontinued
ROD/C/19/2013	Meal allowance ceased all of a sudden.	Explained
ROD/C/20/2013	End of year bonus not paid to complainant.	Explained
ROD/C/23/2013	Request for conversion of residential lease to residential cum commercial lease not considered.	Rectified
ROD/C/24/2013	Anomaly in salary.	Explained
ROD/C/25/2013	Anomaly in salary.	Pending

No.	Subject of Complaint	Result
<i>RODRIGUES – continued</i>		
ROD/C/26/2013	No compensation paid for acquisition of complainant's land by the Rodrigues Regional Assembly.	Pending
ROD/C/27/2013	No compensation paid to complainant for acquisition of his land by the Rodrigues Regional Assembly.	Pending
ROD/C/28/2013	Pension discontinued and application for child allowance not entertained.	Explained
ROD/C/1/2014	"Risk allowance" not paid to complainant.	Explained
ROD/C/2/2014	Length of service not properly computed.	Explained
ROD/C/3/2014	Lease agreement not supplied to complainant.	Rectified
ROD/C/4/2014	Delay in issuing building permit.	Pending
ROD/C/5/2014	Difficult conditions at work faced by firefighters at airport.	Explained
ROD/C/6/2014	Detainee avers that he is being wrongly treated as a squatter on State Land.	Not justified
ROD/C/7/2014	Complainant, a retired public officer, avers there is a discrepancy in respect of his retiring benefits.	Not justified
ROD/C/8/2014	Non-payment of risk allowance to certain Fire Fighters and other officers.	Rectified
ROD/C/9/2014	Widows' allowance refused to complainant whose husband passed away abroad.	Rectified
ROD/C/10/2014	Allowance for "lying-in-period" not paid.	Pending
ROD/C/11/2014	Social aid refused to complainant.	Not justified
ROD/C/12/2014	Retired public officer not satisfied with his retirement benefits.	Explained
ROD/C/13/2014	Anomalies in salary and promotion opportunities.	Explained
ROD/C/14/2014	Discrimination in performance of duties: no meal, no allowance.	Pending

No.	Subject of Complaint	Result
<i>RODRIGUES – continued</i>		
ROD/C/15/2014	Complainant has been working as Chainman for more than 13 years and even interviewed for the job. Since then no promotion.	Explained
ROD/C/16/2014	Application for an access road to complainant's property ignored.	Pending
ROD/C/17/2014	Complainant has been acting as Tradesman for the last 12 years without being promoted to that post.	Explained
ROD/C/18/2014	Allowance for lying-in period not paid.	Explained
ROD/C/19/2014	Complainant acting as driver since eight months without any action taken for his promotion.	Not justified
ROD/C/20/2014	Complainant has been acting as driver on several occasions and sometimes for lengthy periods, but nothing done to promote him.	Explained
SOCIAL INTEGRATION AND ECONOMIC EMPOWERMENT		
C/164/2014	Squatters awaiting for assistance from the National Empowerment Foundation to obtain their housing Units	Explained
C/232/2014	Application for a housing unit denied.	Pending
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS		
C/175/2013	Application for Contributory Retirement Pension rejected.	Rectified
C/186/2013	Inappropriate and disgraceful behaviour by public officer.	Explained
C/210/2013	Destitute mother of three very young children denied financial assistance.	Rectified
C/218/2013	Application for refund of university fees approved but no payment effected since nearly a year.	Rectified
C/232/2013	Application for school allowance for child rejected for wrong reason.	Explained
C/248/2013	Severely handicapped child's pension discontinued.	Rectified

No.	Subject of Complaint	Result
SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS – <i>continued</i>		
C/21/2014	Detainee, an ex-public officer, claims refund of contributions made during his time of service now that he is over sixty years of age.	Explained
C/28/2014	Disabled Parking Coupon of complainant who is a disabled field worker not renewed.	Rectified
C/38/2014	Application for child's allowance disallowed.	Explained
C/49/2014	Application for refund of examination fees rejected.	Explained
C/52/2014	Senior citizen's basic retirement pension discontinued for more than 15 months.	Explained
C/61/2014	Industrial injury allowance disallowed.	Rectified
C/81/2014	No refund of amount contributed to the National Pensions Fund.	Explained
C/105/2014	Non-payment of responsibility allowance.	Not investigated
C/135/2014	Transition Unemployment Benefit not paid to complainant who lost his job since five months.	Rectified
C/150/2014	Non-registration of application for Basic Invalidity Pension and Housing Scheme.	Explained
C/151/2014	Special allowance denied to complainant.	Explained
C/194/2014	Discrepancy in salary.	Explained
C/208/2014	Social aid denied to complainant, an abandoned mother with two children aged 5 years and three months.	Pending
C/214/2014	Social aid discontinued.	Explained
C/230/2014	Application for hearing aid not entertained.	Rectified
C/231/2014	Pensioner contests she has been overpaid by Ministry.	Pending
TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY		
C/236/2013	Delay in renewing Mauritius Qualifications Authority Trainer Licence.	Explained
C/14/2014	Non-recognition of complainant's qualification.	Explained

No.	Subject of Complaint	Result
TERTIARY EDUCATION, SCIENCE, RESEARCH AND TECHNOLOGY – <i>continued</i>		
C/140/2014	No reply to application for equivalence of qualification since more than a year.	Explained
C/156/2014	Complainant claims refund of fees paid to private organization.	Not justified
C/236/2014	Undue delay in dealing with application for programme accreditation.	Pending
TOURISM AND LEISURE		
C/9/2014	Environment next to complainant's house in a deplorable state and has become a dumping ground. No action taken by authorities concerned.	Explained
YOUTH AND SPORTS		
C/26/2014	Non-payment of claims for conducting courses on Life Skills for young people.	Explained
C/143/2014	Non-payment of increment following the PRB Report 2013.	Pending

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