



Republic of Mauritius

43RD ANNUAL REPORT

OF THE

OMBUDSMAN

January - December 2016

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OMBUDSMAN

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OFFICE OF THE OMBUDSMAN

OMB 13/04 VOL. XLIII

4 May, 2017

Her Excellency Mrs Ameenah Gurib-Fakim, GCSK, CSK, PhD, DSc
President of the Republic of Mauritius
State House
Le Réduit

Your Excellency,

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

Therefore, in accordance with the above provisions, I have the singular privilege and honour to present to you the 43rd Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2016.

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

Yours respectfully,



(Soleman M. HATTEEA)
Ombudsman

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1. OUR MISSION

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

2. OUR COMMITMENT

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

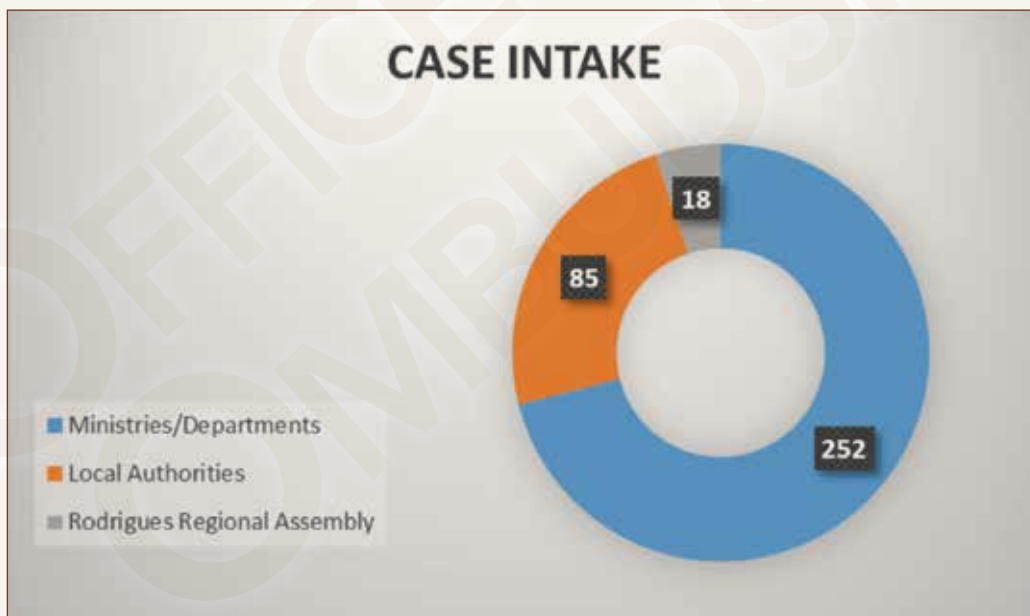
3. YEAR UNDER REVIEW

This is the 43rd Annual Report of the Ombudsman. It concerns the discharge of my functions during the year 2016 in the course of which we registered a total of 355 new cases as detailed below.

4. STATISTICS FOR 2016

CASE INTAKE

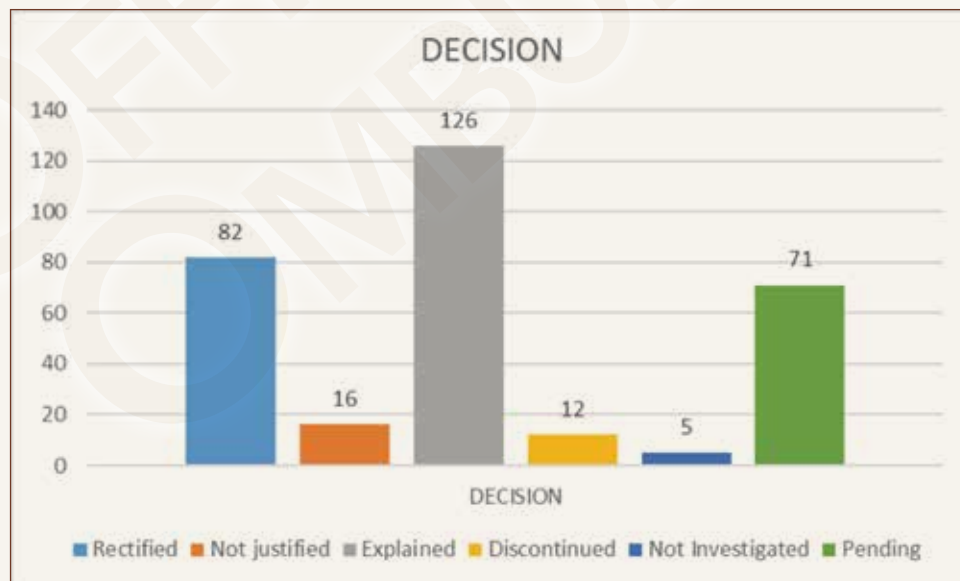
Ministries/Departments	252
Local Authorities	85
Rodrigues Regional Assembly	18
Total	355



CASES DEALT WITH

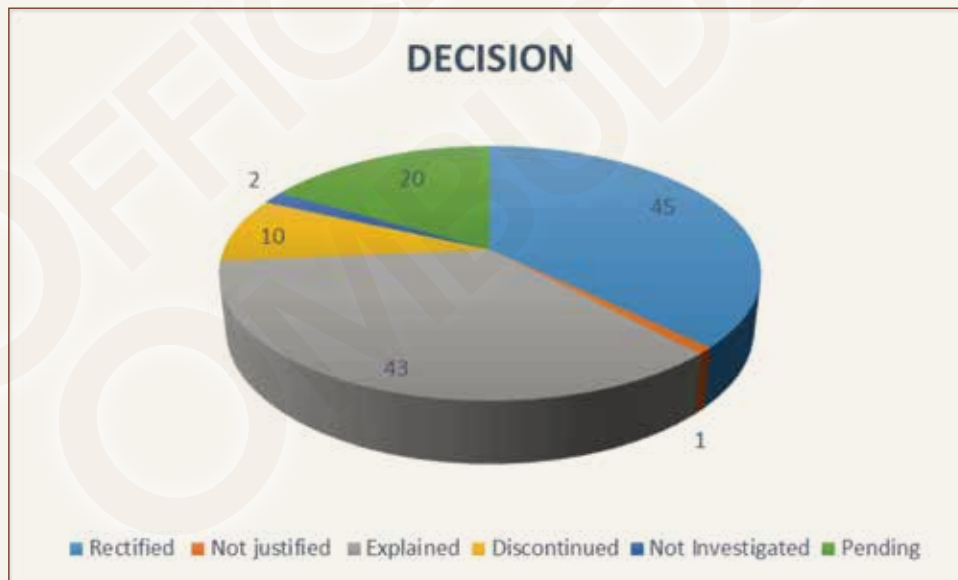
Ministries/Departments

Decision	Number
Rectified	82
Not justified	16
Explained	126
Discontinued	12
Not Investigated	5
Pending	71
Total	312



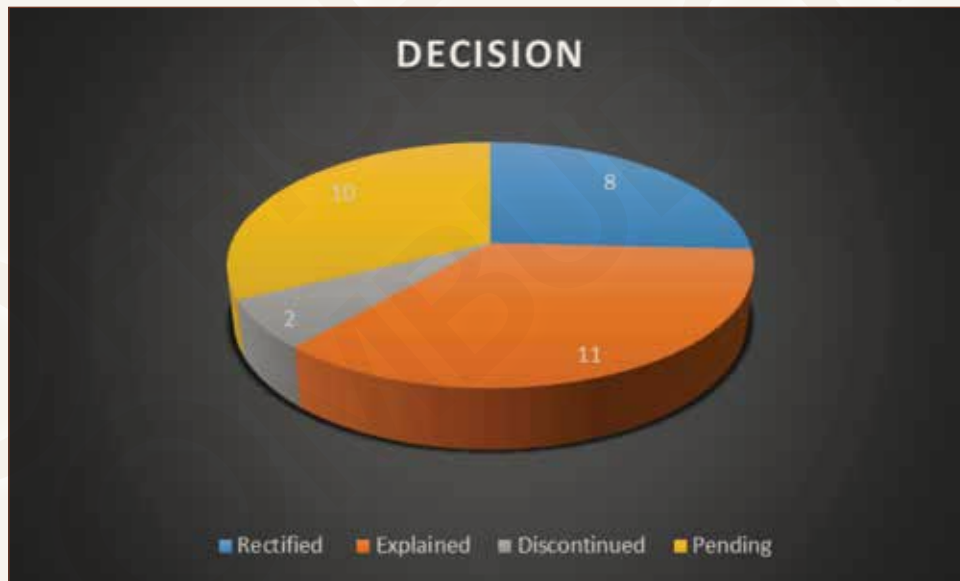
Local Authorities

Decision	Number
Rectified	45
Not justified	1
Explained	43
Discontinued	10
Not Investigated	2
Pending	20
Total	121



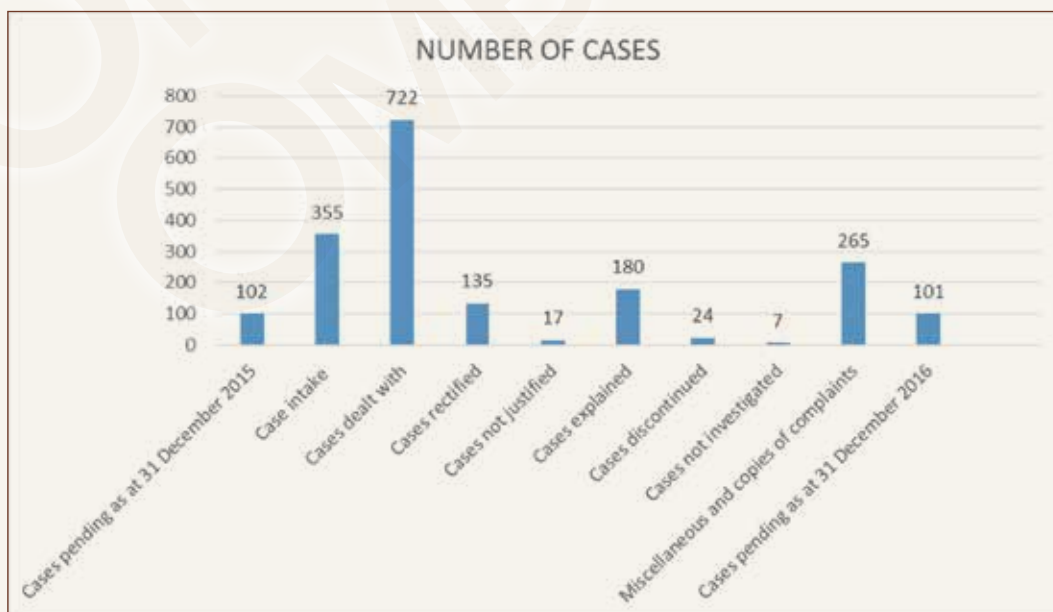
Rodrigues Regional Assembly

Decision	Number
Rectified	8
Explained	11
Discontinued	2
Pending	10
Total	31



On the whole therefore our statistics for 2016 are as follows -

Cases pending as at 31 December 2015	102
Case intake	355
Cases dealt with	722 (including 355 new cases, 265 miscellaneous & copies of complaints and 102 cases pending as at 31.12.15)
Cases rectified	135
Cases not justified	17
Cases explained	180
Cases discontinued	24
Cases not investigated	7
Miscellaneous and copies of complaints	265
Cases pending as at 31 December 2016	101



5. RODRIGUES REGIONAL ASSEMBLY

We effected only one trip to Rodrigues during the year under review from 19 to 23 July.

We had, prior to our visit, summoned 10 complainants who had already lodged their complaints and whose cases were still pending, as well as the Island Chief Executive and 2 Departmental Heads regarding complaints pending before them, to appear before us. With the exception of one complainant who failed to appear all others did call on us and their cases discussed and each one was informed about progress in his case.

We also welcomed 17 new complainants who came to expose their grievances verbally and who were explained about our remit and the procedure to be followed in order to seize our Office. Two new cases were opened there and then, whilst the others took note of our explanation and stated that they would lodge their complaints in due course.

By the end of the year under review we had opened 18 new cases from Rodrigues.

In my 2015 Annual Report I referred to the case of a complainant who had averred that ever since 2002 he had been trying unsuccessfully to obtain an access road through a State land in order to reach his own plot of land.

I now wish to report further on this case as things seem to have moved forward. Indeed the views of the Commissioner for Environment were sought on this case and he was of the view that the access route cannot be granted on the ground that the land there is sloppy and there would be environmental implications in terms of soil erosion.

At my request the complainant was called at the Office of the Island Chief Executive to inform him about the situation and eventually an alternative access was proposed to him. The complainant wrote back to our Office to say that he had accepted the proposal.

Thus a rather difficult case has been resolved to the satisfaction of the complainant.

6. OWN MOTION CASES

We made full use of the powers entrusted to our Office by the Constitution to investigate on our own initiative cases where we considered it desirable to do so (see section 97(1)(c)).

The majority of these cases were picked up from press articles and involved local authorities mainly but not only.

Hereunder are a few examples of such cases –

DISTRICT COUNCIL OF BLACK RIVER

LA/C/28/2015

“Eau stagnante, odeur infecte” : remedial measures taken following Ombudsman’s intervention

An article which appeared in one of our dailies described how people living near the mouth (embouchure) of Tamarin river had to endure a nauseous odour on account of the blockage of the said mouth.

Upon our intervention site visits were carried out by the Health Inspectorate of the Council and they found the presence of sand deposited naturally by the tidal waves in and around the mouth of the said river thus causing obstruction in the free flow of water which gave rise to a repugnant smell and favouring the breeding of mosquitoes. The situation thus represented a serious threat to the environment and to the health of neighbouring residents. The immediate solution suggested was the dredging of the river in order to direct the water course to its original track.

The matter was therefore referred by the Council to the Ministry of Environment, Sustainable Development, Disaster and Beach Management to carry out the necessary dredging works as a matter of urgency.

We pursued the matter with that Ministry and were informed that an inspection had been carried out by the Living Environment Unit of the Ministry

and the works were estimated at Rs 780000/- for which necessary approval had been obtained.

Bids for the works were launched and a few months later all dredging and desilting works were completed.

DISTRICT COUNCIL OF GRAND PORT

LA/C/65/2016

Dangerous building pulled down

The picture of a very old wooden building in a frighteningly dangerous state appearing in one of our dailies caught our attention. It was situated in Mahebourg, very near a bus-stop, and thus represented a real danger to people waiting for buses as well as to pedestrians and other road users.

We immediately requested the Chief Executive of the District Council to look into the matter and take appropriate action before any accident happens.

The Chief Executive reported that indeed, a few days before, the Police had requested the Council to survey that building which was in a dangerous state and same was done almost straight away. Thereafter a Notice was served on the owner of the building requiring him to pull it down within a delay of seven days failing which legal action would be taken against him. The owner was also requested to place warning signs to ward off the public.

To cut a long story short, the owner made a reply to the Council informing of his intricacies with his tenant. All the same the building was pulled down and no longer represented any hazard to the public.

DISTRICT COUNCIL OF GRAND PORT

LA/C/70/2016

Immediate action taken to remove abandoned bus

On 13 October 2016 there appeared an article in one of our dailies bearing the title “Un autobus abandonné: repaire d’activités louches” and as sub-title “Ce bus s’est transformé en lieu où viennent prostituées et drogués la nuit tombée. Ce qui cause inquiétude et mécontentement pour les voisins, qui demandent que le véhicule soit enlevé”.

Further in the article it is pointed out that the said bus, apart from being in a most deplorable state, is found next to a secondary school for boys. According to the teachers of that school the presence of that bus could have a bad influence on the boys frequenting that school especially after school hours.

We immediately contacted the Chief Executive of the District Council concerned and requested him to see to it that the owner of the said bus removes it without any further ado. A few days later we were informed that the offending bus had been removed.

So much the better and many thanks to the Chief Executive for prompt action taken.

DISTRICT COUNCIL OF PAMPLEMOUSSES

LA/C/37/2015

Bus Shelter constructed at the instance of the Ombudsman

This is an own-initiative case which we opened following an article picked up in a daily wherein the attention of the authorities concerned was drawn to the absence of a bus shelter at a bus stop in the village of Mon Goût. Waiting passengers were therefore exposed to rain during bad weather.

We first took up the matter with the Chief Executive of the District Council of Pamplemousses who drew our attention to the fact that the onus for the construction of a bus shelter rests on the Road Development Authority.

So we went to the Road Development Authority for the needful to be done and we were informed by the Officer-in-Charge that indeed the said Authority is continuously upgrading the existing road network (1230 km long) and associated infrastructure under its jurisdiction and that this included the provision of lay-bys and bus shelters which is being done progressively depending on the availability of funds and most importantly land acquisition.

We were also informed that government had recently adopted a protocol for sponsorship of bus shelters involving private partners and that the Authority was negotiating with the land owner for the required space in the sugarcane field.

The matter was followed up with the Officer-in-Charge and we were informed that the land owner had agreed to allocate the required plot of land to the Authority for the construction of the bus shelter at the Mon Goût site.

And finally we were informed that the works have been completed and, at our request, a photograph of the bus shelter on site was submitted to our Office.

We are satisfied that appropriate action has been taken.

DISTRICT COUNCIL OF PAMPLEMOUSSES

LA/C/3/2016

Plot of land cleaned up

An article in one of our dailies dated 11 January 2016 caught the attention of our Office. It was about a plot of land along the main road in the village of Arsenal which had become a real eyesore due to rubbish that had been dumped there by people unknown and which now and then caught fire, much to the inconvenience of nearby inhabitants.

At our request a site visit was effected by Health Inspectors of the District Council on 22 January 2016 and a team of refuse collectors was deployed to clean both sides of the main road and furthermore we were informed that henceforth sweeping works would be carried out on a regular basis.

Our thanks to the Council for prompt action taken.

ENVIRONMENT, SUSTAINABLE DEVELOPMENT, AND DISASTER AND BEACH MANAGEMENT

C/189/2016

Action taken to remove solid waste

A press article dated 30 August 2016 with the caption “Bras-d’Eau et Albion victimes de pollueurs récidivistes” and accompanying photos showing solid waste caught our attention.

We requested the Permanent Secretary, Ministry of Environment, Sustainable Development, and Disaster and Beach Management to have the matter looked into with a view to taking appropriate action.

As regards Bras-d’Eau a site visit was carried out by the Police de l’Environnement on 2nd September 2016. Solid waste comprising mainly of carton boxes were found scattered on the site and on the same day the District Council of Flacq was requested to arrange for the cleaning of the area. A joint site visit was effected on 27th September 2016 along with officers of District Councils of Flacq and Pamplemousses. No waste was found at the site in question.

As regards Albion a site visit was effected by officers of the Ministry on 14th September 2016 and solid waste was found on site. The matter was referred to the District Council of Black River for the needful to be done. On 10th November 2016, the Ministry was informed that the waste had been removed.

Many thanks to the authorities concerned for taking prompt action following our intervention.

ENVIRONMENT, SUSTAINABLE DEVELOPMENT, AND DISASTER AND BEACH MANAGEMENT

OMB 4/120

Roadside drain cleaned at the behest of the Ombudsman

This is an own-initiative case where the attention of the Ministry of Environment, Sustainable Development and Disaster and Beach Management was drawn to the presence of plastic bottles and other waste materials which clogged a roadside drain along the motorway in the region of the Hindu House on the way towards the Royal College, Port Louis, thus causing water to remain stagnant and representing a health hazard to residents of the locality, apart from being a real eyesore.

The matter was initially referred to the Officer in Charge of the Road Development Authority for arrangements to be made for the clearing and cleaning of the said roadside drain. As the collection of litter along the said motorway did not fall under the purview of the Road Development Authority the task was entrusted to the City Council of Port Louis.

We were finally informed that cleaning works were performed on a Saturday from 6 a.m. to noon and henceforth the said local authority undertook to carry out a cleaning exercise twice a month.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/32/2016

Injured man awarded Invalid's Basic Pension

An article in a weekly newspaper appearing on 07 February 2016 related the case of one A.R. who was the victim of a motor-cycle accident ever since April 2014 as a result of which he had to undergo an operation in the right leg and had to stay in hospital for one month. That person was, according to the article, denied an invalidity pension (“privé de pension d’invalidité”).

We took up his case with the Ministry concerned and the story which unfolded was that A.R. had been medically boarded on 18 June 2014 and recommended an Invalid's Basic Pension (IBP) for a period of one year. Thereafter, he was reconvened for a medical examination on 13 April 2015 but was found not to suffer from a 60% disablement and therefore was not recommended for IBP this time. He appealed against that decision but his appeal was set aside by the Medical Tribunal on 26 August 2015.

However, A.R. again applied for IBP and was medically boarded on 22 December 2015. The outcome of his application was still being awaited at the time the Ministry wrote to our Office. A few weeks later i.e. on 09 February 2016 the Medical Board again recommended IBP for a period of one year.

At our request the Ministry wrote to A.R. to inform him that he had been awarded the following –

- (i) IBP: Rs 5000/- a month from November 2015 to December 2015.
: Rs 5250/- a month from January 2016 to October 2016.
- (ii) Invalid's Contributory Pension: Rs 184/- a month from November 2015 to October 2016.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/54/2016

Carer's allowance paid and wheelchair issued to disabled person

This case was started when our Office picked up a press article of March 2016 bearing the title "Il ne reçoit plus sa pension depuis septembre 2015". It referred to the case of one H.A. aged 62 who, according to that article, had also been denied a wheelchair by the Ministry.

Our inquiry revealed that H.A. had had his right leg amputated in September 2015 and was practically confined to bed. He was in receipt of a basic retirement pension (BRP) and on 25 January 2016 he applied for a carer's allowance and was seen by the Medical Board a month later. The Board recommended his application

for a period of two years. However payment had not yet been processed by the Benefits Section and we were assured by the Ministry that he would be paid as from April 2016.

As regards the wheelchair, the Ministry informed us that there was none in stock at the time of our inquiry but he would be issued with one as soon as it was available. Indeed on 28 April 2016 H.A. was issued with a wheelchair.

OFFICE OF THE
OMBUDSMAN

7. THE INSTITUTION OF THE MAURITIAN OMBUDSMAN AND ITS ROLE REVISITED

Although the institution of Ombudsman originated as far back as 1809 in Sweden it was not until the middle of the 20th century that the idea of having a body to handle citizens' complaints against their administration started to gain ground and it swept through all continents.

Mauritius did not lag behind and it was upon the recommendation of Professor S.A. de Smith of the Department of Public Law, University of London, who had been appointed as Constitutional Commissioner for Mauritius in 1961 following the Constitutional Conference held in London that eventually led to the independence of Mauritius on 12 March 1968, that such an institution was established in Mauritius.

Notwithstanding the fact that the word "Ombudsman" is of Swedish origin, which means the citizen's representative, we kept the same appellation and the institution found its way in Chapter IX of our 1968 Constitution.

In order to understand fully the role of the Ombudsman as envisaged by Professor de Smith, I am hereunder quoting what he said on this topic in his Report of November 1964, reproduced in Sessional Paper No. 2 of 1965 of the then Mauritius Legislative Assembly –

"An Ombudsman for Mauritius would be essentially an independent public officer charged with the duty of investigating and reporting on allegations of maladministration (including unfairly discriminatory acts) made against public authorities and their officials. He would have no power to annul or vary any act or decision, but he would be empowered to make recommendations to the competent authority for granting redress to an aggrieved complainant. He would conduct his inquiries informally and privately; he would not be entitled to single out individual public officers for condemnation in his published reports; he would screen the public service from unjustified criticism, and he would acquire a body of information which would enable him to act as an impartial adviser to the

administration. He would, in fact, provide a link between Government and the governed which is at present lacking in Mauritius.”

I must confess that not much has changed regarding the role of the Ombudsman ever since these words were penned down. Professor de Smith therefore deserves to be reckoned and remembered as the architect of the Mauritian Ombudsman.

There is nothing more frustrating for a citizen than when he makes a complaint in writing to a public authority and either receives no reply or not even an acknowledgement or simply no action is taken. When confronted with such a situation the citizen can have recourse to the Ombudsman’s Office where he can expect to receive a courteous attention and an independent and impartial assessment of his complaint. Furthermore he has no fee to pay as the services of the Ombudsman’s Office are free of charge. There is only one requirement and that is that the complaint must be made in writing and be as clear as possible in order that the issues can be readily identified. All the same where any person is unable to write, which is very rare nowadays, or he is unable to express himself clearly in writing, he can always call at our Office where he will be given the necessary assistance and, if need be, one of our officers will volunteer to write down his complaint subject to it being signed by the complainant.

Our jurisdiction covers the following authorities and officers –

- (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;
- the only exceptions being –
- (i) the President or his personal staff;
 - (ii) the Chief Justice;

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

However, section 97(8) of the Constitution also provides that –

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.

It must not be believed that every complaint would necessarily disclose that the administration against which it is made has faulted. There are several reasons why a complaint is made to our Office and, more often than not, it is that the complainant has not received any reply or that he or she is at a loss to understand the reason for any decision taken regarding any issue raised by him or her.

At the same time our administrators must not believe that the Ombudsman's Office is prying into their affairs for futile reasons. They must be alive to the fact that the very "raison d'être" of the Ombudsman's Office is to investigate into complaints received and that, once we are in the presence of the version of a complainant in any particular case, we must also call for the version of the administration. This is very much in line with the "audi alteram partem" rule of natural justice. Besides, the Constitution itself provides as follows in section 98(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.”

and in the following subsection, that –

“..... the Ombudsman may obtain information from such persons and in such manner, and make such enquiries, as he thinks fit,”.

The Constitution goes further and provides in Section 99(1) thereof that -

“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.”

I must hasten to add that complaints against the administration help to identify or draw attention to problem areas which can thus be rectified by the public agencies themselves. Therefore there is a likelihood that mistakes which have been committed in the past will not be repeated in future. It is a win-win situation. Indeed, Professor de Smith did conclude in the following words in his Report –

“What is especially interesting is that even in cases where a complaint has been outside the Ombudsman’s jurisdiction or has been found to be unjustified on the merits, he has sometimes been able to draw a Department’s attention to an issue of general principle arising out of the particular issue.”

Finally, I wish to say that our Office will continue to be an independent and impartial advocate for administrative fairness but whenever a complaint is unfounded the Ombudsman would act as a valuable shield for the Administration.

8. INTERNATIONAL COOPERATION

In October 2015 I was due to attend the “Congrès de l’Association des Ombudsmans et Médiateurs de la Francophonie (AOMF) in Québec, Canada, at the invitation of Mrs Raymonde Saint-Germain, then “Protectrice du Citoyen du Québec” and President of AOMF.

It so happened that some time before my departure I had come across an article in one of our daily newspapers bearing the caption “Migration circulaire: des Mauriciens menacés de déportation du Canada”. Their problem was summoned up as follows –

“Assez bons pour travailler, assez bons pour rester.” C’est le slogan inscrit sur la banderole brandie, jeudi, par une vingtaine de Mauriciens. Tous ont émigré au Québec en 2011 à travers le programme de migration circulaire. Ils sont descendus dans la rue, à Terrebonne, après avoir appris que le profil des postes qu’ils occupent là-bas a été revu. Résultat: il se pourrait qu’ils doivent quitter leur pays d’accueil d’ici à la fin du mois. Sinon, ils risquent d’être déportés

Acting on my own initiative I decided to seize my colleague of Québec of their situation in order to find a reasonable solution to the problem of these workers.

She readily agreed to pursue this matter at her level and I am pleased to quote hereunder the contents of a letter dated 15 April 2016 which the “Protectrice du Citoyen of Québec” addressed to me after she had inquired and followed up the matter with the appropriate authorities –

“Monsieur le Médiateur, Cher Collègue,

A l’occasion du IV^e Congrès de l’Association Internationale des Ombudsmans et Médiateurs de la Francophonie, tenu à Québec en octobre dernier, vous m’avez fait état de la situation de travailleurs mauriciens, employés au Québec par la firme Olymel, dont le traitement en apparence inacceptable avait fait l’objet d’un article paru le 19 septembre 2015 dans le journal mauricien L’Express, sous le titre “Des Mauriciens menacés de déportation au Canada”.

Donnant suite à ce signalement de votre part, j'ai demandé à mes collaborateurs de faire enquête sur cette situation et, advenant la confirmation des préjudices allégués à l'endroit de ces travailleurs, d'agir pour faire en sorte qu'ils soient réparés et que ces derniers soient traités avec justice et équité.

Il ressort de notre enquête que le "programme de migration circulaire" auquel réfère l'article a fait l'objet d'un accord entre l'Île Maurice et le Canada en 2007. En vertu de cet accord, des travailleurs mauriciens peuvent venir travailler au Canada de façon saisonnière ou continue, en renouvelant leurs permis de travail temporaires autant de fois que souhaité par leur employeur.

Je vous fais grâce des diverses démarches menées relatives à cette situation ainsi que des arguments techniques et légaux invoqués, pour en venir à l'essentiel. Grâce à la proactivité et à la bonne collaboration du ministère de l'Immigration, de la Diversité et de l'Inclusion, le statut de ces travailleurs a été reconsidéré et, avec le soutien de leur employeur, leur situation est pour la majorité maintenant régularisée. Ainsi, j'ai le plaisir de vous informer que des vingt-huit travailleurs concernés, vingt-six ont maintenant reçu leur certificat de sélection du Québec en vertu du programme régulier des travailleurs qualifiés. La demande d'un autre travailleur mauricien est toujours à l'étude et un autre, qui souhaite être parrainé, devrait déposer sa demande sous peu.

Je suis donc satisfaite du dénouement heureux de cette situation qui, au-delà des considérations légales et administratives, entraînait des impacts humains qu'une saine administration ne saurait accepter ni perpétuer.

En vous réitérant mes remerciements pour m'avoir saisie de cette affaire, je vous prie d'agréer, Monsieur le Médiateur et Cher Collègue, l'expression de ma considération."

It is interesting to know that none of the workers is aware of the intervention of our Office in this matter.

9. VISITORS FROM ABROAD

DELEGATION FROM SOUTH AFRICA

In March 2016 our Office was informed by the Clerk of the National Assembly of an official visit to Mauritius by a delegation from the Gauteng Provincial Legislature from the Republic of South Africa on a study tour to our National Assembly.

The delegation had expressed the wish to be informed on the relationship between our legislature and our democratic institutions including the Office of the Ombudsman.

As a result, the said delegation called on us on 29 March 2016. It was composed of the Deputy Chairperson of Committees (Head of Delegation), six Chairpersons of different committees and 3 other delegates. On our side were present the Senior Investigations Officer and other Senior Officers of our Office.

We made a long exposé of our Ombudsman institution, the manner of appointment of the Ombudsman, his role and mandate and also the manner in which we function. We explained that our institution may to some extent be compared to that of the Public Protector in South Africa, although the powers of the Mauritian Ombudsman are limited to maladministration in the public sector.

Following questions by members of the delegation they were informed about the bodies/authorities that fall under the jurisdiction of the Ombudsman as well as the institutions that are excluded from our jurisdiction under the Constitution.

As regards our relationship with the National Assembly, the delegates were informed that the Ombudsman submits his Annual Report to the President of the Republic and a copy is deposited at the National Assembly.

One interesting question concerned the independence of the Ombudsman and we simply quoted section 101(1) of our Constitution which provides that in the discharge of his functions, the Ombudsman shall not be subject to the direction or control of any other person or authority. We further stressed the fact that the Ombudsman is free from any political interference.

Another interesting question was whether the Ombudsman is empowered to inquire into complaints by foreign citizens and the delegation was informed that we can conduct an inquiry into such cases when the complaint relates to action taken in relation to such a person while he was present in Mauritius or in relation to rights or obligations that accrued to him/her or arose in Mauritius.

The Head of the delegation finally thanked our Office for having accepted to receive them and for sharing useful information with them.

DELEGATION FROM RWANDA

Our Office also received the visit in May 2016 of a delegation from Rwanda comprising (i) the Permanent Secretary/Solicitor General, Ministry of Justice of Rwanda and (ii) the Director of Legislations, Human Rights Protection and Monitoring Unit, National Human Rights Commission, Rwanda.

The delegation was accompanied by the Deputy Chairperson and a member of the National Preventive Mechanism Division, National Human Rights Commission, Mauritius, whereas our Senior Investigations Officer was also present during the meeting.

Questions regarding the volume of work were asked by the delegation and appropriate replies were made. We also stressed on the fact that we are empowered to initiate own-motion cases following press articles, mostly regarding environmental problems around the country and in, some cases, anonymous complaints.

The delegation was also informed that normally we proceed twice a year to Rodrigues to deal with the problems and complaints from the population there.

As regards whether there is any coordination between the Office of the Ombudsman and the National Human Rights Commission, it was explained to them that we have distinct jurisdiction but when the need arises we inquire from each other as to whether any complaint is being inquired into in order to avoid any duplication.

The meeting ended on a note of thanks from both sides.

10. ACKNOWLEDGEMENTS

First and foremost I wish to extend my gratitude to the entire staff of my Office for their continuous support, dedication and commitment in the discharge of their duties and obligations, not least their contribution in the preparation and finalisation of this Annual Report.

It is also worth mentioning that, apart from written complaints received, 476 persons called at the Office in person during the year under review for advice and help in respect of their various problems. They were courteously received by our officers and provided with the required assistance.

Secondly, my thanks go to my overseas colleagues for sending to our Office copies of their own Annual Reports which show that we all work with the same objective, and that is to bring relief to our respective citizens who are unfairly dealt with by their own administration.

Thirdly, one word about the International Ombudsman Institute (IOI) established in 1978 as the only global organization of Ombudsman around the world. It comprises almost 175 independent Ombudsman institutions from close to one hundred countries including Mauritius.

The IOI is committed to promoting the concept of Ombudsmanship and it encourages the creation of Ombudsman institutions in countries where they simply do not exist. It also organises conferences and provides training and research initiatives. It organises a World Conference of Ombudsman in a different country every four years.

We regularly receive the Ombudsman News, the official bulletin of the IOI, which keeps us informed about developments in the field of Ombudsmanship around the world.

Last but not least, we are indebted to our citizens who have faith in our Office and do not hesitate to have recourse to our services with a view to finding solutions to their problems with various administrations. We appreciate the trust they place in our Office which is very motivating.

11. APPENDICES

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

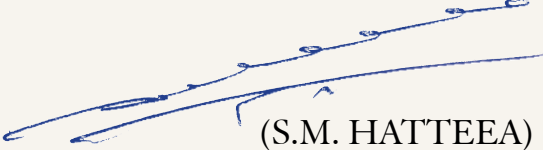
Appendix B reproduces the Ombudsman Act which provides for the oath to be taken by the Ombudsman and his staff upon assumption of office, the procedure for lodging a complaint and other ancillary matters. The Act also makes it an offence for any person who influences or attempts to influence the decision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

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

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

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

4 May, 2017



(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 anybody of persons whether incorporated or not, not being -
- (a) an authority of the government or a local authority or other authority or body constituted for purposes of the public service or local government; or
 - (b) any other authority or body whose members are appointed by the President or by a Minister or whose revenues consist wholly or mainly of money provided from public funds.
- (4) Where any person by whom a complaint might have been made under subsection (3) has died or is for any reason unable to act for himself, the complaint may be made by his personal representative or by a member

of his family or other individual suitable to represent him; but except as specified in this subsection, a complaint shall not be entertained unless made by the person aggrieved himself.

- (5) The Ombudsman shall not conduct an investigation in respect of any complaint under this section unless the person aggrieved is resident in Mauritius (or, if he is dead, was so resident at the time of his death) or the complaint relates to action taken in relation to him while he was present in Mauritius or in relation to rights or obligations that accrued or arose in Mauritius.
- (6) The Ombudsman shall not conduct an investigation under this section in respect of any complaint under this section in so far as it relates to –
 - (a) any action in respect of which the person aggrieved has or had a right of appeal, reference or review to or before a tribunal constituted by or under any law in force in Mauritius; or
 - (b) any action in respect of which the person aggrieved has or had a remedy by way of proceedings in any court of law:

Provided that –

 - (i) the Ombudsman may conduct such an investigation notwithstanding that the person aggrieved has or had such a right or remedy if satisfied that in the particular circumstances it is not reasonable to expect him to avail himself or to have availed himself of that right or remedy; and
 - (ii) nothing in this subsection shall preclude the Ombudsman from conducting any investigation as to whether any of the provisions of Chapter II has been contravened.
- (7) The Ombudsman shall not conduct an investigation in respect of any complaint made under this section in respect of any action if he is given notice in writing by the Prime Minister that the action was taken by a Minister in person in the exercise of his own deliberate judgment.
- (8) The Ombudsman shall not conduct an investigation in respect of any complaint made under this section where it appears to him -
 - (a) that the complaint is merely frivolous or vexatious;
 - (b) that the subject-matter of the complaint is trivial;

- (c) that the person aggrieved has no sufficient interest in the subject-matter of the complaint; or
 - (d) that the making of the complaint has, without reasonable cause, been delayed for more than 12 months.
- (9) The Ombudsman shall not conduct an investigation under this section in respect of any matter where he is given notice by the Prime Minister that the investigation of that matter would not be in the interests of the security of Mauritius.
- (10) In this section, “action” includes failure to act.

98. Procedure in respect of investigations

- (1) (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.

APPENDIX B

THE OMBUDSMAN ACT

1. Short title

This Act may be cited as the Ombudsman Act.

2. Oaths of office

- (1) Before performing the duties of their respective offices, the Ombudsman and the Senior Investigations Officer shall take an oath before a Judge that they will faithfully and impartially perform the duties of their offices and that they will not, except in accordance with Chapter IX of the Constitution and this Act, divulge any information received by them in the exercise of their duties.
- (2) The other members of the staff of the Ombudsman shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their duties.
- (3) Every person mentioned in subsection (2) shall, before entering upon the exercise of his duties, take an oath to be administered by the Ombudsman, that he will not, except in accordance with Chapter IX of the Constitution and this Act, divulge any information received by him in the exercise of his duties.

3. Procedure

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

- (3) No complaint shall be entertained by the Ombudsman unless the complainant –
 - (a) has, before making the complaint, made a written representation to the relevant department or authority and not received within 5 working days –
 - (i) a written substantive reply; or
 - (ii) a written reply in which the department or authority states the action it is initiating and the date by which a substantive reply shall be made, such date being not more than 45 days of the date of receipt of the written representation by the department or authority;
 - (b) is dissatisfied with any reply given to him by the department or authority;
 - (c) has sufficient interest in the subject matter of the complaint;
 - (d) specifies the nature of the complaint, the reasons for his grievance and the redress being sought; and
 - (e) encloses every document or other information which is relevant to the complaint.
- (4) Where a department or authority receives a written representation under subsection (3), it shall make a written reply or written substantive reply, as the case may be, within the time limit specified in that subsection.
- (5)
 - (a) On receipt of a complaint under this section, the Ombudsman shall, within 5 working days of the date of receipt –
 - (i) make a written reply to the complainant, stating the action the Ombudsman is taking; and
 - (ii) where the department or authority has failed to comply with subsection (4), order the department or authority concerned to make, not later than 7 working days from the date of the order, a substantive reply to the complainant.
 - (b) The department or authority shall –
 - (i) comply with an order under paragraph (a)(ii); and
 - (ii) at the same time, forward a copy of its reply to the Ombudsman.
- (6) In the discharge of his functions relating to an investigation, the Ombudsman may order a department or authority to submit comments and to provide such information and documents relating to the investigation,

within such time as may be specified in the order, and the department or authority shall comply with the order.

- (7) Where a department or authority fails to comply with subsection (4) or an order under subsection (5)(a)(ii) or (6), the Ombudsman shall request the principal officer of that department or authority to take such action as he considers appropriate.
- (8) In the discharge of his functions relating to the report of his opinion and reasons pursuant to his investigation, the Ombudsman shall endeavour, within 45 days of the date of receipt of a copy of the written reply under subsection (5), to forward the report to the principal officer of the department or authority concerned.

4. Action by department not affected by investigation

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

5. Privilege of communication

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

5A. Annual Report

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

6. Offences

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

- (2) Subject to Chapter IX of the Constitution, any person who is requested by the Ombudsman or by any member of his staff, acting in the exercise of his duties, to furnish any information or to produce any document and who wilfully fails to furnish the information or to produce the document, shall commit an offence.
- (3) Any person who, in connection with any matter which lies within the province of the Ombudsman, wilfully gives him any information which is false or misleading in a material particular, shall commit an offence.
- (4) Any person who commits an offence under this section shall be liable, on conviction, to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding 12 months.

7. Expenses and allowances

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

8. Administrative expenses

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

9. Regulations

- (1) The Cabinet may make such regulations as it thinks fit for the purposes of this Act.
- (2) Notwithstanding the generality of subsection (1), such regulations may provide for the scale according to which any sum may be paid to complainants or to persons attending, or furnishing information for the purposes of, an investigation.

APPENDIX C

SELECTED COMPLAINTS MINISTRIES/DEPARTMENTS

ARTS AND CULTURE

C/13/2016

Action taken to reinstate the Director of the National Art Gallery

In a letter dated 18 January 2016 one Mr T.P.N. averred that in the year 2009 he was suspended as Director of the National Art Gallery following a false allegation made against him, as a result of which he was prosecuted on a charge of Bribery of Public Official but the case was dismissed on 26 May 2015.

His complaint was that he had not received any official reply to his letter dated 06 October 2015 addressed to the Chairperson of the National Art Gallery Board regarding his reinstatement.

Our Office requested the Permanent Secretary, Ministry of Arts and Culture to look into the matter as a result of which a Special Board Meeting was convened on 05 February 2016 to discuss the matter and take a decision in the complainant's case.

Thereafter our Office was constantly informed by the Permanent Secretary of the Ministry that the Board of the National Art Gallery would take a decision in the matter following legal advice received. His last letter to that effect was dated 13 May 2016.

In view of the long delay displayed by the Board to take a decision in this case our Office wrote back to the Permanent Secretary on 17 May 2016 and requested him to inform the members of the Board that we were expecting them to meet without any further delay and take a decision forthwith.

Although at one stage it was decided by the Board to terminate T.P.N.'s appointment as Director with payment of compensation, the next thing we knew was that the Board, at a further meeting held on 26 July 2016, had decided to reinstate him as Director with immediate effect.

T.P.N.'s complaint was therefore successfully resolved and he resumed duty on 28 July 2016.

OFFICE OF THE
OMBUDSMAN

BUSINESS, ENTERPRISE AND COOPERATIVES

C/203/2016

Arrears of fees paid to retired public officer following Ombudsman's intervention

A retired Manager Financial Operations at the Ministry of Business, Enterprise and Cooperatives since April 2016 was also a member of the Departmental Bid Committee whose task is to open bids and either recommend them for approval to the Permanent Secretary of the Ministry after examination or refer them to a Bid Evaluation Committee. As such he was entitled to a fee as approved by Government.

He averred that the Business Division had not paid him his fees for period January 2015 to April 2016 though he had asked that the needful be done before he retired. Nothing was done until September 2016 when he wrote to our Office for our intervention.

According to the Permanent Secretary of the Ministry payment to the retired officer had not been effected through oversight and necessary action was being taken to effect payment by 14 October 2016 at latest.

Indeed some time later we were informed that the complainant had been paid a sum of Rs 5610/- representing fees during the period mentioned by him.

CIVIL SERVICE AND ADMINISTRATIVE REFORMS

C/126/2015

Anomaly in travelling allowance rectified

Complainant A.M., a Human Resource Executive, applied to the Ministry of Civil Service and Administrative Reforms (MCSAR) for payment of a monthly travelling allowance of Rs 2200/- by virtue of a recommendation made by the Committee set up to look into representations arising out of the 2013 Errors, Omissions and Anomalies Committee (EOAC) Report to the effect that officers who were drawing or would have drawn a monthly basic salary of Rs 33000 and Rs 34200 or more with the PRB Report 2013 will retain the benefit of a monthly travelling allowance of Rs 2200 or refund of bus fares, whichever is higher, on a personal basis, with effect from 01 January 2013 and/or as from 01 January 2014, as appropriate.

As A.M. was drawing a monthly basic salary of Rs 34175, hence his above request to the MCSAR made on 27 February 2015. Unfortunately, by a reply dated 03 June 2015, A.M. was informed that his request had not been acceded to, no reason being given.

When we first took up the matter with the Senior Chief Executive, MCSAR, he informed us that the issue raised by A.M. would be examined by the High Powered Committee together with other related issues.

Thereafter the Senior Chief Executive informed our Office that A.M.'s case, together with all similar cases had been referred to the Secretary to Cabinet and Head of the Civil Service for consideration by the High Powered Committee.

The matter was pursued further with the Senior Chief Executive who eventually informed us that the High Powered Committee had, at its meeting held on 04 November 2015, approved the payment of the monthly travelling of Rs 2200 which A.M. had been claiming. A Circular Note (No. 22/2015) was even issued on 24 December 2015 requesting all Supervising Officers in Charge of Ministries/Departments to draw the attention of eligible officers and to implement the decision taken.

A.M. later informed us that the needful had been done for the adjustment of his travelling.

What is also interesting is that other officers benefitted from A.M.'s complaint to our Office.

EDUCATION AND HUMAN RESOURCES, TERTIARY EDUCATION AND SCIENTIFIC RESEARCH

C/132/2015

Payment of allowance to resource person upon the Ombudsman's intervention

In view of the experience of one Mr T.M., a retired Principal School Inspector, his services were resorted to by the Ministry of Education and Human Resources, Tertiary Education and Scientific Research for the period 05 August 2013 to 06 May 2014 for additional support aiming at enhancing performance at the level of primary schools.

Ever since 06 May 2015 T.M. submitted to the Supervising Officer of the Ministry a claim for remuneration for the period he provided his services. As no action has been taken for payment he sent a reminder to the said Supervising Officer on 30 June 2015. Still no action was taken.

In a letter dated 06 August 2015 addressed, inter alia, to our Office, T.M. made a "solemn appeal" to our Office for our intervention to "set things right for me", as he put it.

We took up T.M.'s complaint on the next day with the Senior Chief Executive of the Ministry and, after an exchange of correspondence we were informed by the Senior Chief Executive that his Ministry had submitted T.M.'s case to the Ministry of Civil Service and Administrative Reforms for consideration, with a request for approval of payment to T.M.

By February 2016 the Ministry of Civil Service and Administrative Reforms had not yet given its approval and our Office wrote to the Senior Chief Executive of that Ministry directly, whereby we were informed that, to the extent the Ministry of Education and Human Resources, Tertiary Education and Scientific Research is satisfied with T.M.'s services and subject to funds being available, the Ministry of Civil Service and Administrative Reforms had no objection for payment of an all-inclusive allowance of Rs 40000/- per month to T.M.

Four days later the Ministry of Education and Human Resources, Tertiary Education and Scientific Research wrote to T.M. to inform him that its Finance Section was taking action for payment as per above.

By end of March 2016 T.M. confirmed having received payment.

C/173/2015

Complainant appointed in a substantive capacity

Mrs S.S. reckons 28 years of service in the government and was a Specialised Need Educator. In February 2015 she and a colleague of hers were assigned the duties of Deputy Head of School for a period of six months. Upon completion of her six-month assignment she expected to be appointed in a substantive capacity but she heard nothing from the Ministry.

In her complaint dated 12 October 2015 she averred that, according to information received “through informal channels”, the Senior Chief Executive had not approved her substantive appointment as Deputy Head notwithstanding the fact that all the officers who processed her file had found that her appointment would be in order and even recommended same. Moreover funded vacancies existed on the establishment of the Ministry for the post of Deputy Head.

She further stressed that she held all necessary qualifications including several Diplomas both in Education and Special Needs. She was also holder of a Degree in Counselling and, to top it all, she was the most senior officer in the grade of Special Needs Educator.

Mrs S.S. therefore appealed to our Office for our intervention and copied her letter to the Prime Minister’s Office.

Once we took up the case with the Senior Chief Executive of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research we were informed that Mrs S.S. and her colleague had been assigned duties of Deputy Head on ground of administrative convenience in order to ensure the smooth running of work in specialised schools.

That assignment of duties was due to lapse on 25 August 2015 but was prolonged up to the end of October 2015 with the approval of the Public Service Commission.

The Acting Senior Chief Executive of the Ministry finally informed that a recommendation had been made to the Public Service Commission to consider the filling of the two funded vacancies in the grade of Deputy Head, Specialised Schools, in a substantive capacity.

Mrs S.S. was only too happy to inform our Office in January 2016 that she had finally received her appointment as Deputy Head and extended her thanks to our Office for our intervention in her case.

OFFICE OF THE
OMBUDSMAN

C/15/2016

Educator's transfer cancelled

This is the case of Mr G.J. an Educator (Head of the English Department) at the Ministry of Education who, in a letter dated 21 January 2016 addressed to our Office, submitted that he had been victimized “by the people who effect transfers of Educators”.

His averment was that in 2014 he was transferred to the Port Louis State Secondary School (SSS) and in 2015 he was made to fill a Data Capture Form in order to make it clear why he should not be transferred again. His reasons were that he had worked at the Port Louis SSS for only two years and had only another two and a half years to go before retirement. Furthermore he did not apply for any transfer at the end of 2015. Yet, in December 2015, he was transferred to Terre Rouge SSS. His protest was in vain although he invoked, amongst others, his state of health.

G.J. therefore decided to lodge a complaint at our Office on 21 January 2016 and even submitted copies of two blood tests and a copy of a medical certificate from his treating doctor to attest a significant deterioration of his diabetes. He further averred that he had sent copies of same to the Ministry a week before but had not heard from them.

I requested the Senior Chief Executive of the Ministry to look into the matter and consider any action that may be taken having regard to the circumstances of this case.

Some two weeks later we received a reply from the said Senior Chief Executive to the effect that, after having considered the representations made by G.J. and our request, he had been transferred to G.M.D. Atchia State College (SC) since 03 February 2016.

On that same day G.J. wrote to our Office to state that his problem had been solved inasmuch as the G.M.D. Atchia SC was one of his choices. He did not fail to thank our Office for our intervention in his case.

C/83/2016

**Problems caused by delay in transfer of personal file
and salary card solved**

Mrs R.M., Teacher/Senior Teacher, claimed in her letter dated 11 April 2016 that she has suffered the following prejudice –

- (i) Delay in payslip delivery,
- (ii) ZEP allowance arrears still due since November 2015, and
- (iii) Unpaid sick and casual leaves.

She attributed all this to the fact that upon her transfer from Zone 1 (Raoul Rivet Government School) to Zone 2 (Stanley Government School) ever since January 2015 neither her Personal File (PF) nor her Salary Card had been transferred from Zone 1 to Zone 2.

We immediately requested the Senior Chief Executive to take action in the matter and within two weeks we were informed that necessary instructions had been given to the Manager and Assistant Manager of Zones 1 and 2 respectively to do the needful regarding Mrs R.M.'s complaint.

One week later the Director of Education Zone 1 confirmed that –

- (i) the monthly payslip of Mrs R.M. is being sent by post to Stanley Government School where she was presently posted;
- (ii) action was taken for payment of the ZEP allowance for the months of November 2015 to February 2016 to her in May 2016; and
- (iii) Mrs R.M. was paid the unutilised sick and casual leaves for 2015 in April 2016.

Mrs R.M. was informed accordingly but we did not hear from her again.

C/95/2016

Changes in postings reviewed in one day

This is a complaint which bore the following heading –

“Purposeless change in posting of HODs Prevocational”

The complainant, one Mrs M.S., was the Head of Department (HOD) at the Forest Side State Secondary School (Boys) and, together with three other Heads of Department from other State Secondary Schools (SSS) they were all of a sudden transferred to other SSS during the middle of school year 2016.

Mrs M.S. averred that these transfers were purposeless and none of the HODs had requested for their transfer as they were all happy in their respective schools nor was any of them prepared for such a change in posting during the second term.

These transfers were, according to Mrs M.S., effected by the Prevocational Inspector who did not even consider subject compatibility and who imposed on the HODs concerned the teaching of subjects they had never taught before, which would be detrimental to the students concerned.

The letter of complaint was received at our Office on 26 April 2016 and on the same day we sought for an explanation about these transfers from the Senior Chief Executive of the Ministry. On the very next day the Ministry reviewed the changes in postings of the HODs and Mrs M.S. was transferred back to the Forest Side SSS (Boys) as Head of Department (Pre-Vocational) with effect from 28 April 2016.

This goes a long way to show that this complaint was totally justified and therefore I wish to place on record our appreciation for the immediate action taken by the Ministry.

C/221/2016

**Erroneous interpretation of Recommendation
of PRB Report 2016 in respect of
travelling allowance rectified**

Relying on Recommendation 25 paragraph 18.2.68 (2ii) made by the Pay Research Bureau in its 2016 Report, Mrs S.T., Rector of a Private Secondary School with effect from 01 March 2016 and drawing a salary of Rs 49950/- applied on 27 September 2016 to the Director, Private Secondary Schools Authority (PSSA), now the Private Secondary Education Authority (PSEA), for the necessary amendment to be made to her travelling allowance, claiming to be entitled to Rs 11500/- monthly.

By letter dated 14 October 2016 the said Director replied that her present salary did not entitle her to any adjustment. She therefore lodged a complaint dated 24 October 2016 at our Office.

We raised this matter with the Senior Chief Executive, Ministry of Education and Human Resources, Tertiary Education and Scientific Research who in turn referred this complaint to the PSEA for consideration. The Director replied that due to an erroneous interpretation of the above-mentioned Recommendation, Mrs S.T. was being paid travel grant instead of travelling allowance during the period March to October 2016.

The anomaly was thus rectified and necessary adjustment was made and payment of arrears as well as a car allowance in lieu of duty-free car option would be effected on the payroll for the month of November 2016.

Mrs S.T. subsequently confirmed having received her dues and was satisfied with our intervention.

ENERGY AND PUBLIC UTILITIES

C/14/2016

Water supply restored

Ms D.C. had a real water supply problem which, according to her, has been going on for the last six months prior to her lodging a complaint before our Office. Indeed, according to her, complaints on the Central Water Authority Hotline, Customer Service, etc. have been without success and she further averred that within a “morcellement” of 435 plots only two houses are not being supplied with water, hers and her neighbour’s.

Exceptionally, instead of taking up the matter with the parent Ministry, we wrote to the General Manager of the Central Water Authority directly and asked for an explanation. He replied a few weeks later that in the meantime several leak-detection exercises which had been carried out in the region revealed the presence of two leaks along the main pipeline. They were repaired and water supply was restored to the two houses.

Indeed, in a further correspondence addressed to our Office, Ms D.C. confirmed that she and her neighbour were now having a normal water supply. Their long wait was over!

C/121/2016

Lane reinstated to satisfaction of inhabitants

Several inhabitants of Trèfles, Rose Hill, complained about the state in which the workers of the Wastewater Management Authority (WMA) left the lane where they live after having dug into that lane for the installation of a sewage network.

In their complaint letter dated 16 May 2016 those inhabitants averred that the lane had in the past been conveniently levelled and tarred by the Municipal Council of Beau Bassin-Rose Hill. They claimed that right at the onset of the digging works they were reassured by the WMA contractor that the lane would be restored after completion of works. In fact what the workers did was simply putting some “crusher run” with the promise that they would come back. Unfortunately six months went by without any improvement and the inhabitants were informed that no restoring works would be carried out “because the asphalt was too old!”.

We took up the matter directly with the General Manager of the WMA who informed us that a meeting chaired by the Mayor of the afore-mentioned was held on 27 May 2016 where all parties concerned were present and the issue was discussed and proposed remedial works were agreed upon. Soon after, the lane was reinstated to the satisfaction of the inhabitants.

Barely five weeks after having lodged their complaint, the inhabitants informed our Office that the lane had indeed been reinstated to their satisfaction and expressed their deep appreciation for action promptly taken.

C/145/2016

Remedial measures taken to eliminate waste water nuisance

Mr R.B. complained to our Office about waste water emanating from his neighbour's premises which accumulated onto his property thus giving rise to bad smell and attracting mosquitoes. Notwithstanding several complaints made at the "Sanitation Section" of his locality no action had been taken and, according to the complainant, the Sanitary Officer told him that it was not his job.

We requested the Senior Chief Executive of the Ministry of Energy and Public Utilities to take up the matter with the Wastewater Management Authority (WMA) with a view to finding a solution to that problem which was a real health hazard.

The WMA investigated into the complaint and found that the complaint of R.B. was indeed justified. It however advised that the matter be referred to the Ministry of Health and Quality of Life which may, under the Public Health Act, issue a notice to the neighbour to remedy the situation.

We therefore turned to the Senior Chief Executive of the Ministry of Health and Quality of Life for action and he informed our Office some ten days later that –

- (a) a site visit was effected on 29 June 2016 and seepage of waste water was noted;
- (b) another site visit was effected in the company of the Health Engineering Officer due to the complexity of the problem;
- (c) during inspection on 5 July 2016, a notice was served upon the author of the nuisance for abatement within a delay of 30 days; and
- (d) as a palliative measure, regular disinfection was being carried out by the Pamplemousses Health Office until nuisance is abated.

The matter was followed up further with the said Senior Chief Executive after the expiry of the delay granted to the author of the nuisance and he thereafter reported that –

- (i) an inspection was carried out on 10 August 2016 and it was noted that works were in progress;

- (ii) the author of the nuisance was constructing a new septic tank at another place and had requested for an additional delay of about three weeks to complete the works due to technical difficulties;
- (iii) the region being a water-logged area and also due to high water table, underground seepage of water was noted about three feet below ground level which is hindering the construction of the new septic tank;
- (iv) a Statement of Warning was recorded from the said offender and an additional delay of about three weeks was granted to him.

Finally we were informed that –

- (a) a site visit was effected on 14 September 2016;
- (b) a septic tank had been provided;
- (c) the nuisance had been abated; and
- (d) the Notice had been complied with,

much to the relief of the complainant.

ENVIRONMENT, SUSTAINABLE DEVELOPMENT, AND DISASTER AND BEACH MANAGEMENT

C/23/2016

Delay in renewing Beach Trader's Licence explained

In a letter dated 29 January 2016 addressed to the General Manager of the Beach Authority, Mr M.J.J. complained about the delay in renewing his permit to sell ice-cream at the St Felix public beach.

As that letter was copied to our Office, *inter alia*, we took up the complaint with the Permanent Secretary, Ministry of Environment, Sustainable Development, and Disaster and Beach Management and requested him to find out from the General Manager the reason for this delay inasmuch as the complainant had already handed over his original permit to the Beach Authority and effected payment.

The explanation of the Beach Authority was quite clear and disclosed that –

- (i) initially the complainant was issued with a Beach Trader's Licence ever since 26 March 2012 for the selling of ice-cream or ice lollies at Le Morne public beach;
- (ii) on 26 September 2012 he applied for a change of location to St. Felix public beach but his request was turned down;
- (iii) it so happened, however, that an ex-General Manager of the Beach Authority had, on 22 October 2012, without the prior approval of the Board, issued a fresh Beach Trader's Licence to M.J.J. with permission to trade at St Felix public beach. This led to a court case in which we need not dwell;
- (iv) all the same, in January 2016 the Board reconsidered the case of M.J.J. and agreed to renew his licence on condition that he would trade at Le Morne public beach.

M.J.J. was accordingly informed and he did not pursue the matter further.

GENDER EQUALITY, CHILD DEVELOPMENT AND FAMILY WELFARE

C/142/2016

Over a million rupees representing arrears of gratuity and accrued pension paid to complainant

Mr D.C. an ex-employee of the National Women Entrepreneur Council (NWECC) which falls under the responsibility of the Ministry of Gender Equality, Child Development and Family Welfare, retired on medical grounds on 31 March 2008.

As from April 2008 he was being paid a monthly pension of Rs 7000 until June 2010 when same was suddenly stopped due to lack of funds. He was made to understand that his pension would be restored as soon as funds would become available through the setting up of a Pension Fund.

Unfortunately, as at 28 June 2016, date of his letter addressed to our Office, his pension had not yet been restored. He therefore requested our Office to intervene in order that his pension be restored.

The explanation furnished by the Permanent Secretary of the Ministry to our Office was as follows –

- (i) to enable the NWECC to set up a Pension Fund at the SICOM, the latter informed that an amount of Rs 4 million would be required. In this respect at its meeting held on 27 January 2016, the Executive Committee of the National Women Entrepreneur Council had approved the release of funds to the tune of Rs 3,709,217.05 and monthly contributions as from January 2016 onward;
- (ii) the Ministry of Finance and Economic Development had on its part informed that it had already completed the procedures for the setting up of the NWECC Pension Fund and it was up to the NWECC to make necessary arrangement for the payment of the contributions for operationalisation of the Pension Fund.

In that context the Ministry, in a letter dated 08 July 2016 informed the NWECC that it had no objection to the transfer of funds to the tune of Rs 3,709,217.05 from

the savings of the Council and the payment of contribution for operationalisation of the Pension Fund at the SICOM.

The setting up of the Pension Fund was in progress and it was foreseen that Mr D.C. would be paid his pension and other benefits due, once the Pension Fund became operational.

At our request the Ministry informed Mr D.C. accordingly and he was told that once the Pension Fund became operational his monthly pension would be restored and he would also be paid all other benefits.

We followed up the matter with the Ministry until we were informed that the Pension Fund set up was made operational with effect from 23 December 2006.

Consequently, on 26 August 2016, an amount of Rs 1,040,658.25 representing gratuity and accrued pension for period 01 April 2008 to 31 August 2016 was paid to Mr D.C. and as from September 2016 payment of a monthly pension of Rs 15,148.69 would be effected to him.

M.C. expressed his deep satisfaction two months later.

HEALTH AND QUALITY OF LIFE

C/202/2014

Student Medical Laboratory Technologists appointed as Medical Laboratory Technologist/ Senior Medical Laboratory Technologists

The gist of the complaint lodged by twenty-two Student Medical Laboratory Technologists (MLT) was that they were enrolled as Student MLT since August 2010 to follow a three-year diploma course in Biomedical Sciences at the University of Mauritius which ended in August 2013 but as at the time of writing (07 October 2014) they had not received any letter of appointment. As a consequence they were not enjoying certain privileges as other government officers, to wit: vacation leave, sick leave, study leave, membership of the Mutual Aid Association which would have allowed them to benefit from certain loan facilities. They averred that they were all completely discouraged, demotivated and demoralized.

The complainants requested our Office to intervene in the matter and provide them with assistance in that delicate situation.

We indeed opened an inquiry into the matter with the Ministry of Health and Quality of Life and some three weeks later we were informed at the beginning of November 2014 by the Senior Chief Executive that, in accordance with their offer of enlistment, these twenty-two students are to be considered for appointment as Medical Laboratory Technicians but had not yet been appointed for the following reasons –

- (i) subsequent to the publication of the Errors, Omissions and Anomalies Committee (EOAC) Report in April 2013, the grade of Medical Laboratory Technician has been merged with Senior Medical Laboratory Technician and restyled into Medical Laboratory Technologist/Senior Medical Laboratory Technologist;
- (ii) the scheme of service of the grade of Medical Laboratory Technician had to be amended to reflect the recommendations of the EOAC Report 2013; and
- (iii) a new proposed scheme of service has therefore been worked out for the merged grade of Medical Laboratory Technologist/Senior Medical

Laboratory Technologist and submitted to the Ministry of Civil Service and Administrative Reforms on 09 July, 2014, after consultation with the Medical Laboratory Technician Association, the Federation of Civil Service and Other Unions and the State and Other Employees Federation

A letter had been sent to the Ministry of Civil Service and Administrative Reforms on 29 October 2014, requesting them to give urgent attention to the proposed scheme of service for the new grade of Medical Laboratory Technologist/Senior Medical Laboratory Technologist. On prescription of the scheme of service, action would be taken immediately for the appointment of the 22 Student Medical Laboratory Technologists to the grade of Medical Laboratory Technologist/Senior Medical Laboratory Technologist.

Thereafter followed a long list of events like amendments to the proposed scheme of service, then submission to the Public Service Commission for consideration and agreement, until we were informed that the scheme of service in question had been prescribed with effect from 13 May 2015 and that arrangements were underway for the appointment of the 22 Student Medical Laboratory Technologists as Medical Laboratory Technologist/Senior Medical Laboratory Technologist.

Finally a recommendation to that effect was submitted to the Public Service Commission on 02 July 2015 but the Commission requested for additional information which was supplied by the Ministry of Health and Quality of Life and finally twenty-one of the complainants were duly appointed as Medical Laboratory Technologists/Senior Medical Laboratory Technologists with effect from 13 May 2015 on twelve months' probation or in a substantive capacity as the case might be. One of them declined the offer made to her and subsequently tendered her resignation from the Service.

It is assumed that they were all satisfied as we did not hear from any of them again.

C/45/2016

All allowances due to retired public officer paid to him after a considerable time

Mr R.M., a retired Nursing Officer since 06 June 2015, had been working at the Brown Sequard Mental Health Care Centre (BSMHCC) and, in his complaint dated 22 February 2016, claimed that the Ministry of Health and Quality of Life still owed him the following allowances since July 2012 –

- “ (i) 26 Bank sessions – November 2014 to June 2015
- (ii) Public holidays – July 2012 to 9th January 2013
- (iii) Night call allowance + Night attendance bonus – August 2012 to 9th January 2013
- (iv) Public holidays – 1st January 2015 to June 2015
- (v) Night call allowance + Night attendance bonus – January 2015 to March 2015
- (vi) Night call allowance + Night attendance bonus – April 2015 to June 2015.”

He assured our Office that all the bills pertaining to his claims had been sent to the Finance Section of the Jeetoo Hospital by the Finance Officer of the BSMHCC for verification and payment.

As at 22 February 2016, i.e. nine months after retirement, R.M. had still not been paid and so he applied to our Office “to repair this injustice”.

Our Office requested an immediate attention to that claim from the Ministry and we requested them to take necessary action straight away. The Ministry however informed us that some more time would be required to complete their own inquiry into the matter and thus applied for an extension of time in order to verify all the claims made by R.M.

Finally, it was only in August 2016 that R.M. was paid all the allowances that were due to him.

In his letter of thanks to our Office, R.M. wrote the following: *“We thank God that we still have institutions that guarantee the rights of public officers. I am completely satisfied with your intervention and wish you all success in your work”.*

POLICE

C/209/2016

Foreign driving licence converted into a Mauritian driving licence

Mrs N.C-N., a French citizen, who has been a resident in Mauritius since December 2014 claimed that her written request addressed to the Commissioner of Police for an equivalent Mauritian driving licence as a result of the loss of her French and international driving licences had not yet been attended to after a period of thirteen days although she had completed all the formalities that had been explained to her by officials of the French Embassy and the Line Barracks.

After taking up her case with the Commissioner of Police we were informed two weeks later that the lady's French driving licence had been converted into a Mauritian driving licence which she almost immediately confirmed. She could now drive on our roads without any fear.

C/211/2016

Interdicted Assistant Commissioner of Police reinstated to his post

On 05 December 2013, the complainant, an Assistant Commissioner of Police, was interdicted from duty on ground of provisional criminal charges against him.

On 24 June 2014 all the provisional charges were struck out by the court and no appeal was lodged against the ruling of the Magistrate.

On 28 July 2014, by way of letter to the then Commissioner of Police, the complainant requested that he be reinstated in his job forthwith. He received a reply dated 28 August 2014 to the effect that the main case was still under enquiry and after completion of same the case would be referred to the Director of Public Prosecutions for advice.

Some time later complainant informed our Office that the Director of Public Prosecutions advised no further action against him on 22 August 2016. Nonetheless he had not yet been reinstated after several weeks, whereas according to him, in the case of some other Officers in the past they had been reinstated within a short lapse of time and he even cited some examples. In his letter dated 03 October 2016 addressed to the present Commissioner of Police and copied, *inter alia*, to me, complainant appealed for his immediate reinstatement as he was suffering grave prejudice as a result of his continued interdiction.

The matter was immediately taken up by our Office with the Commissioner of Police and the next day we were informed that on 30 September 2016 a recommendation had been made to the Disciplined Forces Service Commission for the complainant's reinstatement and a reply was still being awaited.

Finally the complainant was reinstated to his post of Assistant Commissioner of Police on 31 October 2016.

In a letter of thanks addressed to our Office he said the following –

“However, I would like to congratulate you and your office staff for the prompt action initiated following the letter which I copied to your office on 03.10.2016.

The sense of professionalism and commitment displayed is unparalleled when compared to other institutions and your office has lived up to the expectations as rightly enshrined in your Mission Statement.

Once again, my heartfelt thanks go to you and your staff for their dedication to duty and service delivery which is indeed commendable”.

OFFICE OF THE
OMBUDSMAN

PUBLIC INFRASTRUCTURE AND LAND TRANSPORT

C/100/2016

Complainant receives his contract bus licence after a year

A complaint from one Mr S.U. was received at our Office on 27 April 2016. It was to the effect that ever since 27 October 2015 he had applied to the National Transport Authority (NTA) for a contract bus licence for the conveyance of tourists but no acknowledgement nor any reply was received from that body. He queried several times the NTA about his application but each time he was told that he had to wait for the Board of the NTA to sit and decide.

The next day we queried the Road Transport Commissioner, NTA, about the case of this complainant. It took our Office not less than five reminders to obtain a copy of a reply dated 04 August 2016 from the Road Transport Commissioner addressed to the Senior Chief Executive of the Ministry of Public Infrastructure and Land Transport!

Upon our insistence we finally received a reply dated 23 August 2016 addressed directly to our Office together with an explanatory memorandum on the delay for submitting a reply to our Office earlier, which according to the version of the Road Transport Commissioner was due to an administrative error. He however assured us that instructions have been given to his officers to avoid such shortcomings in future.

Finally we were informed on 14 October 2016 that the Board of the National Transport Authority met on 13 October 2016 and considered Mr S.U's application and that the decision would be communicated to the complainant, which was done on 14 November 2016. It was to the effect that his application had been granted subject to certain conditions which we need not go into.

Mr S.U. confirmed having received a favourable reply from the Road Transport Commissioner and showed his appreciation for our intervention.

REGISTRAR CIVIL STATUS

C/59/2016

Lease contract renewed

For the last thirty years the owner of a concrete building at Laventure had leased to Government one room therein to be used as a Civil Status Office.

According to him the contract expired since March 2016 but rent had been paid only up to March 2015 and the contract had not been renewed, as per his letter dated 09 March 2016. Furthermore the room is under lock and key and the key is kept in possession of the Civil Status Officer posted there.

The owner therefore sought our intervention so as to compel the authority concerned “to take the appropriate decision”.

The explanation of the Registrar of Civil Status was that the Laventure Civil Status Office had been temporarily closed along with some other Civil Status Offices ever since the middle of 2012 in order to suit the purpose of the Mauritius National Identity Scheme Project. It was however decided to reopen these offices and the Prime Minister’s Office was apprised of the decision.

Consequently the Registrar informed our Office on 29 March 2016 that the lease agreement of the Laventure Civil Status Office will be renewed for period 01 April 2015 to 30 June 2016 and the owner would be called upon to sign the new contract.

Our Office informed the owner of the decision taken but we did not hear from him again.

SOCIAL SECURITY, NATIONAL SOLIDARITY AND REFORM INSTITUTIONS

C/25/2016

Complainant refunded amount deducted from her pension

Mrs M.D.M. born in November 1955 lost her husband on 22 April 2010. She applied for Basic Widow's Pension (BWP) and was awarded same for period ending October 2015 as she was to turn 60 in November 2015. She was also awarded a Contributory Widow's Pension (CWP) with effect from April 2010.

In January 2016 she discovered that an amount of Rs 2090 was being deducted from the total amount that was being paid to her. Upon inquiry she was told that she had been overpaid. In her letter of complaint dated 02 February 2016 to our Office she protested against the deduction alleging that it was through no fault of hers that she had been overpaid. She claimed a refund of the total amount deducted.

Our enquiry revealed that owing to an administrative error Mrs M.D.M. had been overpaid an amount of Rs 18768 and therefore an amount of Rs 2090 was being retained from her total pension to offset the overpayment.

Having regard to the provisions of Regulation 8(1) of the National Pensions (Claims and Payment) Regulations which provides as follows –

“8. (1) Where a decision awarding a benefit is amended under regulation 3(7) or on appeal and by reason of that amendment, a person has received sums to which he is not entitled, the National Pensions Officer shall, unless he is satisfied that the person acted in good faith in receiving that benefit, require repayment of those sums and may direct that they may be recovered in such manner as he thinks fit from any subsequent benefit payable to that person”.

the Ministry concluded that, if the National Pensions Officer is satisfied that the beneficiary acted in good faith the latter should not be required to refund the amount overpaid. Having regard to that provision the Ministry decided in April 2016 to refund Mrs M.D.M. the entire amount retained (Rs 8360.-) and furthermore to stop the monthly deduction of Rs 2090/-

Unfortunately, according to the complainant no refund had yet been effected as at 29 August 2016, although the monthly deduction had stopped. We caused this lapse to be looked into immediately and on 07 September 2016 Mrs M.D.M. was refunded the total amount due by cheque.

Asked to confirm receipt of payment Mrs M.D.M. chose not to reply.

OFFICE OF THE
OMBUDSMAN

C/44/2016

Arrears of Income Support paid to complainant's wife

Mr M.K.S. addressed a letter dated 15 February 2016 to the Senior Chief Executive of the Ministry of Social Security, National Solidarity and Reform Institutions (S.S, N.S & R.I.) in which he claimed Income Support in respect of his wife who, according to him was eligible to same. He copied his letter to the Honourable Minister of S.S, N.S. & R.I. as well as to our Office.

His story was that he had reached the age of 60 in February 2008 and was being paid Basic and Contributory Retirement Pensions as from February 2008. His wife, aged 56, does not work and they both live in rented premises. His application for Income Support for his wife had been made ever since 01 April 2011 but nothing was done.

We took up his case with the Ministry and after consideration the Ministry informed our Office that arrangements had been made to pay arrears of Income Support in favour of the wife with effect from April 2011 to January 2016. As for payment for the months of February 2016 onwards same had already been effected.

M.K.S. confirmed a few days later that he had received payment.

C/127/2016

Financial aid of Rs 25000 for dialysis patient

On 01 July 2015 one Mr B.P.R. applied for financial assistance from the National Solidarity Fund as he was suffering from end-stage renal disease and was on dialysis at Dr Jeetoo Hospital in Port Louis. He however passed away on 06 December 2015 in the wake of which his widow wrote to our Office averring that her late husband's application had already been approved before he passed away and he had indeed been waiting for the financial assistance as he was facing financial constraints to meet his treatment. The widow even averred that a cheque had already been drawn on her husband's name but due to administrative delay she did not receive the cheque and therefore felt aggrieved by the situation.

Our inquiry revealed that the husband was examined on 18 November 2015 and, in line with the policy of the National Solidarity Fund (NSF) an amount of Rs 25000/- was recommended, having regard to the severity of the husband's condition. Unfortunately he passed away and a Social Enquiry Report was requested on 24 May 2016 and same was received by the NSF on 22 June 2016. The case was heard by the Board of the NSF on 06 July 2016 and, in the light of that report, a decision was taken to remit the amount of Rs 25000/- to his widow, i.e. Mrs B.P.R. This was done on 27 September 2016 by registered post.

Although Mrs B.P.R. was asked to inform our Office once she received payment she did not reply. All the same we are comforted by the idea that she could now settle the debt incurred for the treatment of her late husband.

TECHNOLOGY, COMMUNICATION AND INNOVATION

C/187/2015

Complainant refunded TV licence fees

In November 2015 one P.K.L. lodged a complaint at our Office against the Mauritius Broadcasting Corporation for refusing to stop charging him for his TV licence in respect of his former residence inasmuch as he and his family had moved to another residence.

Indeed, for a whole year P.K.L. had been making oral and written representations to the Director of the Corporation urging him to take action for discontinuation of payment but to no avail.

Our Office took up the matter with the Permanent Secretary of the Ministry of Technology, Communication and Innovation and this led to a site visit by officers of the Corporation as a result of which the TV licence was cancelled on 04 January 2016. The Corporation then requested the Central Electricity Board to submit the statement of fees paid by P.K.L. ever since he had applied for cancellation of his TV licence up to the date of cancellation.

Finally we were informed by the Permanent Secretary of the Ministry that P.K.L. had been refunded the sum of Rs 1940/- representing overpayment for period December 2014 to December 2015.

P.K.L. confirmed having received his refund and stated that he was entirely satisfied with the intervention of our Office.

MUNICIPAL COUNCIL OF BEAU BASSIN-ROSE HILL

LA/C/16/2016

Action taken to control the evacuation of rainwater

This complaint was about the absence of drains for the evacuation of water in the street in Beau Bassin where the complainant lives as well as in other adjoining streets. This caused the flooding of the complainant's premises on rainy days thus resulting in great inconvenience to him.

Following our intervention a site visit was effected by officers of the Municipal Council and it was initially reported that in order to evacuate storm water along the street in question a road side drain as well as an across drain should be constructed. This measure had, however, to be approved by the Public Infrastructure Department of the Council.

However, as there was an old existing road-side culvert the Public Infrastructure Department decided that it would instead be more expedient to reinstate it by consolidating its stone borders and give it an appropriate gradient so that all surface run off which accumulates along the street where the complainant lives, including the front of his premises, would be diverted into the main drain along the Plaines Wilhems main road.

Some three weeks later we were informed that the works over a total stretch of 80 metres along the street in question had been completed.

It is assumed that the complainant was satisfied with action taken as he did not write to us again.

MUNICIPAL COUNCIL OF PORT LOUIS

LA/C/51/2016

Wasteland cleaned following the Ombudsman's intervention

Mrs S.A. complained about an abandoned plot of land opposite her house in Port Louis where she and her family have been living for the last 25 years.

According to her that plot of land is being used by one and all to drop their waste materials and is frequented by drug addicts. The place also attracts all sorts of stray animals. To sum up, Mrs S.A. avers that the sight is horrible, injurious to health and that she and her family live in fear.

The complaint was taken up with the Chief Executive of the Council and, after searches made at the Municipal Cadastre, it was found out who is the owner of the land in question. A Notice was served on the owner giving him 15 days to clean the plot of land failing which legal action would be initiated against him.

Some time later a follow up visit was carried out by the Health Inspectorate of the Council and it was found that the Notice had been complied with and the land was now cleaned.

Asked whether she was satisfied with action taken, Mrs S.A. made no reply.

DISTRICT COUNCIL OF MOKA

LA/C/12/2016

Action taken by Council following the Ombudsman's intervention

Mrs C.H. complained several times to relevant authorities about rainwater pouring onto her premises from a downpipe installed by her neighbour, thus causing her and her family a lot of hardship and prejudice. Although officers of those authorities came to assess the situation and promised to take necessary action nothing was done and so she decided to send to our Office a copy of her latest complaint which was addressed to the Chief Executive of the District Council of Moka.

We therefore seized the said Chief Executive about this complaint and a week later a Notice was served on the neighbour requesting him to remove the offending rainwater downpipe and to provide an absorption pit within his own premises in order to collect and dispose of rainwater. A delay of two weeks was granted to the neighbour and the matter was monitored by the Public Infrastructure Department of the Council.

During a site visit effected a few days later it was noted that the neighbour had complied with the Notice, to the complainant's satisfaction.

RODRIGUES REGIONAL ASSEMBLY

ROD/C/27/2015

Complainant promoted

Mr P.A.S., a firefighter of the Airport Fire Services in Rodrigues, complained in a letter dated 03 December 2015 about the delay in respect of his promotion as Sub Officer upon the retirement of the former Sub Officer who had retired since February 2015.

Upon enquiry we were informed by the Island Chief Executive (ICE) that, it was understood that with the taking over of the Sir Gaetan Duval Airport by the Airport of Rodrigues Limited (ARL), the existing firefighting staff will be given the option to join the ARL as their services will be no more required by the Rodrigues Regional Assembly. However, ARL informed his office that it will not be in a position to cater for the pension liabilities and other benefits of the officers. Consequently, these officers now posted to the Civil Aviation may be required to retire from the service or be redeployed to the Fire and Rescue Services.

Therefore, in order not to penalize Mr P.A.S. in view of his age a recommendation was made to the Public Service Commission on 10 March 2016 for the promotion of Mr P.A.S. against the vacancy in the grade of Sub Officer.

Finally we were informed that Mr P.A.S. had been offered promotion as Sub Officer with effect from 15 February 2015, date of retirement of the previous substantive holder.

Mr P.A.S. wrote back to our Office to confirm his promotion and stated that he was satisfied with his promotion following action taken by our Office.

ROD/C/7/2016

Allowance paid to complainant for performing higher duties

The gist of the complaint of Mr G.P., a General Services Officer, dated 02 June 2016 was that he had not been paid any allowance for performing the duties of Assistant Finance Officer at the Commission for Agriculture as from 31 January 2011. He did not however specify the length of period during which he performed such duties.

Our inquiry with the Island Chief Executive (ICE) disclosed that there was no recommendation for payment of allowance to Mr G.P. but all the same an investigation was being carried out to find out whether his averment was correct.

At the beginning of October 2016 the ICE informed our Office that Mr G.P.'s case had been examined and approval was conveyed for payment of an ad hoc allowance for the period 31 January 2011 to June 2011.

Mr G.P. confirmed the above and promised to inform our Office once payment was effected but we never heard from him again.

His case stands as having been rectified.

ROD/C/8/2016

**Allowance for performing higher duties paid
after more than five years**

Mr M.B.L. was employed as Clerical Officer/Higher Clerical Officer but was assigned the duties of Assistant Finance Officer (AFO) at the Commission for Agriculture during the period January 2010 to 11 January 2011.

In his letter of complaint dated 02 June 2016 and received on 05 July 2016 at our Office he averred that no allowance whatsoever had been paid to him for that assignment although authority for payment had been sought from the Island Chief Executive (I.C.E.) at the Central Administration in Rodrigues. Indeed there has been no response at all from the I.C.E.

As we were travelling to Rodrigues on mission in July 2016 we convened the I.C.E. before us on the 20th in order to discuss the matter. The I.C.E. was represented by the Assistant Manager, Human Resources on that day and she there and then informed us that no request for assignment of higher duties to the complainant had been received at the Office of the I.C.E. However, an investigation would be carried out to find out whether the complainant did in fact perform higher duties during the period averred by him.

The matter was followed up with the I.C.E. upon our return to Mauritius and he reported that in fact there existed a recommendation for performing higher duties as averred by the complainant but through oversight it was not processed. All the same necessary arrangements were made to effect payment of the allowance due to the complainant accordingly.

We asked Mr M.B.L. to inform our Office once payment was effected but he chose to remain silent. It is assumed that he got satisfaction.

ROD/C/9/2016

Complainant obtains residential lease after six years

In his complaint dated 12 July 2016 Mr Y.M.R. averred that ever since 03 November 2010 he made an application at the Cadastral Office of Rodrigues for a plot of State land for residential purposes. Notwithstanding numerous enquiries made by him regarding his application, including at the Office of the Island Chief Executive, no one could give him a satisfactory answer as to the progress of his application. He even averred that, according to information obtained by him, several other persons who applied after him for a plot in the same region where he applied had already obtained their lease agreements.

Y.M.R. stated that he was living in concubinage and is the father of a four-month old child. This was causing a lot of inconvenience and embarrassment to the whole family as he was living under the roof of his parents. He therefore resorted to our Office for remedial action.

On the very day we received the complainant's letter we solicited the explanation of the Island Chief Executive and, four days later, whilst in Rodrigues we received a letter from him to the effect that the Cadastral Office was presently looking into similar applications made up to the year 2013 and that as the complainant's application was made in 2010 his application was presently still under consideration.

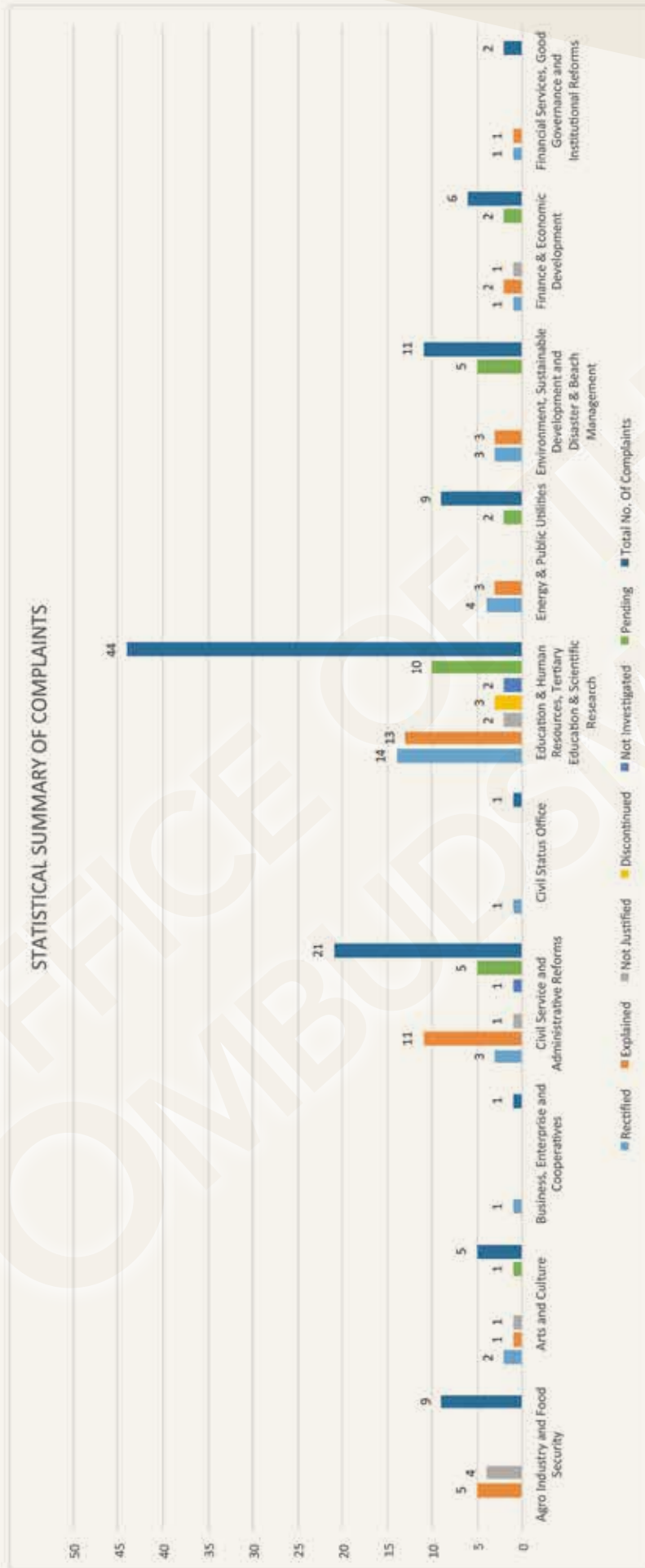
We pursued the matter with the Island Chief Executive after our return to Mauritius and it was only in December 2016 that we were informed that the residential lease in favour of Y.M.R. had been finalized and the deed already handed over to him.

APPENDIX D

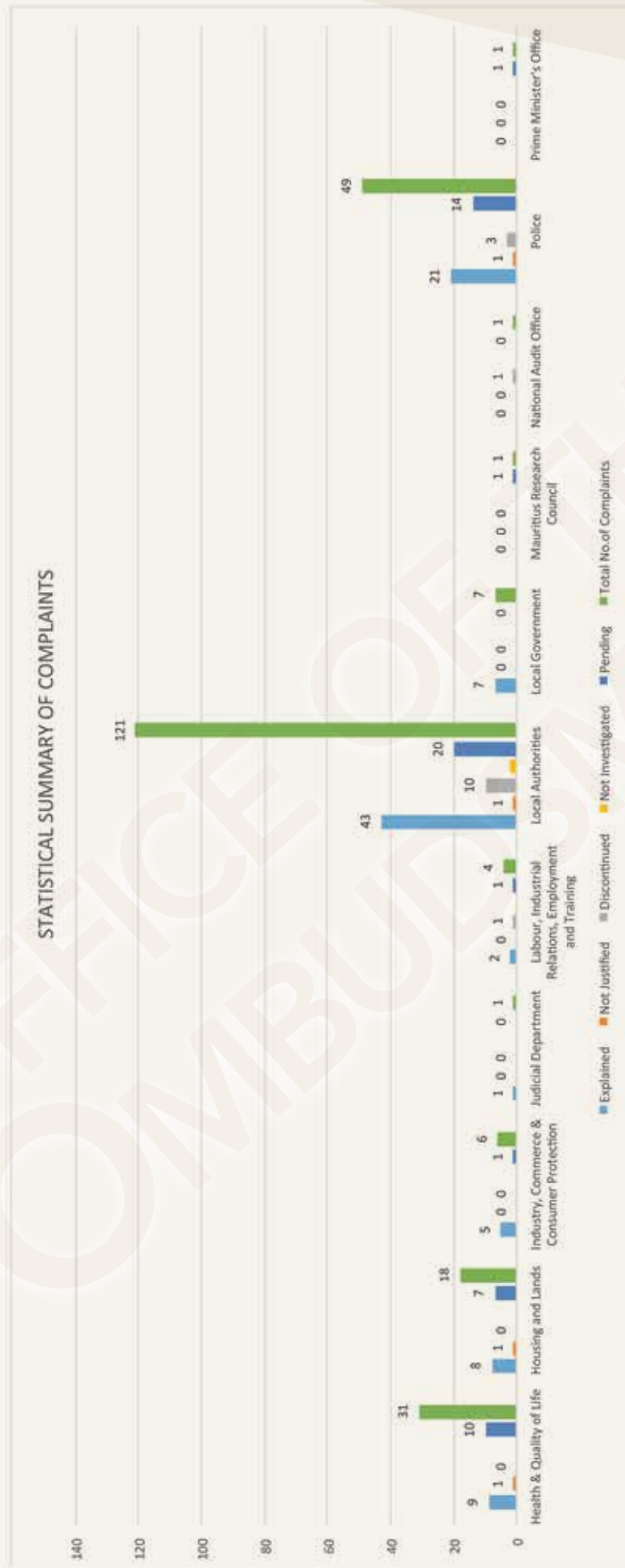
STATISTICAL SUMMARY OF COMPLAINTS

Authority concerned	Rectified	Explained	Not Justified	Discontinued	Not Investigated	Pending	Total No. of Complaints
Agro-Industry and Food Security	-	5	4	-	-	-	9
Arts and Culture	2	1	1	-	-	1	5
Business, Enterprise and Cooperatives	1	-	-	-	-	-	1
Civil Service and Administrative Reforms	3	11	1	-	1	5	21
Civil Status Office	1	-	-	-	-	-	1
Education & Human Resources, Tertiary Education & Scientific Research	14	13	2	3	2	10	44
Energy & Public Utilities	4	3	-	-	-	2	9
Environment, Sustainable Development and Disaster & Beach Management	3	3	-	-	-	5	11
Finance & Economic Development	1	2	1	-	-	2	6
Financial Services, Good Governance and Institutional Reforms	1	1	-	-	-	-	2
Foreign Affairs, Regional Integration & International Trade	-	1	-	-	-	-	1
Gender Equality, Child Development and Family Welfare	1	-	-	-	-	1	2
Carried forward	31	40	9	3	3	26	112

STATISTICAL SUMMARY OF COMPLAINTS

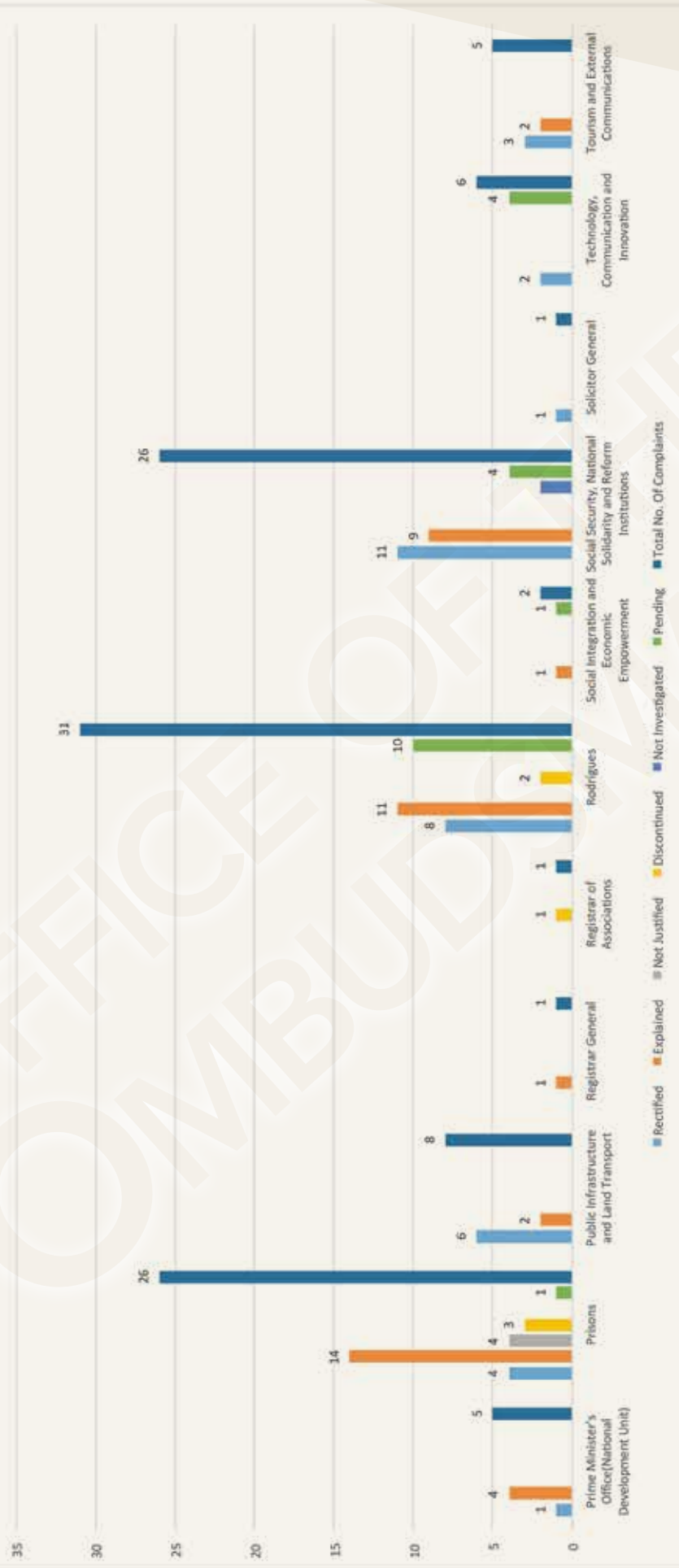


Authority concerned	Rectified	Explained	Not Justified	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought forward	31	40	9	3	3	26	112
Health & Quality of Life	11	9	1	-	-	10	31
Housing and Lands	2	8	1	-	-	7	18
Industry, Commerce & Consumer Protection	-	5	-	-	-	1	6
Judicial Department	-	1	-	-	-	-	1
Labour, Industrial Relations, Employment and Training	-	2	-	1	-	1	4
Local Authorities	45	43	1	10	2	20	121
Local Government	-	7	-	-	-	-	7
Mauritius Research Council	-	-	-	-	-	1	1
National Audit Office	-	-	-	1	-	-	1
Police	10	21	1	3	-	14	49
Prime Minister's Office	-	-	-	-	-	1	1
Carried forward	99	136	13	18	5	81	352



Authority concerned	Rectified	Explained	Not Justified	Discontinued	Not Investigated	Pending	Total No. of Complaints
Brought forward	99	136	13	18	5	81	352
Prime Minister's Office (National Development Unit)	1	4	-	-	-	-	5
Prisons	4	14	4	3	-	1	26
Public Infrastructure and Land Transport	6	2	-	-	-	-	8
Registrar General	-	1	-	-	-	-	1
Registrar of Associations	-	-	-	1	-	-	1
Rodrigues	8	11	-	2	-	10	31
Social Integration and Economic Empowerment	-	1	-	-	-	1	2
Social Security, National Solidarity and Reform Institutions	11	9	-	-	2	4	26
Solicitor General	1	-	-	-	-	-	1
Technology, Communication and Innovation	2	-	-	-	-	4	6
Tourism and External Communications	3	2	-	-	-	-	5
Total	135	180	17	24	7	101	464

STATISTICAL SUMMARY OF COMPLAINTS



APPENDIX E

No.	Subject of Complaint	Result
Agro-Industry and Food Security		
C/197/2015	Staff of now defunct Tea Board not allowed to accumulate their sick leave.	Explained
C/6/2016	Conditions of service of redeployed officer not clearly spelt out.	Explained
C/37/2016	Illegal construction on complainant's plot of land. No action taken by authorities concerned.	Explained
C/119/2016	Non-payment in respect of new sugar cane plantation.	Not Justified
C/128/2016	Application for land conversion permit rejected.	Explained
C/159/2016	Complainant denied study leave with pay but granted study leave without pay.	Explained
C/173/2016	Failure by Officer to issue wood-cutting permit on complainant's brother's name.	Not justified
C/207/2016	Complainant claims he is victim of injustice as he is being denied overtime.	Not justified
Arts and Culture		
C/13/2016	No reply to request for information regarding complainant's reinstatement following dismissal of criminal case against him.	Rectified
C/39/2016	Complainant avers he is victim of an internal change in posting.	Rectified
C/104/2016	Complainant company avers unfairness and lack of transparency regarding award of contract.	Not justified

C/161/2016	Complainant avers she is victim of discrimination at work.	Explained
C/184/2016	Allowances wrongly stopped.	Pending
Business, Enterprise and Cooperatives		
C/203/2016	No fees paid to complainant, an ex-member of the Departmental Bid Committee.	Rectified
Civil Service and Administrative Reforms		
C/42/2015	Retired Deputy Head Teacher avers he has been deprived of increment.	Explained
C/119/2015	Loan facilities for purchase of a private car denied to complainant.	Explained
C/126/2015	Anomaly in Travelling Allowance.	Rectified
C/127/2015	Complainant avers he has not been treated fairly regarding his pension rights.	Rectified
C/192/2015	Request for cancellation of transfer, which complainant considers as unfair, not attended to.	Explained
C/7/2016	Arbitrary and punitive transfer.	Not investigated
C/62/2016	Long delay in dealing with request for change in posting.	Not justified
C/64/2016	Anomaly in salary	Explained
C/79/2016	Major unfairness in respect of eligibility for payment of travel grant.	Explained
C/149/2016	Disabled officer contests his transfer notwithstanding agreement reached that he would be posted near his place of residence.	Explained

C/179/2016	Complainant avers that there is a series of malpractices prevailing at the IT Security Unit.	Pending
C/187/2016	Complainant not satisfied with recruitment exercise of Office Care/Senior Office Care Attendants.	Explained
C/188/2016	Complainant avers discrimination as she is prevented from applying for the post of Head, Consumer Affairs Unit.	Explained
C/192/2016	Complainant avers she is victim of the alleged policy of the Ministry.	Explained
C/195/2016	Denial of a fresh duty-exemption certificate.	Pending
C/206/2016	Complainant not considered for training course in Singapore.	Explained
C/222/2016	Anomaly in salary.	Pending
C/223/2016	Request for waiving of bond agreement rejected.	Pending
C/224/2016	Non-payment of increment on appointment.	Rectified
C/233/2016	Grant of increment for additional qualifications denied to complainant.	Explained
C/241/2016	Non-payment of responsibility allowance.	Pending
Civil Status Office		
C/59/2016	Lease contract not received and no rent paid.	Rectified
Education and Human Resources, Tertiary Education & Scientific Research		
C/106/2014	Additional increment denied to complainant.	Rectified
C/236/2014	Undue delay in dealing with application for programme accreditation.	Discontinued

C/238/2014	Complainant not adequately remunerated as per PRB Report 2013, etc.	Pending
C/58/2015	Salary of Deputy Head Masters/Teachers reduced by one increment.	Pending
C/82/2015	Claim for adjustment of salary for experience prior to joining the service.	Explained
C/116/2015	Request for reconsideration of complainant's transfer, etc. not considered.	Rectified
C/123/2015	Complainant awaiting adjustment of salary since more than one year.	Rectified
C/132/2015	Complainant claims he has not been paid remuneration or mileage allowance for work done as a "Resource Person" for Prevocational Education.	Rectified
C/179/2015	Examination result in respect of complainant's son not released.	Explained
C/185/2015	Loan application for construction of a new school compound not yet granted.	Discontinued
C/204/2015	Complainant's services terminated with immediate effect.	Explained
C/2/2016	Complainant avers victimization during transfer exercise.	Not justified
C/5/2016	Complainant avers that the Ministry's request for the refund of a bond signed by her is irrational.	Explained
C/8/2016	No reply to request for transfer made by Deputy Head Master.	Not justified
C/15/2016	Complainant, an Educator (Head of English Department) avers victimization during transfer exercise.	Rectified
C/26/2016	Complainant denied his right to vacation leave.	Not investigated
C/29/2016	Anomaly in salary.	Discontinued

C/35/2016	Complainant not satisfied with a second transfer in the course of the year.	Explained
C/43/2016	Complainant, a Deputy Head Mistress, avers unjustified transfer to far away school.	Explained
C/49/2016	Refusal to grant incremental credits for additional qualifications, etc.	Rectified
C/67/2016	Deputy Head Master objects to her extra zone transfer from one school to another.	Rectified
C/82/2016	Lump sum representing contributions to National Savings Fund not paid to retired public officer.	Rectified
C/83/2016	Delay in payslip delivery causing late payment of allowances, etc.	Rectified
C/95/2016	Purposeless change in postings of Heads of Departments (Pre-Vocational).	Rectified
C/99/2016	No action taken regarding a request by complainant, an Attendant, for a transfer.	Rectified
C/107/2016	No fair and equitable treatment in the assignment of duties.	Rectified
C/109/2016	No reply to complainant's request for vital information about his pensionable service and other related issues.	Pending
C/110/2016	Request by School Superintendent for a transfer from one school to another on account of serious family problems refused.	Explained
C/116/2016	Application for award of incremental credit for additional qualification ignored.	Pending
C/118/2016	Request for transfer by school clerk not approved.	Not Investigated
C/129/2016	Complainant, an Educator, contests her transfer to another school for health reasons.	Explained
C/140/2016	Incremental Credit for additional qualifications denied to complainant.	Explained

C/151/2016	No allowance paid to complainant for her services during the past years till now.	Pending
C/154/2016	Complainant considers he is eligible to two additional increments to his salary plus one increment for qualification obtained in the year 2015.	Explained
C/160/2016	No overtime or any allowance paid to watchmen.	Pending
C/166/2016	Complainant contests the number of weeks maternity leave granted to her. Avers she should have been granted more.	Explained
C/172/2016	Delay in replying to complainant's request for vacation leave.	Rectified
C/190/2016	Complainant avers injustice caused to him in the promotion exercise.	Explained
C/191/2016	Transfer of school refused to complainant's daughter.	Explained
C/196/2016	No responsibility allowance paid to complainant for performing additional duties.	Pending
C/216/2016	Complainant's employment as Assistant Lecturer/Lecturer since 7 years not regularized.	Pending
C/221/2016	Application for travelling allowance and car allowance in lieu of duty exemption rejected.	Rectified
C/235/2016	Long service increment denied to complainant.	Pending
C/242/2016	Complainant, an Educator, not satisfied with allocation of class to her.	Pending
Energy and Public Utilities		
C/148/2015	Averment of maladministration by the Central Electricity Board in allowing a person to squat on complainant's property.	Explained
C/14/2016	Complainant receives no regular water supply from the Central Water Authority.	Rectified

C/57/2016	Duty free remission declined.	Explained
C/86/2016	Complainant being charged higher tariff for the supply of water.	Pending
C/121/2016	Lane not reinstated after installation of sewage network.	Rectified
C/122/2016	Illegal tampering with river causes disastrous floods.	Pending
C/123/2016	No water supply.	Rectified
C/145/2016	Nuisance caused by wastewater from complainant's neighbour's land. No action taken by Ministry.	Rectified
C/148/2016	Complainant avers he is being over-charged by the C.W.A. for water consumption.	Explained
Environment, Sustainable Development & Disaster & Beach Management		
C/105/2015	Erosion of beach due to lack of drains.	Explained
C/23/2016	Undue delay in renewal of Beach Trader's Licence.	Rectified
C/56/2016	Illegal activities reported to various authorities. No action taken.	Rectified
C/90/2016	Unfair treatment at workplace.	Pending
C/126/2016	No reply to complainant in respect of his appeal before the Beach Authority.	Explained
C/180/2016	Sewage water entering complainant's backyard thus giving rise to odour and other nuisances.	Pending
C/189/2016	Illegal dumping of solid waste.	Rectified

C/212/2016	Illegal use of a religious compound as a playground. No action taken by authorities written to.	Explained
C/229/2016	Nuisances caused by lorries of cleaning company. No action taken since nearly three months	Pending
C/244/2016	Illegal breeding of dog gives rise to unhygienic conditions. No action taken by authorities concerned.	Pending
C/249/2016	No action taken in respect of report made since several years regarding rearing of goats which poses a health problem.	Pending
Finance and Economic Development		
C/214/2015	Wrongful retention of complainant's car imported by him.	Pending
C/112/2016	No salary paid to interdicted officer who has appealed against his conviction.	Not justified
C/114/2016	No action taken regarding complainant's request for transfer on ground of heart problem.	Rectified
C/147/2016	No action taken by Sugar Insurance Fund Board following report by complainant of forged document.	Explained
C/153/2016	Refusal by Customs to release vehicle imported by complainant although he effected all payments.	Explained
C/247/2016	No reply from the Mauritius Revenue Authority to complainant's request for a liquor licence.	Pending

Financial Services, Good Governance and Institutional Reforms		
C/199/2015	No reply to letter addressed by complainant to Financial Services Commission.	Rectified
C/152/2016	Injustice and discrimination against holders of insurance policies.	Explained
Foreign Affairs, Regional Integration and International Trade		
C/213/2015	Delay in dealing with application for surrogacy treatment in India.	Explained
Gender Equality, Child Development and Family Welfare		
C/179/2014	Complainant disagrees with Ministry's decision to put him on sick leave instead of injury leave.	Pending
C/142/2016	Pension to ex-employee of National Women Entrepreneur Council stopped and never re-established.	Rectified
Health and Quality of Life		
C/47/2013	Undue delay in prescription of scheme of service causes prejudice to complainants.	Pending
C/202/2014	Complaint by 22 Students Medical Laboratory Technologists regarding no action taken in their case which would have allowed them to enjoy certain privileges.	Rectified
C/25/2015	Delay in obtaining a reply from Ministry causes hardship, prejudice and loss to complainant's business.	Pending
C/30/2015	Noise nuisance caused by loudspeaker.	Explained
C/46/2015	Non-payment of mileage allowance since more than three years.	Pending

C/139/2015	No action taken about hygienic problems reported to the authorities concerned.	Rectified
C/141/2015	Welfare Assistant contests his transfer from one hospital to another.	Rectified
C/143/2015	Non-payment of overtime since almost a year.	Explained
C/184/2015	Tampering with conditions of work of certain public officers.	Explained
C/186/2015	Religious structure in an abandoned state. Request for its restoration ignored.	Pending
C/198/2015	No reply to complainant's letter regarding health aspect.	Pending
C/210/2015	Discrimination on Roster.	Rectified
C/12/2016	Request for transfer from one hospital to another unjustly turned down.	Rectified
C/16/2016	Objection to transfer not taken seriously. Complainant avers unfairness.	Explained
C/18/2016	Complainant avers that he is the victim of malicious transfers.	Rectified
C/38/2016	Victimization at work.	Explained
C/45/2016	Non-payment of allowances	Rectified
C/46/2016	"Misery" suffered by complainant at work.	Explained
C/81/2016	Detainee avers he is not receiving appropriate medical treatment for his ailment.	Not justified
C/85/2016	Noise nuisance reported by complainant. No action taken.	Rectified
C/89/2016	Articles imported by complainant not released.	Explained
C/103/2016	Noise pollution.	Explained

C/106/2016	Fees not paid to complainant, a member of Departmental Bid Committee.	Pending
C/108/2016	Noise pollution and odour nuisances: hazard to health of inhabitants.	Rectified
C/115/2016	Noise pollution. No action taken by authorities concerned.	Rectified
C/132/2016	Irrational decision of the Ministry in respect of complainant's study leave without pay.	Pending
C/183/2016	No reply to complainant's application for leave without pay for study purposes nor any reply to her request for extension of her vacation leave.	Pending
C/197/2016	Complainant not supplied with the outcome of a Medical Board attended by him but requested to attend a further Medical Board.	Rectified
C/215/2016	Complainant's daughter is physically and mentally ill. Has received no reply to her request for assistance for the daughter's rehabilitation abroad.	Explained
C/243/2016	Request by complainant for home assistance by Community Nurse to his wife who has difficulty to walk rejected.	Pending
C/248/2016	Harassment and discrimination at workplace.	Pending
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/108/2015	No payment effected in respect of two portions of land compulsorily acquired from complainant.	Rectified
C/162/2015	Compensation still due to complainant.	Explained

C/4/2016	No reply to application for purchase of State land since more than five months.	Rectified
C/19/2016	No compensation paid yet following compulsory acquisition of complainant's land.	Explained
C/47/2016	Complainant not allowed to consult original survey plan kept at the Ministry.	Explained
C/48/2016	Complainant refused financial assistance to purchase the plot of State land leased to him.	Not justified
C/92/2016	Request to acquire a plot of State land not considered.	Explained
C/111/2016	Financial assistance to purchase plot of State land denied to complainant.	Explained
C/133/2016	Complainant, a State land lessee, disputes the amount of rent being claimed from him, etc.	Explained
C/134/2016	Approval of application for lease of a plot of State land for religious purposes unduly delayed.	Pending
C/150/2016	No compensation paid for land compulsorily acquired by government since two years.	Explained
C/162/2016	No compensation paid following compulsory acquisition of land by Government since two years.	Pending
C/175/2016	Industrial Site lease held by complainant wrongly cancelled.	Pending
C/182/2016	No reply from Ministry to complainant's protest regarding ownership of a plot of land.	Pending
C/198/2016	Sixty-three-year-old woman sleeping outside her house from which she has been expelled for inability to refund loan.	Pending
C/219/2016	Lease agreements in respect of State land not finalized since more than ten years.	Pending
C/232/2016	Request by complainant that the plot of State land occupied by her be sold to her.	Explained

Industry, Commerce and Consumer Protection

C/191/2015	No assistance provided to complainant by Consumer Protection Unit.	Explained
C/31/2016	Application for incremental credit for additional qualifications turned down.	Explained
C/55/2016	No action taken in respect of complaint lodged by complainant.	Explained
C/185/2016	No reply to complainant's requests for information regarding her conditions of service, etc.	Explained
C/186/2016	No reason given to complainant for rejecting his request for authorization to operate as a new dealer in second-hand cars.	Explained
C/231/2016	No reply from Ministry regarding complaint filed.	Pending

Judicial Department

C/87/2016	Deposit effected by complainant in bail case not returned to him after dismissal of main case.	Explained
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Labour, Industrial Relations, Employment and Training

C/60/2016	Averment of maladministration by the Ministry in its handling of complainant's case.	Explained
C/210/2016	Complainant avers that the Ministry is responsible for her dismissal from work.	Discontinued
C/225/2016	Delay in dealing with complaint about complainant's dismissal from work.	Explained
C/246/2016	No further action taken by complainant's employer to pay him his wages, etc. notwithstanding intervention by the Labour Officer.	Pending

Local Authorities		
LA/C/4/2015	Dilapidated building adjoining complainant's house represents a danger. No action taken by Council.	Explained
LA/C/5/2015	Application for a Building and Land Use Permit not entertained.	Explained
LA/C/8/2015	Flooding problem reported to Council on three occasions. No action taken yet.	Pending
LA/C/15/2015	Risk of landslide represents potential danger to life and property.	Discontinued
LA/C/19/2015	Wastewater nuisances caused by blocked drain.	Explained
LA/C/23/2015	Construction of a grotto against complainant's wall. No action taken by the Council or other authorities.	Pending
LA/C/28/2015	Odour nuisance caused by stagnant water.	Rectified
LA/C/37/2015	Absence of bus shelter poses problems to bus users.	Rectified
LA/C/41/2015	Sanitary problems and other inconvenience due to extensive flow and accumulation of muddy rain water. No action taken by authority concerned.	Explained
LA/C/43/2015	Application for Building Permit turned down for no valid reason.	Explained
LA/C/46/2015	Complainants contest the fact that their entrance has been declared public, etc.	Pending
LA/C/48/2015	Noise and other public disturbances caused by business activities.	Explained
LA/C/53/2015	Complainant's employee harassed almost daily for trading with complainant's trade licence.	Explained
LA/C/54/2015	No action taken following report of illegal construction.	Explained

LA/C/55/2015	Discharge of rain water onto complainant's property. Request for corrective action to be taken.	Explained
LA/C/59/2015	Pollution at St Martin River, Vacoas.	Discontinued
LA/C/60/2015	Disturbance caused by children's playground in residential morcellement. No action taken by Council.	Explained
LA/C/63/2015	Movement of vehicles blocked by unauthorized parking of private buses on the street.	Explained
LA/C/64/2015	Tree alongside canal represents a danger to complainant's house.	Pending
LA/C/66/2015	Pavement non-existent or only half-completed, poor state of road, etc.	Pending
LA/C/67/2015	Noise nuisance caused by complainant's neighbour's illegal activities.	Explained
LA/C/68/2015	Complaint against operation of mechanical garage not heeded.	Pending
LA/C/69/2015	Several complaints not entertained by authorities concerned: holes on pavements, road names not properly indicated and absence of bus shelters.	Explained
LA/C/70/2015	Deplorable state of pavement is a source of danger for pedestrians.	Rectified
LA/C/71/2015	No action taken regarding complaint about illegal operation of workshop.	Rectified
LA/C/72/2015	Application for a Building Permit rejected.	Not Investigated
LA/C/73/2015	Inconvenience caused by unlawful storage of goods in residential area.	Discontinued
LA/C/74/2015	Illegal dumping of branches on road side.	Rectified
LA/C/75/2015	Illegal trading by roadside causing danger to road users.	Rectified

LA/C/76/2015	No reply to complainant's representations in connection with nuisances caused by his neighbour.	Rectified
LA/C/77/2015	Environmental problem caused by mechanical workshop.	Not justified
LA/C/1/2016	Children playground in a deplorable state.	Rectified
LA/C/2/2016	Signboard illegible.	Rectified
LA/C/3/2016	Plot of land alongside a main road turned into a "dépotoir"	Rectified
LA/C/4/2016	Refusal to accept payment of trade fee.	Rectified
LA/C/5/2016	All types of pollution caused by factory in a residential area. No action by authorities concerned.	Explained
LA/C/6/2016	Complainant contests claim for payment of a copy of a Building and Land Use Permit as he avers that he never received the original.	Discontinued
LA/C/7/2016	Blocked drain causes flooding of main road and houses in the vicinity.	Explained
LA/C/8/2016	No reply to application for a Building and Land Use Permit to run a training institution.	Explained
LA/C/9/2016	Street light causes inconvenience to complainant.	Rectified
LA/C/10/2016	Sign post in dangerous situation. Represents a hazard for passers-by.	Rectified
LA/C/11/2016	Illegal construction reported to the Council by complainant. No proper action taken.	Rectified
LA/C/12/2016	No action taken in respect of report made by complainant regarding water pouring onto his premises from the premises of his neighbor.	Rectified

LA/C/13/2016	No action taken in spite of several requests made by complainant to tar the road where he has been living since twenty-four years.	Explained
LA/C/14/2016	No reply to request for clarification regarding complainant's trading licence.	Discontinued
LA/C/15/2016	No action taken in respect of illegal construction reported since eighteen months.	Rectified
LA/C/16/2016	Inconvenience caused to complainant on account of absence of drains along street where he lives.	Rectified
LA/C/17/2016	Illegal construction put up by complainant's neighbour. No action taken by authority concerned.	Rectified
LA/C/18/2016	Drains, etc. blocked by all types of refuse.	Rectified
LA/C/19/2016	Commercial activity poses all sorts of problems in the neighbourhood.	Rectified
LA/C/20/2016	No action taken by Council regarding obstruction of road.	Discontinued
LA/C/21/2016	Construction permit refused to complainant.	Explained
LA/C/22/2016	Land in front of building causing proliferation of mosquitoes and has become a threat to public health. No action taken by Council.	Explained
LA/C/23/2016	Request for stall at Market/Fair turned down.	Explained
LA/C/24/2016	Visibility impaired by fatak tree encroaching on road.	Rectified
LA/C/25/2016	Illegal trading in front of complainant's shop and noise nuisance.	Explained
LA/C/26/2016	Payment for supply of tyres to Council still overdue after five months.	Rectified

LA/C/27/2016	Illegal construction put up by complainant's neighbour. Procedures not followed. Still he has been granted a Building and Land Use Permit by Council.	Pending
LA/C/28/2016	Illegal construction trespassing on complainant's property.	Explained
LA/C/29/2016	Illegal structures put up by complainant's neighbour in front of the former's gate thus preventing him from using the road. Action requested by complainant.	Discontinued
LA/C/30/2016	Obstruction on pavement represents a danger for the public.	Rectified
LA/C/31/2016	Illegal construction carried out on road reserve. No action taken by offender in spite of visits by Officers of the Council.	Explained
LA/C/32/2016	Illegal construction is a source of numerous disturbances and inconvenience.	Explained
LA/C/33/2016	River in a deplorable state.	Rectified
LA/C/34/2016	Rocks and construction materials causing obstruction on roads and other problems affecting village.	Explained
LA/C/35/2016	Drains, etc. blocked by debris.	Rectified
LA/C/36/2016	Illegal activities causing various nuisances to complainant and his family and in the neighbourhood.	Explained
LA/C/37/2016	Dumping of waste by road-side.	Rectified
LA/C/38/2016	Problems galore in village. No action taken by authorities to remedy the situation.	Rectified
LA/C/39/2016	Refuse alongside main road not collected.	Rectified

LA/C/40/2016	No action taken regarding report made by complainant regarding closure of public drain by neighbour thus resulting in accumulation of water, garbage, etc. in her yard.	Explained
LA/C/41/2016	No reply to letter from complainant requesting information regarding evacuation of rain water.	Rectified
LA/C/42/2016	Application for a Building and Land Use Permit to run coin-operated gaming machine refused.	Not Investigated
LA/C/43/2016	Complainants contesting the decision of the Council to declare a road as private whereas it had in the past been declared as a public road.	Discontinued
LA/C/44/2016	No action taken by Council in respect of report of construction of illegal wall.	Rectified
LA/C/45/2016	Flooding problems. No action taken by authorities concerned.	Pending
LA/C/46/2016	Complainants contest the fact that their entrance has been declared public, etc.	Explained
LA/C/47/2016	Several requests to provide pavements along street have remained unanswered.	Explained
LA/C/48/2016	Construction of residential building without leaving statutory distance. No action taken yet.	Rectified
LA/C/49/2016	No action taken following report by complainant regarding illegal activities causing nuisance.	Rectified
LA/C/50/2016	Complainant considers that her change in posting only five days before proceeding on retirement was wrong.	Explained
LA/C/51/2016	Abandoned plot of land is a source of various nuisances to the neighbourhood. Action by Council required.	Rectified

LA/C/52/2016	Illegal construction put up on boundary by complainant's neighbour. No action taken by authority concerned.	Explained
LA/C/53/2016	Refusal by Council to intervene in a reported case of illegal construction.	Explained
LA/C/54/2016	Construction of second floor to a building without necessary permit.	Explained
LA/C/55/2016	Absence of drains causes a lot of inconvenience. No action taken by authorities concerned.	Explained
LA/C/56/2016	Drains constructed but road has not been reasphalted.	Rectified
LA/C/57/2016	Speed-limit post not clearly visible for road-users as it is partly covered by branches.	Rectified
LA/C/58/2016	Letter of complaint regarding an alleged illegal construction addressed to the Council has remained unanswered.	Explained
LA/C/59/2016	No action taken following report of illegal construction made by complainant.	Rectified
LA/C/60/2016	Encroachment on complainant's property. No action taken by Council.	Explained
LA/C/61/2016	Panel beating and paint workshop operating without permit. No action taken since five months.	Rectified
LA/C/62/2016	Illegal construction put up by complainant's neighbour. No action taken by authorities concerned despite various reports made.	Rectified
LA/C/63/2016	Serious noise problem caused by Metal and Aluminium Workshop.	Pending
LA/C/64/2016	Illegal constructions by complainant's neighbours give rise to various problems. Intervention by authority concerned has remained fruitless.	Explained

LA/C/65/2016	Dangerous state of building.	Rectified
LA/C/66/2016	Illegal residential care home being run in building owned by complainant. Action to close it down requested.	Rectified
LA/C/67/2016	“Unacceptable environment” reported to authorities concerned. No action taken.	Explained
LA/C/68/2016	Lane in a deplorable state. No action taken by Council notwithstanding representations made by inhabitants.	Pending
LA/C/69/2016	Absence of drain causes accumulation of water along the road which represents a breeding ground for mosquitoes.	Discontinued
LA/C/70/2016	Abandoned bus in the vicinity of the beach front has become an eyesore and is also a source of various illegal activities.	Rectified
LA/C/71/2016	Complainant’s Building and Land Use Permit revoked without any valid reason.	Explained
LA/C/72/2016	Complainant avers neighbourhood problems. Avers that no action has been taken by authorities concerned.	Explained
LA/C/73/2016	Disturbances caused by owner of a place of worship (kalimaye).	Rectified
LA/C/74/2016	Bakery operating without licence. No action taken by authorities concerned.	Pending
LA/C/75/2016	Pavement not constructed as per purchase agreement of land.	Pending
LA/C/76/2016	Kiosk in abandoned state is an eyesore.	Discontinued
LA/C/77/2016	No security provided at children’s playground.	Explained
LA/C/78/2016	Illegal construction of boundary wall and metal gate along public road obstructing access to pavement.	Pending

LA/C/79/2016	No proper attention given to complainant's request for a lighting point in front of his gate.	Pending
LA/C/80/2016	Inconvenience caused by illegal workshop. No action taken by authorities concerned.	Pending
LA/C/81/2016	Letter addressed to Chief Executive regarding various problems and inconveniences encountered by inhabitants not considered since more than three months.	Pending
LA/C/82/2016	No action taken by Council following report by complainant that he has been denied road access to his house by his neighbour.	Pending
LA/C/83/2016	Street in a deplorable state since years.	Pending
LA/C/84/2016	Lorry depot operating without permit. Source of inconvenience to inhabitants. No action taken by authorities concerned.	Pending
LA/C/85/2016	Road has become an eye sore on account of illegal dumping. Matter reported to various authorities since three years. No action taken so far.	Pending
Local Government		
C/209/2015	Termination of complainant's appointment as Temporary Fire Fighter after two months training.	Explained
C/24/2016	Vacation leave not approved.	Explained
C/41/2016	Complainant avers she is victim of discrimination and harassment at work.	Explained
C/97/2016	Complainant not called for interview for the post of Chief Executive in the Local Government Services. Avers it is the Ministry's fault.	Explained

C/120/2016	Unbearable environmental situation caused by illegal construction. No appropriate action taken by authorities concerned.	Explained
C/169/2016	Nuisances caused by users of football ground.	Explained
C/176/2016	Failure by Chief Executive of District Council of Grand Port to fix a date for an elected Village Councillor to take the oath.	Explained
Mauritius Research Council		
C/164/2016	Complainant's Postgraduate Award application rejected.	Pending
National Audit Office		
C/205/2016	No transparency in the selection exercise for overseas training. Complainant not even approached by Selection Committee.	Discontinued
Police		
C/237/2014	Application by Graduate School for visas in respect of students not approved.	Discontinued
C/109/2015	Detainee's money secured from him upon his arrest not returned to him after his trial.	Rectified
C/165/2015	No action taken by the Police regarding cases reported.	Explained
C/166/2015	No action taken regarding reports of threatening and obscene messages addressed to complainant.	Pending
C/169/2015	Refusal by Police Officer to record complainant's statement completely.	Explained
C/177/2015	Failure by Police to take action into reports made by complainant.	Pending

C/181/2015	Untried detainee's belongings seized by the Police not returned to him.	Rectified
C/193/2015	Threats of harm against complainant and his family reported to Police since 9 months. No action taken yet.	Pending
C/201/2015	Complainant's belongings seized by Police not returned to him although the provisional charge against him has been struck out.	Rectified
C/202/2015	Nuisances caused by gymnasium in a residential area.	Explained
C/207/2015	Anomaly in Salary	Explained
C/212/2015	Delay by Police to prosecute detainee who is on remand since two months.	Explained
C/30/2016	No action taken following report of criminal offence by complainant.	Discontinued
C/33/2016	Maladministration in police enquiry.	Pending
C/34/2016	No action taken in respect of swindling case reported to the Police.	Explained
C/36/2016	Complainant, victim of serious road accident since more than two years, still not made aware of outcome of inquiry.	Rectified
C/51/2016	Detainee on remand for several larceny cases since eight months without trial.	Explained
C/53/2016	Detainee on remand since 28 months but does not know the outcome of the inquiry in his case.	Explained
C/63/2016	Report made by complainant regarding an eyesore problem posed by abandoned plot of land not attended to.	Rectified
C/65/2016	Refusal by Police to inquire into a case reported by complainant.	Explained

C/66/2016	Copies of complainant's statements to the Police not made available to him.	Rectified
C/73/2016	Great prejudice caused by activities of store and video club to neighbourhood. No police action taken.	Rectified
C/88/2016	Request by complainant, a remand detainee, for the return of his personal belongings not heeded by the Police.	Explained
C/98/2016	No action taken regarding case of assault against complainant more than six years ago.	Explained
C/105/2016	Complainant's two orphan grandchildren made to suffer on account of Police inaction.	Rectified
C/124/2016	No action taken in various cases reported to the Police.	Explained
C/130/2016	Averment of illegal operation of a multi-purpose garage giving rise to noise and other nuisances. No action taken by authorities concerned.	Explained
C/135/2016	Report of illegal parking made since several years. No action taken by the Police.	Explained
C/137/2016	No action taken in respect of report made by complainant.	Explained
C/155/2016	Declaration made to Police since eight months. No action taken yet.	Discontinued
C/163/2016	No reply to complainant's request for a copy of his statement of defence.	Explained
C/165/2016	No action taken by the Police regarding cases reported.	Explained
C/171/2016	Reinstated Police Corporal not paid end-of-year bonus.	Not justified
C/174/2016	Unethical conduct and abuse of authority by Officer of Police de L'Environnement.	Explained

C/181/2016	Accused not yet prosecuted in accident case wherein complainant's wife was seriously injured.	Explained
C/193/2016	Clearance for the transfer of complainant, a Malagasy National, to her country of origin not yet given.	Pending
C/194/2016	Clearance for the transfer of complainant, a Malagasy National, to her country of origin not yet given.	Pending
C/200/2016	No action taken in a case of serious assault on the complainant and his family.	Pending
C/202/2016	Complainant avers he is being illegally detained as all charges against him have been withdrawn.	Explained
C/204/2016	No action yet taken into complaint made to the Police more than six months ago.	Pending
C/209/2016	Refusal by Police to convert complainant's french driving licence into a Mauritian one.	Rectified
C/211/2016	Request by complainant, an Assistant Commissioner of Police, to be reinstated to his post after charges against him were dropped, not entertained.	Rectified
C/214/2016	Complainant denied bail in respect of the cases against him.	Explained
C/217/2016	No reply from Commissioner of Police to complainant's two letters.	Pending
C/218/2016	No action taken in a case of embezzlement reported to the Police by complainant.	Pending
C/228/2016	Delay in issuing new passport to complainant who has reported the loss of her old passport to the Police.	Pending
C/237/2016	Detainee's personal belongings seized upon his arrest not returned to him after his trial and conviction.	Pending

C/240/2016	No action taken yet in respect of road accident which took place six months ago.	Pending
C/245/2016	No action taken following report of case of assault to the Police.	Pending
Prime Minister's Office		
C/213/2016	Application for Mauritian citizenship made since eight years. No reply so far.	Pending
Prime Minister's Office (National Development Unit)		
C/93/2016	Complainant cannot access his plot of land on account of drain project.	Explained
C/52/2016	Malagasy detainees' transfer to their native country unduly delayed.	Rectified
C/138/2016	Complainant unable to access his plot of land on account of drain project.	Explained
C/141/2016	Complainant unable to access his plot of land on account of drain project.	Explained
C/146/2016	Complainant unable to access his plot of land on account of drain project.	Explained
Prisons		
C/137/2015	Application for reading glasses not entertained.	Rectified
C/174/2015	Malagasy detainee's request for transfer to her native country not attended to since more than two years.	Rectified
C/200/2015	Detainee avers that he has been put under report for no valid reason.	Discontinued
C/203/2015	Detainee with H.I.V. not receiving special diet.	Explained

C/211/2015	Detainee fears for his security in prison as he has several enemies. Requests to be kept in Security Block.	Discontinued
C/17/2016	Detainee avers provocation, harassment and threats by Prison Officer.	Explained
C/42/2016	Food served to detainee is unsatisfactory.	Not justified
C/58/2016	No action taken following report by detainee of theft of his personal belongings from his single cell.	Explained
C/68/2016	Detainee avers he is victim of psychological harassment.	Discontinued
C/70/2016	Detainee not receiving adequate medical treatment.	Rectified
C/72/2016	Detainee contests the number of visits allocated to him, etc.	Explained
C/77/2016	Refusal by Prison Administration to provide detainee's Conduct Report to his Counsel.	Explained
C/80/2016	Detainee not receiving adequate medical attention and proper food, being an HIV patient.	Explained
C/84/2016	Request by detainee for transfer to another prison where his sickly mother can visit him.	Explained
C/96/2016	Letter addressed to detainee by the Attorney General's Office not handed over nor shown to him.	Not justified
C/117/2016	Detainee not being served appropriate food as prescribed by the doctor.	Explained
C/125/2016	Detainee's request to be seen by a specialist turned down.	Explained
C/139/2016	Detainee, a foreign national, requests that the case in which she is to depone as a witness be heard as soon as possible to enable her to apply for transfer to her country of origin.	Pending

C/156/2016	Detainee morally stressed on account of various problems. Desires to be kept segregated.	Explained
C/157/2016	Request by complainant for copies of letters addressed to the Commissioner of Prisons by the Master and Registrar of the Supreme Court.	Explained
C/201/2016	Detainee avers he has some health problems and that treatment has been refused to him.	Not justified
C/220/2016	Detainee's CTScan done a year ago. Result not communicated to him by hospital.	Rectified
C/226/2016	Detainee not getting appropriate medical care and attention, etc.	Not justified
C/227/2016	Detainee's personal belongings reported lost. Claims compensation.	Explained
C/234/2016	Detainee avers that prices of items sold at the canteen are not reasonable and food served not properly cooked.	Explained
C/239/2016	Visit by detainee's sister-in-law denied at the prison gate although it had been approved before.	Explained
Public Infrastructure & Land Transport		
C/20/2016	No action taken to repair public road.	Rectified
C/21/2016	Engineers list on website not updated since four years.	Rectified
C/74/2016	Request for mutual transfer of taxi licence not attended to since three months.	Rectified
C/78/2016	Absence of footpath and appropriate drains represents a danger to road users.	Explained
C/100/2016	Application for a Contract Bus licence not considered since six months.	Rectified

C/113/2016	Bus shelter not provided with sitting facility.	Rectified
C/168/2016	Only partial and incomplete measures taken following complaint regarding poor state of classified public road.	Explained
C/170/2016	Request by complainant for repainting of yellow lines in front of his car park not heeded.	Rectified
Registrar General		
C/143/2016	Complainant contests claim for payment of additional registration fee and penalty.	Explained
Registrar of Associations		
C/3/2016	No reply to request for information since one year.	Discontinued
Rodrigues		
ROD/C/26/2012	Illegal occupation of private land by Rodrigues Regional Assembly without payment of any compensation.	Pending
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/16/2014	Application for an access road to complainant's property ignored.	Pending
ROD/C/2/2015	Application for State land for residential lease not yet finalized.	Discontinued
ROD/C/15/2015	Lead Prison Officers not paid allowance.	Explained

ROD/C/18/2015	Application for housing unit not attended to since years.	Pending
ROD/C/19/2015	Construction materials not yet delivered to complainant since three years.	Rectified
ROD/C/21/2015	Complainant not selected as Ambulance Driver though he was the only candidate competing.	Explained
ROD/C/25/2015	Financial assistance denied to widow of ex-serviceman.	Rectified
ROD/C/26/2015	Length of service not correctly computed.	Pending
ROD/C/27/2015	Complainant's promotion delayed	Rectified
ROD/28/2015	Complainant not satisfied with the amount of her widow's pension and other benefits.	Explained
ROD/C/1/2016	Complainant, victim of road accident since eight years resulting in amputation of one leg still not made aware of result of Police inquiry into the matter.	Rectified
ROD/C/2/2016	Request for a housing unit refused.	Explained
ROD/C/3/2016	Complaint regarding land lease.	Discontinued
ROD/C/4/2016	Request for a housing unit.	Explained
ROD/C/5/2016	No salary paid to complainant since three months.	Rectified
ROD/C/6/2016	Application for off-lagoon fisherman's card ignored.	Explained
ROD/C/7/2016	No compensation paid to complainant for performing higher duties.	Rectified
ROD/C/8/2016	No compensation or allowance paid for assuming higher responsibilities.	Rectified

ROD/C/9/2016	Complainant avers discrimination in the allocation of State land lease. Application made since more than five years.	Rectified
ROD/C/10/2016	No action by Police to stop harassment of complainant.	Explained
ROD/C/11/2016	Application for a housing unit not considered.	Explained
ROD/C/12/2016	Complainant refused rights to annual leave. Not satisfied with the way the Labour Office is dealing with his case.	Pending
ROD/C/13/2016	Greenhouses damaged by cyclone. Complainant still awaiting assistance to repair same.	Explained
ROD/C/14/2016	No action taken by authorities concerned to come in aid to complainant who has seven children and who has been abandoned by her husband.	Pending
ROD/C/15/2016	Complainant denied increase of salary.	Explained
ROD/C/16/2016	Application for lease of State land not finalized since nearly nine years.	Explained
ROD/C/17/2016	Complainant's chicken-rearing activity affected by disease. No assistance forthcoming to re-start his project.	Pending
ROD/C/18/2016	No allowance or overtime paid to complainant.	Pending
Social Integration and Economic Empowerment		
ROD/C/153/2015	Rampant poverty and other ills affecting village.	Pending
C/69/2016	Complainant avers he has not benefitted from any financial assistance following damage caused by fire to his house.	Explained

Social Security, National Solidarity and Reform Institutions

C/208/2015	Request for financial assistance to pay educational fees not attended to.	Rectified
C/1/2016	No reply to application for financial assistance made since more than four months.	Rectified
C/10/2016	No reply to application for proposed project to run a benevolent canteen/shelter.	Explained
C/11/2016	Discontinuation of payment of Basic Retirement Pension.	Not investigated
C/25/2016	Refund of overpayment of pension contested by complainant.	Rectified
C/27/2016	Carer's allowance for complainant's handicapped daughter refused.	Explained
C/32/2016	Basic Invalid Pension denied to victim of accident.	Rectified
C/40/2016	Complainant's basic invalid's pension stopped since ten months.	Explained
C/44/2016	Income support for complainant's wife not effected.	Rectified
C/54/2016	Application for wheelchair by disabled person not acceded to, etc.	Rectified
C/61/2016	Application for Residential Care Home Licence not considered after nearly two years.	Pending
C/71/2016	Detainee's application for free spectacles not considered.	Explained
C/75/2016	Application for refund of university fees not yet finalized after more than seven months.	Rectified
C/76/2016	Contributory retirement pension underpaid.	Explained
C/94/2016	Basic widow's pension suspended for no apparent reason.	Explained

C/101/2016	Request for domiciliary visits and carer's allowance for complainant's mother who suffers from mental disorders.	Explained
C/102/2016	No adjustment made to complainant's retirement pensions.	Rectified
C/127/2016	Application for financial aid on behalf of dialysis patient not yet considered.	Rectified
C/131/2016	Appeal for social assistance to complainant's children	Rectified
C/177/2016	Invalid's Basic Pension denied to complainant.	Explained
C/178/2016	Request for carer's allowance turned down.	Not investigated
C/208/2016	Application for carer's allowance rejected twice.	Explained
C/236/2016	Fun space for children in a filthy and deplorable state. No action taken to remedy the problem.	Rectified
C/238/2016	Application for Blue Parking Coupon rejected.	Pending
C/250/2016	Non-payment of increment to complainants.	Pending
C/251/2016	Old age pension denied to complainant.	Pending
Solicitor-General		
C/50/2016	Application for change of name not attended to since more than sixteen months.	Rectified
Technology, Communication and Innovation		
C/187/2015	Request by complainant to stop being charged for TV licence not considered.	Rectified

C/136/2016	Notes of meetings not circulated notwithstanding requests by complainant.	Pending
C/144/2016	Complainant avers that a series of malpractices prevail at the Ministry. No action taken to redress the situation.	Pending
C/158/2016	Delay in payment of passage benefits to officer travelling abroad.	Rectified
C/167/2016	Date of assumption of duty wrongly reckoned by Ministry.	Pending
C/199/2016	Complainant avers discrimination regarding her release to participate in a public speaking competition.	Pending
Tourism and External Communications		
C/206/2015	Refusal by Tourism Authority to return fee for unused licence.	Rectified
C/9/2016	Complainant's request for exemption of navigation limit (Ocean Going) not acceded to.	Explained
C/22/2016	Application for Tourism Residence Permit not entertained since three years.	Rectified
C/28/2016	Delay in processing application for pleasure craft licences.	Rectified
C/91/2016	Difficulty in obtaining a Tourism Licence.	Explained

